

September 19, 2024  
("emailed")

Mr. Robert Auger,  
Director Legislative Services/Clerk  
Town of Tecumseh,  
917 Lesperance Road  
Tecumseh Ontario, N8N 1W9

Dear Mr. Auger,

Re: Tecumseh Hamlet Draft Secondary Plan, September 24<sup>th</sup> Public Meeting, 1000044993  
Ontario Inc. Dr. Bhan Garg, 45 Acre Parcel, Northeast Corner Banwell Road & Shields Street.

I am providing comments on behalf of Dr. Bhan Garg, whose numbered company, 1000044993  
Ontario Inc. owns the 45 acre parcel on the northeast corner of Banwell Road and Shields Street.  
(see attached)

Dr. Garg and I have been active participants in the subject Secondary Plan process having  
attended the December 7, 2022 Open House, the April 2023 PIC and the November 2023 PIC.  
We have also had separate meetings and discussions with Town Planning and Engineering staff,  
including an October 2022 meeting regarding the Secondary Plan process and Master Plan  
Functional Servicing. Dr Garg is also participating in the area wide Stage 2 Archaeological  
Study and his lands are expected to be field examined this fall.

We recently received notification from Mr. Enrico De Cecco, Town Senior Planner, that the  
Town is seeking stakeholder comments on the proposed Official Plan amendment required to  
incorporate the Tecumseh Hamlet Secondary Plan Amendment ("THSPA") into the Tecumseh  
Official Plan. We would like our comments, as contained in this letter, to be incorporated as part  
of the public record of the September 24, 2024 public meeting.

While Dr. Garg is very much supportive of the proposed Secondary Plan, he does have some  
concerns as they relate to specific sections of the THSPA which impact future development of  
his 45 acre parcel. Those concerns are outlined below.

**LAND USE:**

As part of the proposed draft Secondary Plan, Dr. Garg's lands have 3 residential designations  
and a Neighbourhood Commercial designation. There is also a broader area stormwater pond, a

Gateway feature and a portion of the Major Infrastructure Corridor scheduled for Dr. Garg's parcel. (See Schedules "H-2" & "H-11" attached)

The Neighbourhood Commercial designated lands are located at the Southwest corner of his parcel at the intersection of Banwell Road and Shields Street. The High Density designated lands which run northerly along Banwell Road, abut the Commercial designated lands to the north. The High Density designation allows for **building heights of up to 6 storeys**. The Medium Density designated lands abut the Commercial designated lands to the east and then run easterly along Shield Street. The Medium Density designation allows for **building heights of up the 4 storeys**.

Per Section 5.3.3 of the draft Secondary Plan... "The Neighbourhood Commercial designation applies to the commercial node on the north side of the Banwell Road and Shield Street intersection.....It also plays an important role as a key commercial node and gateway for the southerly portion of the THSPA."

The designation will allow for mix of local commercial uses on the ground floor while uses permitted above the ground floor may include residential, office and personal service.

Unfortunately **the building height is being restricted to 2 storeys**.

Given this important Commercial and Gateway node will likely be abutting 6 storey residential development to the north and 4 storey residential development to the east, it is felt restricting the commercial development to 2 storeys will look out of proportion. To be more in keeping with the proposed surrounding development, and subject to sufficient wastewater capacity availability, Dr. Garg would like to have consideration given to increasing the maximum height of the commercial node building(s) to 3 or preferably 4 storeys. We would welcome further dialogue with Town Planning staff to see if this height adjustment to 3 or 4 storeys could be incorporated into the adopted Secondary Plan.

#### **STORMWATER MANAGEMENT PONDS 5.6:**

There are 5 Stormwater Management Ponds (SWMP) designated in locations across the THSPA, as identified in Schedule "H-11" One of those ponds (Desjardin Pond) is being proposed for Dr. Garg's lands.

