

Minutes of a Public Meeting of  
The Council of the Town of Tecumseh

Tecumseh Council meets in public session on Tuesday September 11, 2018, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 5:00 pm.

**1. Call to Order**

The Mayor calls the meeting to order at 5:00 pm.

**2. Roll Call**

Present:

Mayor	Gary McNamara
Deputy Mayor	Joe Bachetti
Councillor	Bill Altenhof
Councillor	Andrew Dowie
Councillor	Brian Houston
Councillor	Tania Jobin
Councillor	Rita Ossington

Also Present:

Chief Administrative Officer	Tony Haddad
Director Public Works & Environmental Services	Phil Bartnik
Director Planning & Building Services	Brian Hillman
Director Corporate Services & Clerk	Laura Moy
Director Fire Services & Fire Chief	Doug Pitre
Deputy Clerk & Manager Legislative Services	Jennifer Alexander
Manager Engineering Services	John Henderson
Manager Planning Services	Chad Jeffery

**3. Disclosure of Pecuniary Interest**

There is no pecuniary interest declared by a Member of Council.

**4. Introduction and Purpose of Meeting**

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

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

**5. Delegations**

The Manager Planning Services explains a number of issues raised at the March 13, 2108 Public Council Meeting. Council directed Administration to review the

issues raised and provide advice on how to address the matters. A Report summarizing the concerns raised and comments in response to those issues is presented in the agenda. He recommends that a final administrative report be submitted at a later date.

**a. Davide Petretta, Petretta Construction, Applicant**

Mr. Petretta emphasizes some of the revisions of the development on the quantity of units and size of building. It is noted that after the last meeting, the applicant only addressed the most critical areas of the development. A review of the issues identified are summarized in PBS-2018-31 D19 PETTEC 14328-14346 Tecumseh Road.

In the new revised design, the architect softens the building's appearance with the northerly portion of property being terraced back which provides a more aesthetically pleasing look and more complementary to abutting neighbours to the north. This will lessen the burden by terracing the building and eliminating some of the units. The view from Aloha Street homes is based on current tree coverage, which show limited sight of the Harbour Condominium proposal.

Traffic engineer, marina engineer and traffic consultant are present to help address any questions.

The Deputy Mayor remarks on the height of the building and asks the applicant if the height could be reduced to three storeys.

Manager Planning Services explains the original proposed 5 storey, 71 unit condominium. The revised proposal shows a reduction to 65-units with 2-3 bedrooms. The north-south wing of the building has been reduced to 3-storeys. The proposed architectural features will soften the aesthetics of the buildings. The same 163 parking spaces are proposed, 82 at grade and 81 underground, accessed from Tecumseh Road. Some of the amenities to be included are a café along with some commercial space. A new boardwalk will go around the property in order to access the marina with 45 docks. There will be significant landscaping around the building. He notes that the applicant retained a planning consultant who prepared a Planning Justification Report that concluded the proposed development and conforms with relevant policy documents such as the Provincial Policy Statement and County Official Plan, and constitutes good planning.

A member raises concern on the intensification of the development in the area. Mr. Petretta indicated that this development meets the needs of the community and residents are demanding options to downsize their home, in the same community. This type of intensification exists in other areas in the Town.

A member raises concern about access to water for boaters to launch at the site. Mr. Petretta explains that this is not an option with insurance. The slips will only be available to the condominium units. The Mayor explains that there is accommodation in other areas for launching a boat. The prior owner felt the marina was not a viable operation. The current zoning of property permits commercial development.

The Mayor stresses that no decision will be made this evening. A further report will be provided to Council at a later date to assist with decision making.

**b. Greg Switzer, Resident**

Mr. Switzer supports development as revised, conditionally. The developer has listened to the community to the best of his ability, and it is the best use of the site. The condition is that the Town address the traffic conditions at the intersection. It is getting more complicated with the new plaza. His second condition is that the Town address noise pollution through sound capture, enforcement and speed bumps, before

construction starts. He comments that there is boat access at Dudley's across Pike Creek.

He will leave his written comments.

The Mayor asks the audience to drop off their communications for submission to the Clerk's office.

**c. Paul Sweet, Pilot's Cove**

Mr. Sweet expresses concerns over the increased traffic for the transient slips and questions if the 10 slips are regulated by the condominium or can they be rented out. He bought in this area as it was a water community. Sandbar and Urban Surf charge a fee to be a member to use their boat access and felt that it was not fair to be charged. His is fine with the development. He asks if the Town has any intention to make water access available to residents, given the Town is a waterfront community.

Mr. Petretta indicated that the slips will be sold with the units and the 10 transient slips will be only for day-use and to visit the café only.

**d. Robert Grondin, 260 Clovelly Road**

Mr. Grondin is concerned with the lack of water access in the Town with this development. He can only put his boat in the water in Windsor or Belle River. This development would cut off one of the last launch sites in the Town. He bought in this area, as it was a water community. Sandbar and Urban Surf charge a fee to be a member to use their access. It is not fair to be charged. Does the Town have any intention to make water access available to residents? He is not saying the Town should operate a marina, but it should make access to the water available to residents that do not live on the water, given the Town is a waterfront community.

**e. Kevin Hartman, 311 Aloha Street**

Mr. Hartman inquires on the proximity of the property line on the west-end of the building. He is concerned with the light pollution with the plaza on the corner. This development will make the light pollution more pronounced. Could the applicant fill in 15 feet of the shoreline to plant additional trees?

Mr. Petretta notes that the site plan control will limit light impact on neighbours. Petretta does not own the shoreline, and they have no right to fill it. He is happy to enter into an agreement with owner(s) to maintain or help maintain trees.

