

## THE CORPORATION OF THE TOWN OF TECUMSEH

### BY-LAW NUMBER 2018-62

Being a by-law to amend By-law 2065,  
the Town's Comprehensive Zoning By-law  
for those lands in the former Village of St. Clair Beach.  
(D19 PETTEC – Condominium Development, 14328 & 14346 Tecumseh Road)

**WHEREAS** By-law No. 2065 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Tecumseh, for lands situated within the former Village of St. Clair Beach;

**AND WHEREAS** the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 2065;

**AND WHEREAS** this By-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Village of St. Clair Beach, as amended by Official Plan Amendment No. 15;

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH ENACTS AS FOLLOWS:**

1. That Schedule "A", to By-law 2065, as amended, is hereby further amended by changing the zoning classification for those lands as depicted on Schedule "A" attached hereto and forming part of this by-law from "General Commercial Zone (C1-5)" to "Holding - Residential Type Three Zone (H) R3-13".
2. That By-law 2065, Section 8, Residential Type Three Zone (R2) Regulations, as amended, is hereby further amended by the addition of a new subsection 8.3.13 to immediately follow subsection 8.3.12 and to read as follows:

"8.3.13        Defined Area R3-13 as shown on Schedule "A", of this By-Law.

a)        Permitted Uses

- i)        multi-unit residential uses with no greater than 65 dwelling units;
- ii)       eating establishments located within the first storey of the multi-unit residential dwelling;
- iii)       personal service shops located within the first storey of the multi-unit residential dwelling;
- iv)       a marina and boat docks accessory to the multi-unit residential use as well as a maximum of 12 transient boat slips; and
- v)        uses accessory to the foregoing.

b)        Permitted Building and Structures

- i)        one multi-unit dwelling containing no greater than 65 dwelling units;
- ii)       accessory buildings and structures, in accordance with subsection 5.19 of this by-law.

c) Zone Provisions

All lot and building requirements for the buildings and structures permitted in subsection 8.3.13 shall be in accordance with the following:

- i) Minimum Lot Area 3.0 acres
- ii) Minimum Lot Frontage 300 feet
- iii) Maximum Lot Coverage 20 percent
- iv) Minimum Landscaped Open Space 20 percent
- v) Minimum Front Yard Depth 25 feet
- vi) Minimum Rear Yard Depth
  - a) First storey 25 feet
  - b) Second and third storey 40 feet
  - c) Fourth and fifth storey 80 feet
- vii) Minimum Side Yard Width
  - a) Eastern side yard 50 feet
  - b) Western side yard 130 feet
- viii) Maximum Height 65 feet and not greater than five storeys, except that the maximum height of the north-easterly 1,500 square feet of the east-west wing shall not be greater than four storeys

d) Commercial Uses Within the First Storey of the Multi-Unit Residential Dwelling Provision

The total floor area of all commercial uses permitted in subsection 8.3.13 a) ii) and iii) shall not exceed 6,500 square feet.

e) Lake St. Clair Floodprone Area and Setbacks From Watercourses Provisions

Notwithstanding subsections 5.29 b) and 5.30, no part of any building or structure other than a permeable fence, shall hereafter be erected within 50 feet of the Pike Creek, measured from the top of bank.

In addition, no part of any building or structure other than a permeable fence, shall hereafter be erected within 26 feet of the marina/canal area of the property, measured from the top of bank.

Notwithstanding the above paragraph, structures related to the marina facilities located on the property which are deemed by the municipality to be more appropriately located near the water's edge, shall be exempt from the setback. The precise location of such structures shall be in accordance with approved site plans.

f) Parking Provisions

The minimum number of parking spaces for residential uses shall be 1.5 spaces per dwelling unit and the minimum number of parking spaces for commercial uses shall be 1 space per 200 square feet of building area.

The minimum size of regular parking spaces shall be 9 feet by 18 feet, exclusive of aisles or driveways. The minimum size of barrier free parking spaces shall be 13.5 feet by 18 feet, exclusive of aisles or driveways.”

3. That By-law 2065, Section 9, General Commercial Zone (C1) Regulations, as amended, is hereby further amended by the deletion of subsection 9.3.5 in its entirety.
4. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990*.