In previous discussions with Town staff on the proposed SWMP and other servicing matters, any of the plans or concept plans we were presented showed single sided development on the roads which were directly north and south of the SWMP. Single sided development along a road is considerably more expensive per lot and does not allow for residential unit maximization allowed within the proposed densities. While this discussion on the residential lot pattern will likely take place as part of a Plan of Subdivision approval process, we just want to be on the record that we wish to see double sided development occur on the roads directly north and south of the SWMP.

### DEVELOPMENT PHASING (8.3)

As part of the Development Phasing Section of the THSPA, Section vi states; “All new urban development in the THSPA shall be connected to the municipal water, wastewater and stormwater systems. Further, applications for development in the THSPA shall only be approved by Council, and development shall only proceed when:

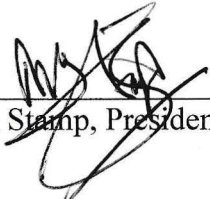
- a. Council is satisfied that the landowners within each of the stormwater catchment areas...have entered into any agreement(s), as the Town may be permitted to require, for the provision of funds or the provision of service or both, and that as part of any agreement, provisions have been made to the satisfaction of Council for any funds or services which may be required of any future landowners in the future in order for the development of the THSP to proceed as planned. Such agreements shall be registered on the title of the lands affected. The Town **may** facilitate cost recovery from other benefitting developments through various means available by way of legislation.
- b. Landowners within the THSP, have where necessary, entered into private cost sharing agreements amongst themselves to address distribution of costs of development for the provision of matters such as infrastructure facilities”

Due to competing interests, or the lack of willingness to participate, it is often very difficult for the individual landowners to reach a satisfactory cost sharing agreement amongst themselves. As articulated by Dr. Garg previously, he is fully prepared to work with the Town and the other landowners to ensure that development within the THSP occurs in an orderly and equitable manner.

We are of the opinion this is better achieved when the Town coordinates the process, and it is not left up to the various landowners to enter into private cost sharing agreements amongst themselves. In order for the orderly collection of proportionate cost sharing for the provision of services, we believe the Town **shall**, and not **may**, facilitate cost recovery from other benefitting developments through various means available by way of legislation.

Dr. Garg is appreciative of the opportunity being given to provide comments on the THSPA. He looks forward to continuing to work with the Town on the finalization of the process. He has a vested interest in assisting the Town in assuring the development within the THSP occurs in an orderly, efficient and equitable manner.

Best Regards,

  
\_\_\_\_\_  
Michael Stamp, President

c.c. Brian Hillman, Director of Development Services  
Enrico De Cecco, Senior Planner  
Dr. Bhan Garg

Attachments...Highlighted 12-R Plan  
“H-2” & “H-11” Schedules

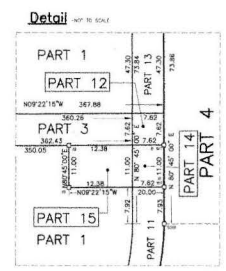


**INTEGRATED SURVEY—UTM ZONE 17 NAD83 (CSRS)**  
 MEASUREMENTS AND CALCULATIONS WERE PERFORMED USING THE CAN-NET GPS NETWORK  
 WINDSOR BASE STATION #A87-709315, ELEV 334.133,063 AND ARE REFERRED TO THE CENTRAL MERIDIAN BY WEST.

**DISTANCES**  
 DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99987184.

**LEGEND**

- 1# DENOTES 25mm x 25mm x 1.22m STANDARD IRON BAR
- 2# DENOTES 25mm x 25mm x 0.81m SHORT STANDARD IRON BAR
- 3# DENOTES 16mm x 16mm x 0.81m IRON BAR
- 4# DENOTES 19mm diameter x 0.81m ROUND IRON BAR
- 5# DENOTES CPT-0805
- 6# DENOTES 5mm x 50mm STEEL PIN
- 7# DENOTES SURVEY MONUMENT BEARING
- 8# DENOTES SURVEY MONUMENT BEARING AND MARKED 103P
- 9# DENOTES WITNESS
- 10# DENOTES MEASURED
- 11# DENOTES DEED
- 12# DENOTES SET PROPORTIONALLY
- 13# DENOTES ORIGINAL MEASUREMENT
- 14# DENOTES PLAN 12R-20851
- 15# DENOTES PLAN 12R-10317
- 16# DENOTES VERMEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.



