

**Public Council Meeting
Agenda**

Tuesday, July 9, 2019, 5:30 pm
Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

Pages

1. Call to Order

2. Roll Call

3. Disclosure of Pecuniary Interest

4. Introduction and Purpose of Meeting

The purpose of the meeting is to hear public comment on the application that the County of Essex (the Approval Authority) has received for approval of a Plan of Condominium on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328 and 14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road.

The subject property is currently vacant and was once the location of the former Pud's Marina, which closed in 2017. The purpose of the application is to request Plan of Condominium Approval to permit the condominium ownership of the units within a five-storey, 64-unit condominium dwelling that is proposed to be constructed on the subject property. The Condominium approval will also include associated parking spaces, boat slips, storage areas and common areas.

The subject property is designated in a site specific "Medium Density Residential" designation in the St. Clair Beach Official Plan and zoned "Residential Type Three Zone (R3-13)" in the St. Clair Beach Zoning By-law 2065. The designation and zoning permit the construction of the proposed five-storey, 64-unit condominium dwelling.

In addition to the approval of the Plan of Condominium application by the County of Essex, it should be noted that Council approval of a site plan control agreement pertaining to the subject property will be required prior to the proposed development proceeding.

5. Delegations

6. Communications

- a. Notice of Public Meeting for Plan of Condominium dated June 18, 2019 2 - 2
Re: 14328 and 14346 Tecumseh Road

7. Reports

- a. PBS-2019-20 D12 PETTEC, Petretta Condo, 14400 Tecumseh Road, 3 - 13
Draft Plan of Condo Approval

8. Adjournment

**TOWN OF TECUMSEH
NOTICE OF PUBLIC MEETING
PROPOSED PLAN OF CONDOMINIUM APPROVAL**

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, July 9th, 2019 at 5:30 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider a proposed Plan of Condominium Approval pursuant to the provisions of the *Planning Act*, R.S.O. 1990.

The County of Essex (the Approval Authority) has received Application No. 37-CD-19001 for approval of a Plan of Condominium on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328 and 14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road (see Key Map below for location). The subject property is currently vacant and was once the location of the former Pud's Marina, which closed in 2017. The purpose of the application is to request Plan of Condominium Approval to permit the condominium ownership of the units within a five-storey, 64-unit condominium dwelling that is proposed to be constructed on the subject property. The Condominium approval will also include associated parking spaces, boat slips, storage areas and common areas.

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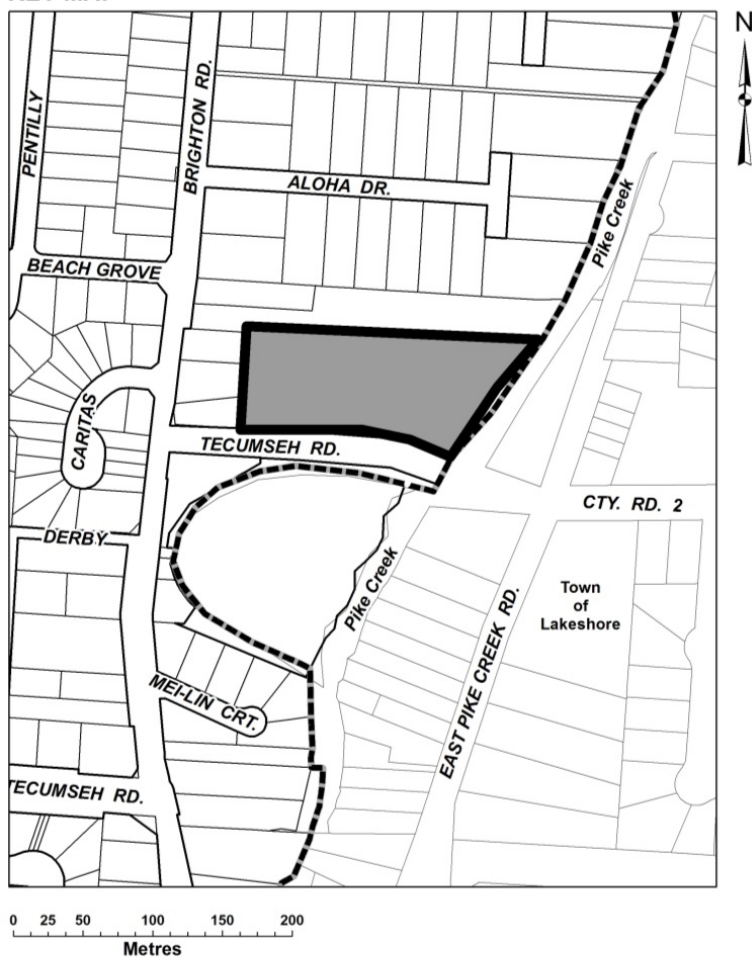
In addition to the approval of the Plan of Condominium application by the County of Essex, it should be noted that Council approval of a site plan control agreement pertaining to the subject property will be required prior to the proposed development proceeding.


ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Plan of Condominium.


If a person or public body does not make oral submissions at the public meeting or make written submissions to the County of Essex in respect of the proposed Plan of Condominium before the approval authority gives or refuses to give approval to the draft Plan of Condominium, the person or public body is not entitled to appeal the decision of the County of Essex to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the County of Essex in respect of the proposed Plan of Condominium before the approval authority gives or refuses to give approval to the draft Plan of Condominium, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

KEY MAP



 **Property Subject to Proposed Plan of Condominium Approval**

 **Municipal Boundary**

If you wish to be notified of the decision of the County of Essex in respect of the proposed Plan of Condominium, **you must make a written request** to the County of Essex, c/o Ms. Rebecca Belanger, Manager, Planning Services – 360 Fairview Ave W. Essex, ON N8M 1Y6, indicating the County of Essex file number (37-CD-19001).

Written submissions in respect to the proposed Plan of Condominium are to be made to the attention of Laura Moy, Clerk, Town of Tecumseh, at the address listed below.

ADDITIONAL INFORMATION and any associated reports/documents relating to this matter are available for review during regular office hours at the Town Municipal Office on Lesperance Road.

The Public Meeting Agenda regarding these applications will be available on the Town's website <https://calendar.tecumseh.ca/meetings> on Friday, July 5, 2019.

DATED AT THE TOWN OF TECUMSEH
THIS 18TH DAY OF JUNE, 2019.

LAURA MOY, CLERK
TOWN OF TECUMSEH
917 LESPERANCE ROAD
TECUMSEH, ONTARIO
N8N 1W9



The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Chad Jeffery, Manager Planning Services

Date to Council: July 9, 2019

Report Number: PBS-2019-20

Subject: 2593430 Ontario Limited/Petretta Construction
Harbour Club Condominium, 14328-14346 Tecumseh Road
Draft Plan of Condominium Approval (County File No. 37-CD-19001)
OUR FILE: D11 PETTEC

Recommendations

It is recommended:

That the granting of Draft Plan of Condominium Approval by the County of Essex (the Approval Authority) for the application filed by 2593430 Ontario Limited (County of Essex File No. 37-D-19001) for a five-storey, 64-unit condominium dwelling on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328-14346 Tecumseh Road), approximately 45 metres east of its intersection with Brighton Road, **be supported**, subject to the inclusion of appropriate conditions as noted in PBS-2019-20;

And that the County of Essex **be advised** of Council's support for County of Essex File No. 37-D-19001, along with the associated requested conditions of draft Plan of Condominium approval.

Background

Recent Official Plan and Zoning By-law Amendments

In October of 2018, after extensive public consultation, Council adopted Official Plan and Zoning By-law amendments to permit a five-storey, 65-unit apartment and associated marina and accessory uses on a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road (14328-14346 Tecumseh Road), approximately 45 metres east of its

intersection with Brighton Road (see Attachments 1 and 1A). The Official Plan Amendment (OPA No. 15) re-designated the subject property to a “Medium Density Residential” designation with site specific policies permitting/establishing:

- a maximum building height of no more than 65 feet and no more than five storeys;
- a maximum of 65 dwelling units;
- an accessory marina;
- that the height of the north-south wing of the building be stepped back to mitigate potential impacts on properties to the north; and
- that commercial uses be permitted on the first floor.

The corresponding “Holding Residential Type Three (H) R3-13 implemented the foregoing policy direction and established site-specific lot and building requirements. OPA No .15 was subsequently approved by the County of Essex (the Approval Authority for Official Plan Amendments) in January of this year.

Current Draft Plan of Condominium Approval Application

2593430 Ontario Limited (“the Applicant”) is proposing condominium ownership of the subject property and proposed apartment development. The Plan of Condominium approval process is a method of subdividing buildings and/or land similar in nature to the Plan of Subdivision process. It involves the creation of drawings and legal documents that formalize the dimensions and location of each individual condominium dwelling unit and associated amenities as well as common areas that will ultimately be owned by the condominium corporation. The condominium corporation becomes a legal entity once a plan of condominium and information setting out how the condominium corporation is owned are registered with the Land Registry Office. Ultimately, the condominium dwelling units can be sold to individuals who become shareholders in the condominium corporation that is responsible for the ongoing maintenance of the building, land, parking/access areas and other on-site services or amenities.

In accordance with the requirements of the County Official Plan, a formal pre-consultation meeting to review the proposal and to determine the scale and scope of all necessary supporting studies was held in May of this year with the County of Essex (the approval authority for Plans of Condominium), the Town and the Applicant. Following that meeting, an application for Draft Plan of Condominium Approval was submitted to the County. The proposed Draft Plan of Condominium (see attachment 2) includes:

- A total of 64 residential units;
- 73 underground parking spaces reserved for individual unit owners;

- 20 boat slips for the exclusive use of individual unit owners;
- 70 storage areas associated with the individual dwelling units; and
- Common areas associated with the condominium development such as landscaped areas, walkways, 76 aboveground parking spaces, two underground barrier-free parking spaces, fitness centre, multi-purpose room, lounge and lobby area.

It should be noted that the proposed development does not include any commercial uses on the first floor as originally planned.

At the pre-consultation meeting, the applicant was informed that the following technical studies would be required to support the proposed Draft Plan of Condominium application:

- Environmental Impact Assessment;
- Stage 1 and 2 Archaeological Assessments;
- Traffic Impact Study;
- Site Servicing Study; and
- Phase 2 Environmental Site Assessment.

Upon completion of these studies, the County, in accordance with the *Planning Act*, requested the Town hold a public meeting on its behalf. Accordingly, a public meeting was scheduled for July 9, 2019 in order to solicit stakeholder input on the proposed Plan of Condominium. A record of this public meeting will be forwarded to the County of Essex as part of its consideration of the approval of the Plan of Condominium. The County has also requested that the Town submit comments and requested conditions of approval for the proposed draft Plan of Condominium.

Comments

Planning Comments

A detailed planning analysis of the Official Plan and Zoning By-law amendments that were ultimately adopted by Council (and approved by the County of Essex) to permit the use of the land for the proposed five-storey, 64-unit residential apartment and associated marina and accessory uses was provided by way of planning reports PBS-2018-03, PBS-2018-31 and PBS-2018-35. These reports assessed the proposed uses in the context of the policies contained in the Provincial Policy Statement, the County of Essex Official Plan and the St. Clair Beach Official Plan and provided responses to issues raised at the two public meetings held with respect to this proposal. The Owner is now simply taking one of the steps to facilitate the proposed development from an ownership perspective. It is the opinion of the writer that

the Plan of Condominium is consistent with and in conformity with the relevant Provincial, County and local site specific policies noted earlier in this Report.

The Draft Plan of Condominium is also in compliance with the “Holding-Residential Type Three Zone (H)R3-13” that applies to the subject property. The proposed development meets the minimum building setbacks, on-site parking spaces and minimum landscaped open space as well as the maximum building height and lot coverage.

It should be noted that the removal of Holding symbol (H) that applies to the subject property will be contingent upon the execution and registration of a site plan control agreement. The site plan control agreement will ensure that the proposed development is constructed and designed in accordance with the site-specific Official Plan designation policies and zoning that apply to the property and in accordance with the building elevation plans that were developed and presented to the public as a result of the public consultation process. Administration anticipates a Planning Report will be brought forward for Council’s consideration regarding the Site Plan Control agreement at an upcoming Council meeting in summer of 2019.

Municipal Services

The proposed development will be serviced by full municipal services. The Public Works and Environmental Services Department has reviewed the sanitary, storm and water servicing requirements for the proposed development and has advised that there are no servicing capacity concerns for the subject property or to the municipal system. The Applicant’s engineering consultants, along with Town Administration, are currently finalizing all municipal servicing design requirements through the associated Site Plan Control approval process.

Requested Conditions and Notes of Draft Plan of Condominium Approval

Based on Administration’s review of the proposed Plan of Condominium, and pending any potential new concerns being identified at the July 9, 2019 Public Meeting, Administration recommends that Town Council support Draft Plan of Condominium Approval of County File No. 37-CD-19001, subject to the County of Essex providing the following conditions:

1. That the Owner enter into a site plan control agreement with the Town of Tecumseh wherein the Owner agrees to satisfy all the requirements, design, engineering, financial and otherwise, of the Town concerning but not limited to the payment of development charges, driveway access, surface parking, sidewalks, landscaping details, fencing details, lighting details, installation of services, sanitary sewerage collection system, water distribution system, utilities and stormwater management facilities for the development of the lands, including those works required off-site;
2. That the Owner engage the services of a qualified engineer to complete a Stormwater Management Study to address stormwater quantity and quality to the satisfaction of the Town and that the site plan control agreement between the Owner and the Town, where

required, contain a provision requiring the construction of the works by the Owner as identified in the Stormwater Management Study; and

3. That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that this proposed Plan of Condominium conforms to the Zoning By-law in effect.

In addition, the following note of Draft Plan approval is recommended:

1. That prior to the approval and registration of the Plan of Condominium, two (2) copies and one (1) diskette of the Plan prepared by an Ontario Land Surveyor, on NAD-83 format, UTM Zone 17, which has been numbered, dated, signed and registered be submitted to the Town.

Summary

In summary, the proposed Draft Plan of Condominium application is in accordance with the current site-specific "Medium Density Residential" land use policies of the Official Plan and will comply with all of the requirements of the R3-13 zoning in effect for the subject property once the holding symbol is removed. Administration supports the layout and design of the proposed development and, subject to hearing any new issues at the July 9, 2019 Public Meeting, believes all detailed site design matters will be addressed through the required site plan agreement that will be finalized and recommended for execution by Council at an upcoming Council meeting.

Based on the foregoing, it is appropriate that the Plan of Condominium application be supported conditional to the execution of a site plan control agreement to address site design details, appropriate landscape details, servicing, fencing and other design issues that were identified through the past public meeting process associated with the Official Plan and Zoning By-law amendment approval.

Consultations

Public Works & Environmental Services
Fire & Emergency Services

Financial Implications

None

Link to Strategic Priorities

Applicable	2017-18 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 the Town of 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 the Town 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:

Enrico DeCecco, BA (Hons), MCIP, RPP
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning 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

Attachment Number	Attachment Name
1	Subject Property with Site Plan Overlay Map
1A	Proposed Elevations
2	Draft Plan of Condominium





View looking north-east from Tecumseh Road



View looking north-west from Tecumseh Road



View looking south-west from Pike Creek



Prepared By:
Tecumseh Planning and
Building Services Department

Attachment 1A
Draft Plan of Condominium Approval
2593430 Ontario Limited (Petretta Construction)
14328 -14346 Tecumseh Road
Proposed Architectural Renderings

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