**READ** a first, second, third time and finally passed this 9<sup>th</sup> day of October, 2018.

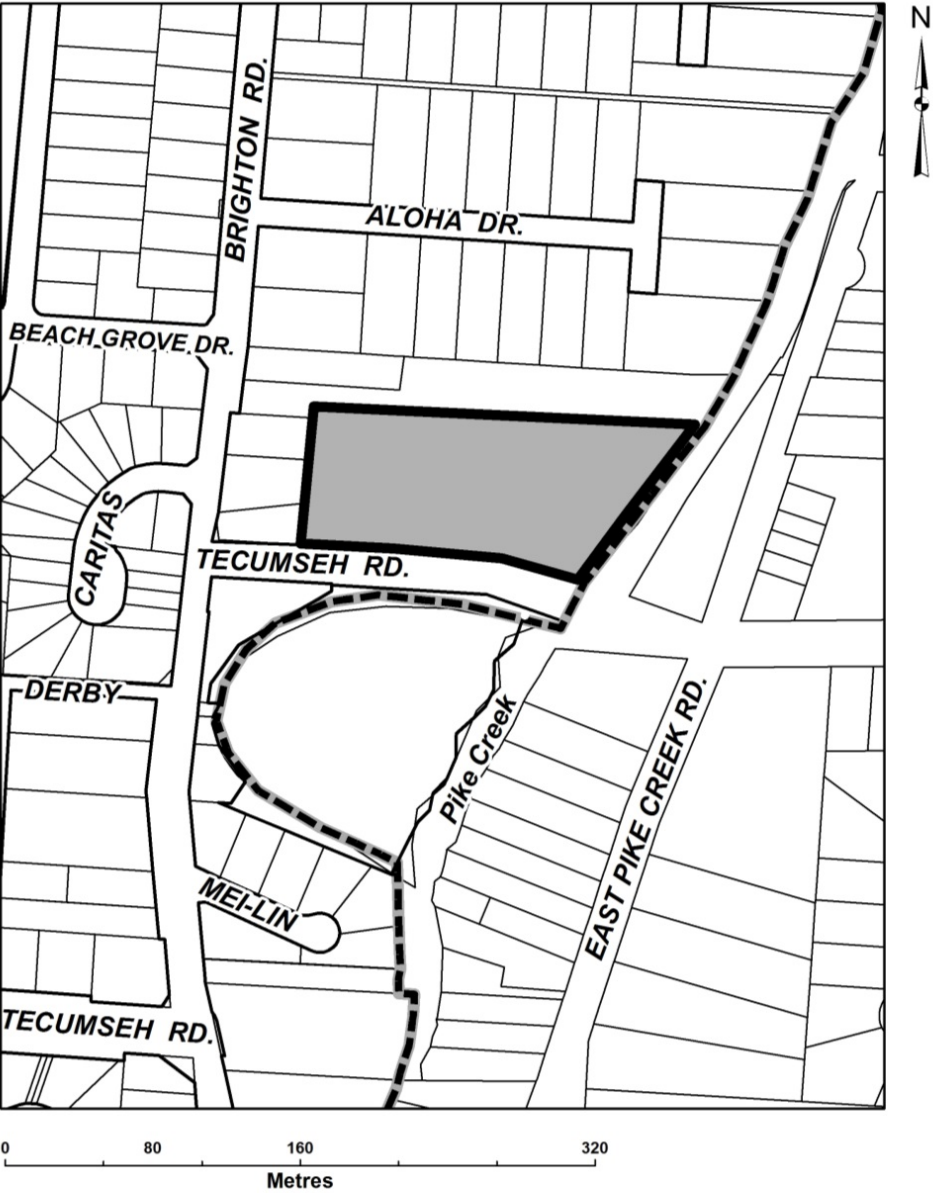
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Gary McNamara, Mayor

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Laura Moy, Clerk

SCHEDULE "A"  
14328 & 14346 TECUMSEH ROAD  
TOWN OF TECUMSEH



Change from "(C1-5)" to "(H) R3-13"

This is Schedule "A" to By-law No. 2018-62.  
Passed the 9 th day of October, 2018

Signed

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Mayor

\_\_\_\_\_  
Clerk