PARTS SCHEDULE				PARTS SCHEDULE				PARTS SCHEDULE			
PART	AREA	DESCRIPTION	P.L.N.	PART	AREA	DESCRIPTION	P.L.N.	PART	AREA	DESCRIPTION	P.L.N.
1	17.974 Ha.	PART OF LOTS 144, 145 & 146, CONCESSION 3	75240-0005	6	6.891 Ha.	PART OF LOTS 144, 145 & 146, CONCESSION 3	75240-0005	11	0.197 Ha.	PART OF LOTS 144, 145 & 146, CONCESSION 3	75240-0005
2	1.289 Ha.	PART OF LOT 144, CONCESSION 3	75240-0005	7	0.220 Ha.	PART OF LOT 144, CONCESSION 3	75240-0005	12	58.1 m <sup>2</sup>	PART OF LOT 146, CONCESSION 3	75240-0005
3	0.275 Ha.	PART OF LOT 144, CONCESSION 3	75240-0005	8	731.6 m <sup>2</sup>	PART OF LOT 144, CONCESSION 3	75240-0005	13	360.4 m <sup>2</sup>	PART OF LOT 146, CONCESSION 3	75240-0005
4	0.795 Ha.	PART OF LOTS 144, 145 & 146, CONCESSION 3	75240-0005	9	1,116.6 m <sup>2</sup>	PART OF LOT 144, CONCESSION 3	75240-0005	14	83.8 m <sup>2</sup>	PART OF LOT 146, CONCESSION 3	75240-0005
5	3.238 Ha.	PART OF LOT 146, CONCESSION 3	75240-0005	10	1.855 Ha.	PART OF LOT 146, CONCESSION 3	75240-0005	15	136.2 m <sup>2</sup>	PART OF LOT 146, CONCESSION 3	75240-0005

PARTS 1 to 7 (incl.) and 9 to 15 (incl.) COMPRISE ALL OF P.L.N. 75240-0005.  
 PART 8 COMPRISES PART OF P.L.N. 75240-0005.

CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	153.35	78.97	76.10	N89°13'40"W
C2	185.00	45.74	40.84	N6°45'40"W
C3	190.50	44.38	44.25	N82°17'10"W
C4	190.50	18.55	18.54	N61°54'30"W
C5	180.50	25.81	25.79	N48°04'50"W
C6	190.50	30.03	30.00	N82°12'35"W

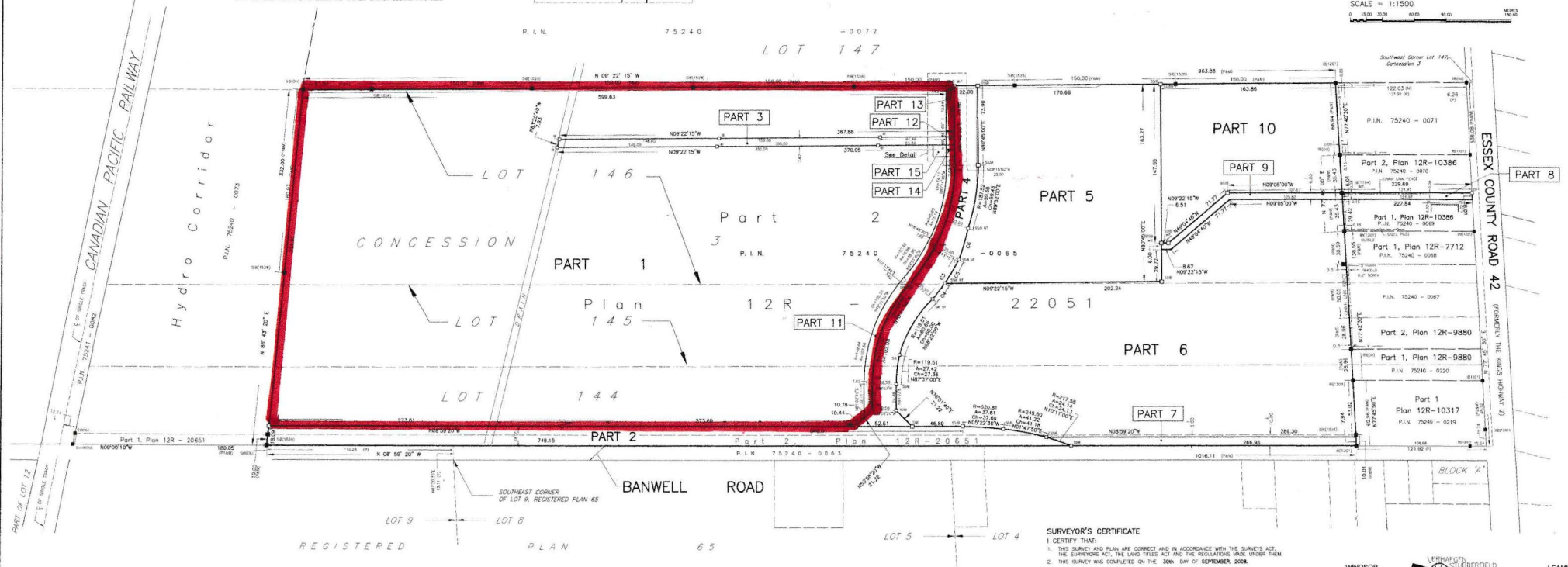
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: OCTOBER 6, 2008

DATE: OCTOBER 7, 2008

NICHOLAS CARA  
 AN ASSISTANT DEPUTY LAND SURVEYOR FOR THE LAND TITLES DIVISION OF ESSEX (12)

**PLAN OF SURVEY**  
 OF  
**PART OF LOTS 144, 145 & 146,**  
**CONCESSION 3**  
 GEOGRAPHIC TOWNSHIP OF SANDWICH SOUTH  
 NOW IN THE  
**TOWN OF TECUMSEH**  
 COUNTY OF ESSEX, ONTARIO  
 VERMEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZARE INC.  
 SCALE = 1:15000



"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT,
- THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

THIS SURVEY WAS COMPLETED ON THE 30th DAY OF SEPTEMBER, 2008.

DATE: OCTOBER 6, 2008

ANDREW S. MATHA  
 ONTARIO LAND SURVEYOR  
 161 VERMEGEN • STUBBERFIELD • HARTLEY  
 BREWER • BEZARE INC.

**WINDSOR**  
 175 Wellington Street West  
 N6Y 2L6  
 TEL: (519) 251-1100  
 FAX: (519) 251-1101

**VERMEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC.**

**ONTARIO LAND SURVEYORS**  
 4-22428-301 TEL: 416-291-1100 FAX: 416-291-1101  
 4-22428-301 TEL: 416-291-1100 FAX: 416-291-1101

LEAMING!  
 167 Tupper Street  
 Wexford, ONT  
 M9S 1S5  
 TEL: (416) 491-1100  
 FAX: (416) 491-1101

www.ontariosurveyors.com

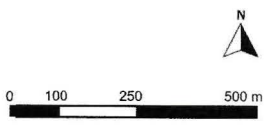


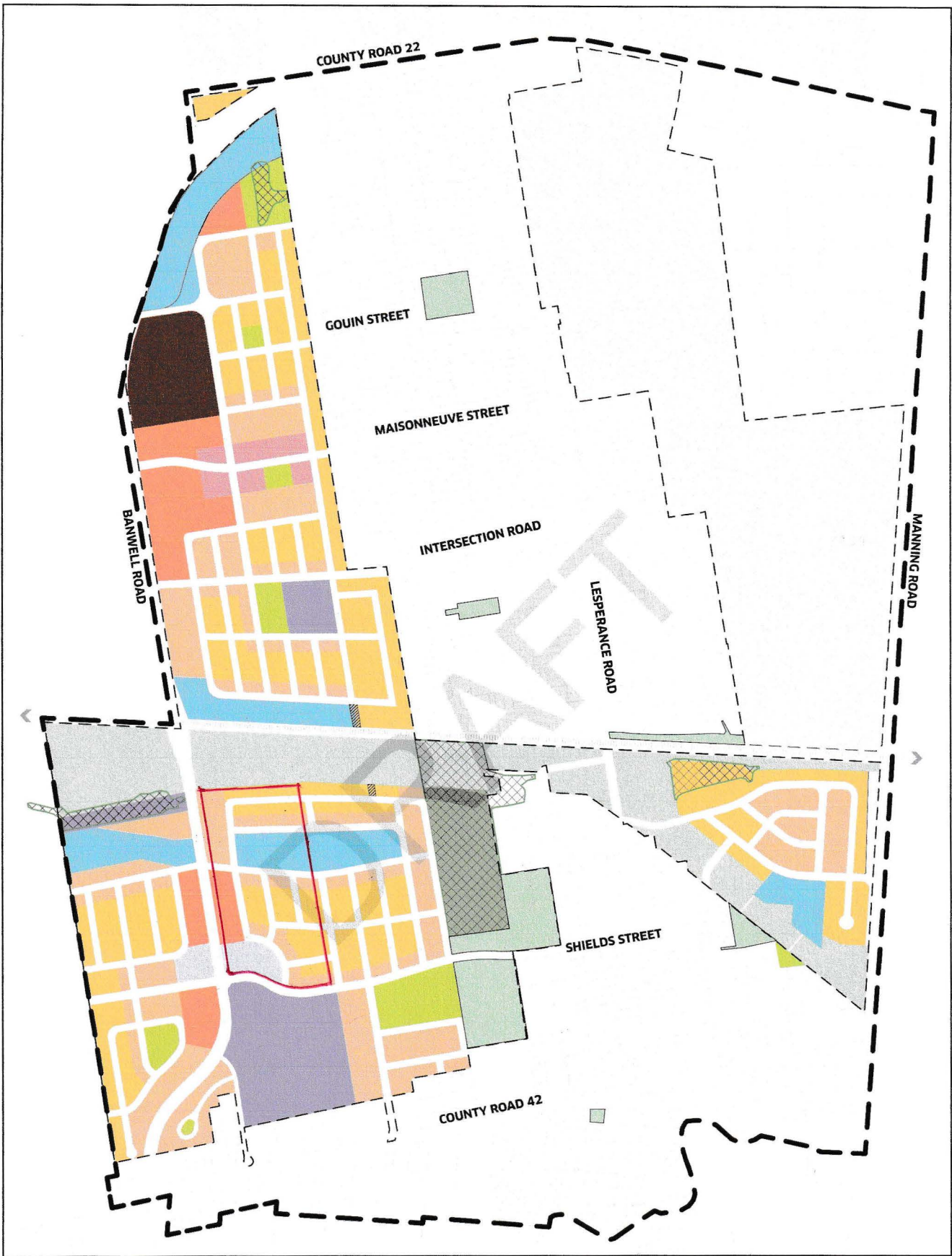
**Legend**

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Distribution of Residential Density
- Open Space Network
- Road Network
- Main Street
- Commercial Nodes
- Gateway Features

**SCHEDULE "H-2"  
STRUCTURE PLAN**

Town of Tecumseh Official Plan  
**Tecumseh Hamlet Secondary Plan**





**Legend**

- |                            |                            |                               |
|----------------------------|----------------------------|-------------------------------|
| Tecumseh Hamlet Boundary   | Anchor Commercial          | Existing Parks                |
| THSPA                      | Community Facility         | Natural Environmental Overlay |
| MRSPA                      | Main Street Mixed-Use      | Major Infrastructure Corridor |
| Low Density Residential    | Hydro Corridor             |                               |
| Medium Density Residential | Natural Environment        |                               |
| High Density Residential   | Recreational               |                               |
| Neighbourhood Commercial   | Stormwater Management Pond |                               |

**SCHEDULE "H-11"  
LAND USE PLAN**

Town of Tecumseh Official Plan  
Tecumseh Hamlet Secondary Plan