**f. Jean Marc Larocque 1465 Poisson Street**

Mr. Larocque supports this development for the community. He would like to downsize his property but finds little opportunities within Tecumseh and comments that Petretta builds high quality buildings. He states there is nothing else in the community that would satisfy their needs as seniors.

A Member inquired about the application process and next steps.

The Manager Planning Services indicated that the next steps in this process are that the Planning & Building Services Department will review all correspondence received and provide a report on any revisions to the development and how the applicant addressed the issues for a decision.

**6. Communications**

a) Notice of Second Public Meeting of Council

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

b) Petretta Construction Justification Report dated July 8, 2018

- Re: Residential Development 14328 and 14346 Tecumseh Road
- c) Resident Letter from Chris Kassa dated August 31, 2018  
Re: 14328 and 14346 Tecumseh Road
- d) Resident Letter from Dave Mastronardi dated September 2, 2018  
Re: 1438 and 14346 Tecumseh Road
- e) Resident Email from John Fase dated September 4, 2018  
Re: Zoning By-Law Amendment for 14328 and 14346 Tecumseh Road
- f) Resident Email from Joe Lucente dated September 6, 2018  
Re: Harbour Club Condominiums
- g) Resident Letter from Michael Anobile dated September 4, 2018  
Re: Harbour Club Condominiums
- h) Resident Letter from Kurt Maybee dated August 31, 2018  
Re: Harbour Club Development
- i) Caritas Court Homeowners' Association Board of Directors Letter dated September 8, 2018  
Re: 14328 and 14346 Tecumseh Road Residential Development
- j) Resident Email from Fiona Bryden dated September 8, 2018  
Re: Petretta Redevelopment of Pud's Marina
- k) Resident Letter from Richard Moy, dated September 9, 2018  
Re: 14328 and 14346 Tecumseh Road (Former Pud's Place)
- l) Resident Letter from Mike Graf dated September 11, 2018  
Re: Harbour Club (Petretta Condo Development)

**Motion: PCM 23/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Tania Jobin

**That** Communications - For Information A through L as listed on the Tuesday, September 11, 2018 Public Council Meeting Agenda are received.

Carried

**7. Reports**

**a. PBS-2018-31 D19 PETTEC 14328-14346 Tecumseh Road, Report for Public Meeting No. 2**

A Member raises item 6.b) Petretta Construction Justification Report dated July 8, 2018 for discussion and asks if the Town of Tecumseh has any specific intensification targets.

Tracey Pillon-Abbs, Planner for Petretta, explains that the County of Essex determines the intensification numbers for the area. There are no set targets and the direction is given by the Province. As development comes forward, there is a responsibility to use property and development

opportunities efficiently and maximize for intensity, rather than sprawl. This development does comply with the Provincial Policy Statement, County and Town Official Plans. The report is to prove, in the case of an appeal, that this is a viable development for the Town and there is no negative impact. The applicant has shown mitigation efforts to address traffic, density, and stormwater management issues.

Discussion ensues about the increase density measurements and the impact on the existing residential area.

Ms. Pillion-Abbs notes the Official Plan indicates no policy direction for anything other than medium density residential. Mitigation efforts are to be compatible with the surrounding area with respect to height. For example, a 5-storey building is an appropriate height per Official Plan; and similar development has occurred and has been compatible with the surrounding area.

Mr. Petretta noted the past development on Manning Road has the same density as proposed with this development, with no offence to surrounding area and no difficulty accessing or exiting the property.

A Member refers to the Village Grove development and applauds the developer on how the traffic flow is laid out. He is concerned with the number of vehicles flowing into an intersection within 100 meters, which has been identified as congested. People are putting conditions on this development but would like to deal with traffic. This proposed density numbers could pose as a traffic challenge.

Mr. Petretta explains that the level of service with the site, which currently has three or four access points, and operated like this for years. Previously, in the summer months, the site generated more traffic than what is proposed in this development. This Traffic Study addresses all the factors and shows every little impact.

The Traffic Engineer for Petretta, Aaron Blata, explains the level of service for the road and the analyzed impact of commercial development. He explains his process for the traffic analysis and the conclusions. Condominium developments are not a high generator of traffic.

A member addresses the calculations used for density, which includes the water. When only the land is used and not the water, the calculations result in intense intensification. In the report, the water is used in the calculation for the surface area of the lot. No one is living on the water.

Manager Planning Services indicates that there is intensification targets contained in the County Official Plan. 15 percent of all development should achieve intensification. There are only so many opportunities that can achieve intensification, and this is one of them. He explains the comprehensive review using the four criteria outlined in the Official Plan for changing the property's designation. He notes that in this development scenario, multi-unit dwellings adjacent to single unit dwellings exist in many other municipalities and the Town. This development can co-exist harmoniously in the surrounding area.

Mr. Petretta indicates that he will not proceed with a three-storey building.

The Mayor clarifies that the Plaza on the corner did go through a zoning amendment.

**Motion: PCM 24/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Rita Ossington

**That** Report No. PBS-2018-31 D19 PETTEC 14328-14346 Tecumseh Road, Report for Public Meeting No. 2, be received.

Carried

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

**Motion: PCM 25/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Andrew Dowie

**That** PB-2018-03 Official Plan Amendment and Zoning By-law Amendment 2593430 Ontario Limited (Petretta Construction) 14328 and 14346 Tecumseh Road (Former Pud's Marina), be received

Carried

**8. Adjournment**

**Motion: PCM 26/18**

Moved By Deputy Mayor Joe Bachetti  
Seconded By Councillor Tania Jobin

**That** there being no further business, the Tuesday, September 11, 2018 Public Council Meeting now adjourn at 6:25 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk