

## Public Council Meeting Agenda

Tuesday, September 10, 2019, 5:00 pm  
Tecumseh Town Hall - Council Chambers  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9

### Pages

**A. Call to Order**

**B. Roll Call**

**C. Disclosure of Pecuniary Interest**

**D. Introduction and Purpose of Meeting**

The purpose of this public meeting is to hear public comment on the applications for an Official Plan and Zoning By-law amendments for a proposed residential condominium development on a parcel of land located at 12433 Dillon Drive.

The application for the proposed Official Plan amendment is requesting a redesignation of the parcel of land from "Community Facility" to "Residential" to accommodate the proposed development.

The associated proposed Zoning By-law amendment is requesting to change the zoning from "Community Facility Zone" and "Residential Zone 1 (R1)" to a site specific "Residential Zone 3 (R3-16)". The proposed R3-16 zone would permit the proposed residential uses and establish various site specific zone provisions. In addition, the proposed rezoning would add a definition for the term "stacked townhouse dwelling unit" to the definitions section of Tecumseh Zoning By-law 1746.

**E. Delegations**

- |    |                                                                                                                                                           |         |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. | Casey Kulchychi, Senior Planner for the Applicant, Zelinka Priamo Ltd.<br>Re: Briday Development                                                          | 5 - 12  |
| 2. | Tamra Tobin Teno, Resident<br>Re: Planning Report, Proposed Briday Housing Development by Stormy Samways Planning LTD., on behalf of Tarmra and Tony Teno | 13 - 30 |
| 3. | Anthony G. Teno, Resident<br>Re: Briday Development for 12433 Dillon Road                                                                                 |         |

4. Brady Boghean, Resident  
Re: Briday Development of the Old Victoria School
5. Danielle Lachance, Resident  
Re: Briday Development
6. Ron McConnell, Resident  
Re: Old Victoria School Property Development

#### **F. Communications**

- |     |                                                                                                                                                                             |         |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1.  | Notice of Public Meeting<br><br>Re: Proposed Official Plan and Zoning By-Law Amendment by Briday for the former Victoria School Property.                                   | 31 - 31 |
| 2.  | Ann Dugal Letter dated August 21, 2019<br><br>Re: Support for proposed Zoning By-Law and Official Plan Amendments and Request for Notification of Decision taken by Council | 32 - 32 |
| 3.  | Charles and Gail Raymond Letter dated August 21, 2019<br><br>Re: Objection to the proposed Zoning By-Law and Official Plan Amendments                                       | 33 - 33 |
| 4.  | Charles and Gail Raymond Letter dated August 21, 2019<br><br>Re: Request notification of council decision                                                                   | 34 - 34 |
| 5.  | Kristy Thompson Email dated August 25, 2019<br><br>Re: Opposition to the Old Victoria School Property Development                                                           | 35 - 35 |
| 6.  | Tom and Danielle Lachance dated August 26, 2019<br><br>Re: Victoria Public School Site                                                                                      | 36 - 36 |
| 7.  | Kendra Summerfield dated August 27, 2019<br><br>Re: Old Victoria School Property Development                                                                                | 37 - 37 |
| 8.  | Debra Dancey (St. Louis) dated August 27, 2019<br><br>Re: Opposition to Briday Development                                                                                  | 38 - 38 |
| 9.  | Denise St. Louis dated August 27, 2019<br><br>Re: Opposition to Old Victoria School Development                                                                             | 39 - 39 |
| 10. | Patrick and Karla Renaud dated August 27, 2019<br><br>Re: Old Victoria Public School Development                                                                            | 40 - 40 |

11.	Mr. Jim dated August 27, 2019 Re: Old Victoria School Site Plan	41 - 41
12.	Rob and Pam Burrell dated August 28, 2019 Re: Old Victoria School Development	42 - 42
13.	Mark Lukaniuk dated August 28, 2019 Re: Former Victoria Public School Rezoning	43 - 46
14.	Cathy Dranchak dated August 29, 2019 Re: Victoria School Property	47 - 47
15.	Ron and Lori McConnell dated September 3, 2019 Re: Proposed Victoria Public School Development	48 - 49
16.	John and Barbara Cole dated September 5, 2019 Re: Opposition of Plan Amendment and Zoning By-Law Amendment	50 - 51
17.	Mike Huczel Letter dated September 5, 2019 Re: Proposed Victoria School Development	52 - 52
18.	Diana and Stuart Caverhill dated August 26, 2019 Re: Old Victoria School Property Development	53 - 53
19.	Rene and Elaine Belanger dated September 1, 2019 Re: Rezoning of Former Victoria School Site	54 - 54
20.	Ken and Joyce Sauve dated September 5, 2019 Re: Victoria School Property	55 - 55
21.	Lucy Pereira dated September 3, 2019 Re: Former Victoria Public School Site	56 - 61
22.	Essex Region Conservation Authority dated September 6, 2019 Re: Application for Official Plan Amendment and Zoning By-Law Amendment - 12433 Dillon Drive	62 - 65

## G. Reports

1. PBS-2019-25 Official Plan and Zoning By-law Amendments, Briday Developments, Scheduling of a Public Meeting

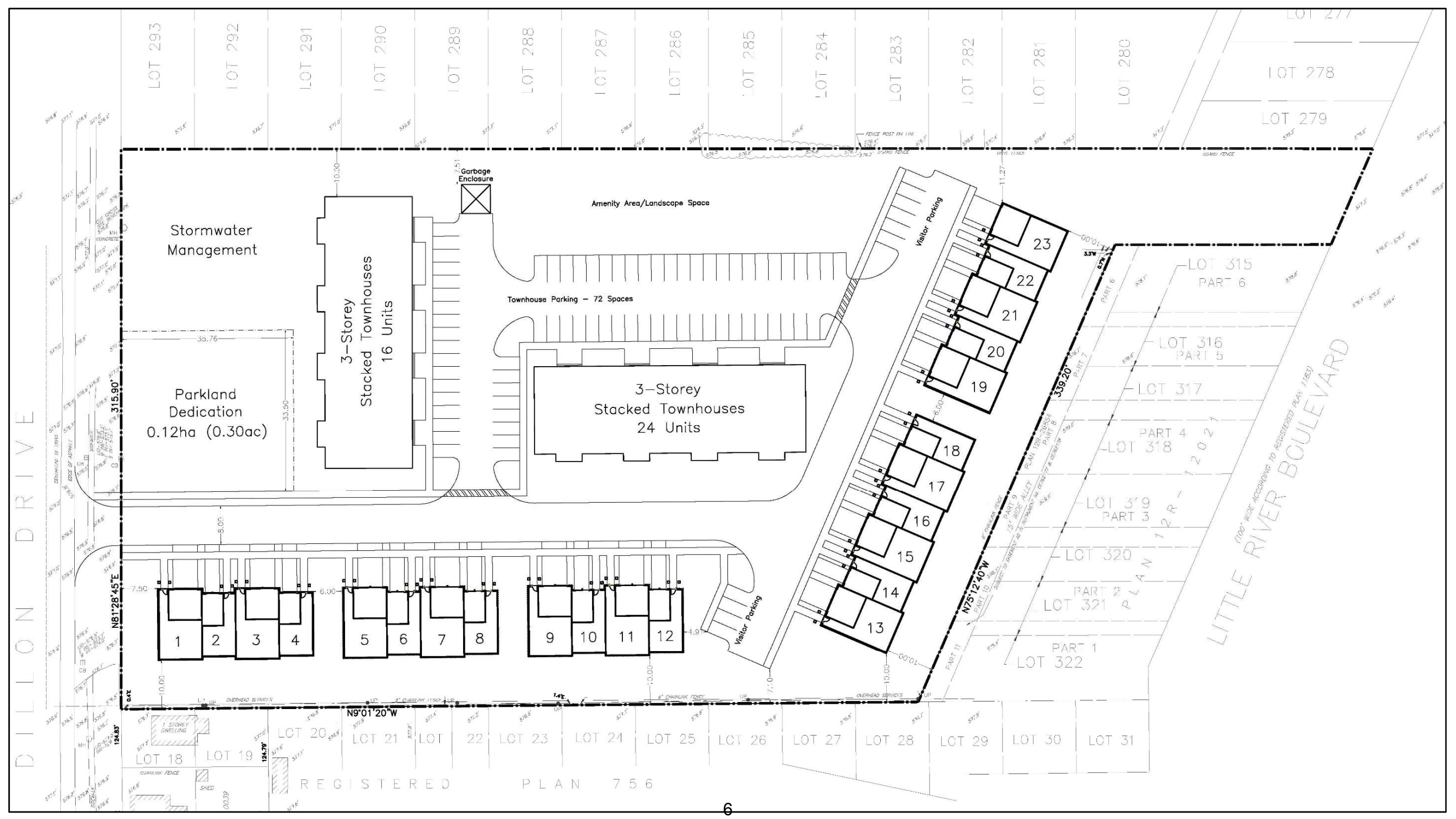
66 - 98

## **H. Adjournment**



BRIDAY inc.





DILLON DRIVE

STACKED  
TOWNHOUSE ST16

STACKED TOWNHOUSE ST24

TOWNHOUSE  
TH5

TOWNHOUSE  
TH6

TOWNHOUSE  
TH4

TOWNHOUSE  
TH4

TOWNHOUSE  
TH4



PERSPECTIVE - STACKED TOWNHOUSE ST24 AND ST16



PERSPECTIVE - STACKED TOWNHOUSE ST16



PERSPECTIVE - STACKED TOWNHOUSE ST 24 FROM THE SOUTHWEST



BIRD'S EYE VIEW LOOKING SOUTHWEST TOWARDS STACKED TOWNHOUSE ST24



STACKED TOWNHOUSE PROPOSED ELEVATION



BIRD'S EYE VIEW LOOKING NORTHWEST TOWARDS TOWNHOUSE TH4



PERSPECTIVE - TOWNHOUSE TH4



PERSPECTIVE - TOWNHOUSE TH4



TOWNHOUSE TH4 PROPOSED ELEVATION



PERSPECTIVE - TOWNHOUSE TH4



PERSPECTIVE - TOWNHOUSE TH6



TOWNHOUSE TH5 PROPOSED ELEVATION



PERSPECTIVE - TOWNHOUSE TH6 AND TH5



PERSPECTIVE - TOWNHOUSE TH5



BIRD'S EYE VIEW LOOKING SOUTHEAST TOWARDS TOWNHOUSE TH6 AND TH5





# **PLANNING REPORT**

**RE**

**PROPOSED BRIDAY HOUSING DEVELOPMENT**

**12433 DILLON DRIVE, TECUMSEH, ONTARIO**

**PREPARED FOR**

**TAMRA AND TONY TENO**

**12420 LITTLE RIVER BOULEVARD, TECUMSEH, ONTARIO**

**AUGUST 29, 2019**

**BY**

**STOREY SAMWAYS PLANNING LTD.**



**PLANNING REPORT RE**  
**PROPOSED BRIDAY HOUSING DEVELOPMENT**  
**12433 DILLON DRIVE, TECUMSEH, ONTARIO**

**1.0 INTRODUCTION**

**1.1 PURPOSE**

The purpose of this report is to provide a planning analysis of the zoning and official plan amendment applications for a proposed 63 residential unit development by Briday Victoria Development Corporation, consisting of two and three storey townhouse unit buildings at 12433 Dillon Drive in Tecumseh, for Tamra and Tony Teno, who are local residents. It is intended that this report be submitted to Tecumseh Council for consideration as part of the public consultation meeting on this project scheduled for September 10, 2019.

**1.2 DOCUMENTS REVIEWED**

In the course of preparing this report I have reviewed these applications within the context of the following documents:

- The Provincial Policy Statement (PPS)
- The County of Essex Official Plan (COP)
- The Town of Tecumseh Official Plan (TOP)
- The Planning and Design Justification Report, prepared by Zelinka Priamo Ltd. on behalf of Briday, June 2019
- Planning report prepared by Chad Jeffery of Planning and Building Services, Town of Tecumseh, August 13, 2019
- Various other relevant documents regarding residential intensification, and the Traffic Impact and Engineering studies submitted with the application in support of the project.

I should note, at the time of writing, that while I am able to make a conclusion regarding the planning merits of the applications, there are several important documents not available for review, namely:

- Peer Review by Dillon Consulting on behalf of the Town of the traffic impact and engineering studies by the applicant
- Essex Regional Conservation Authority (ERCA) comments
- Final report by the Tecumseh Planning and Building Services Department
- The actual amending documents.

### 1.3 CONCLUSION

As discussed in more detail below, it is my opinion that these applications are:

- Not consistent with the Provincial Policy Statement
- Not in conformity with the County Official Plan
- Not in conformity with the Tecumseh Official Plan

Accordingly, the applications should be refused or deferred until such time as the Town has prepared residential intensification development standards.

### 2.0 ANALYSIS

#### 2.1 OVERVIEW

The reports prepared by Zelinka Priamo and the Tecumseh Planning department both speak to the general emphasis in the PPS, COP and TOP on the positive role of residential intensification in achieving goals with regard to the provision of housing within settlement areas, and I agree with the planning merits of that notion. Where I diverge from these reports is that there are parts of the PPS, COP and TOP which speak to the need for appropriate regulation of intensification, and it is these policies to which I will be referring.

#### 2.2 PROVINCIAL POLICY STATEMENT (PPS)

Section 4.7 of the PPS states:

*The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans....*

*In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement...*

Comment: the Tecumseh Official Plan was initially adopted in 1973 and finally approved in 1978. I understand it went through a further review process in 1995. The latest consolidation occurred in 2015.

Clearly the TOP is seriously out-of-date and not consistent with Section 4.7 of the PPS. It should also be noted that Section 26 (1.1) of the Planning Act **requires** official plans to be updated no more than 10 years after its initial approval and every five years thereafter. Tecumseh is in violation of the Planning Act as well as the PPS.

I understand that a new official plan has been prepared and is undergoing internal review at present. It is expected to be released for public review by the end of this calendar year. Development standards regarding intensification should be a part of that new OP process, which suggests that the Briday application should be deferred until these new policies have gone through a proper vetting with the appropriate stakeholders and public consultation.

Clause (e) under Section 1.4.3, Housing, of the PPS states:

*Planning authorities shall provide for an appropriate range and mix of housing...by:*

*(e) establishing development standards for residential intensification...*

Comment: in fact the TOP does provide development standards for residential intensification as discussed further below, but which are not appropriately addressed, in either the Zelinka Priamo or Planning Department reports. If the existing OP standards are considered out-of-date then establishing new ones needs to go through the OP process described above, and simply not assumed, as appears to be happening with the Briday proposal.

## **2.3 COUNTY OFFICIAL PLAN (COP)**

As noted in the OVERVIEW above, the COP encourages residential intensification within primary settlement areas such as Tecumseh in Section 3.2.7, Intensification and Redevelopment. The last paragraph states:

*Where possible, new development in older established areas of historic, architectural or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.*

Comment: neither the Zelinka Priamo or Tecumseh Planning Department reports took notice of this policy, or performed any meaningful analysis to determine the “character” of the existing neighbourhood.

## **2.4 TECUMSEH OFFICIAL PLAN (TOP)**

The TOP generally supports residential intensification of underutilized or vacant lots within built up areas. Section 3.3.8 provides the basis for which intensification will be reviewed:

*3.3.8 In the Town of Tecumseh, Council will encourage both public and private sector landowners, developers and builders to undertake small-scale infilling type residential activities that make the most efficient and cost-effective use of existing municipal infrastructure and services. Infilling means the residential*

*development of a **similar scale, density and use on vacant lots or undeveloped lands within built up areas** [my emphasis] of the municipality, to create additional dwelling units.*

The Zelinka Priamo report provides only a cursory review of the scale and density of the surrounding built-up area. In order to provide a more detailed understanding of the density and scale of the existing neighbourhood surrounding the subject property, a walking survey was undertaken in late December, 2018 in the area shown in Appendix “A”. The results were as follows:

- There were 222 dwelling units counted. 6 were multiple units found in two separate buildings. The remaining 216 were single detached; 61 were two-storeys; and the remainder being of a lower profile type.
- The overall net density is 11.42 units / hectare or 4.62 units per acre.<sup>1</sup>

By comparison we know the scale and density of the proposed development as follows:

- Density of 27.5 units / hectare or 11.1 units per acre
- All units are of the townhouse type and two storeys or greater.

The Briday development density is 240% greater than the surrounding neighbourhood. In terms of scale, 100% of the Briday development is two storeys or greater and 28% of the surrounding neighbourhood is two storeys.

In my opinion the proposed development is not similar in scale or density to the surrounding built up area, as required in Section 3.3.8, and therefore is not in conformity with the Tecumseh Official Plan.

It should be noted that there is another recent project in Tecumseh somewhat similar to the Briday proposal in that it involved the residential intensification of a surplus school site – Carmelita Court. A walking survey was undertaken in mid-January, 2019 for the area shown in Appendix “B”, with the following results:

- There are 88 residential units in the area surrounding the Carmelita Court development of which 49 are single detached dwellings and 39 are townhouse units. Eight of these units, or 9%, are two storeys.
- The overall density in the built up area is 12.7 units / hectare, or 5.2 units per acre. i.e., a little higher than the area around the proposed Briday development.

The Carmelita project consists of 46 single storey townhouse / semi-detached units on 2.8 hectares giving a density of 16.39 units / hectare or 6.64 units per acre. With regard to Section 3.3.8 of the TOP, the Carmelita project can be said to be similar in scale to the

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<sup>1</sup> The area for each lot used in the density calculation is based on the Town of Tecumseh GIS.

surrounding built-up area. Carmelita is 28% higher in density which Council and Administration of the day considered to be similar in density to the surrounding built-up area, and therefore in conformity with the TOP.

If one were to apply this precedent of residential intensification to a surplus school site within an existing residential built up area to the proposed Briday development, a 28% increase in density would result in an overall development of 1.28 x 4.62 units / acre (surrounding neighbourhood density) on a 5.66 acre site, or 34 units, a significant majority of which would be single storey, rather than the 63 unit development of two and three storey buildings actually proposed.

## 2.5 OTHER DOCUMENTS

### 2.5.1 HOUSING AND RESIDENTIAL INTENSIFICATION DISCUSSION PAPER, MARCH 2015

This Discussion Paper was prepared as part of the new Tecumseh Official Plan process by Chad Jeffery, Manager of Planning Services for Tecumseh. In my view it was comprehensive and well written. I have included it in my review of the Briday applications as Mr. Jeffery made several notable comments regarding intensification in existing residential areas. The quotes below are found in Section 4.2, Residential Intensification, of the Discussion Paper.

*Appropriate policies and guidelines will be needed to ensure that residential intensification occurs in suitable locations and **the standard of residential amenity area is maintained or enhanced** (p.33) [my emphasis]*

*Intensification efforts must consider how development **fits within and enriches the existing context** (p.33) [Mr. Jeffery's emphasis]*

*New development should **respect the local context and contribute** to it in a positive way (p.33) [Mr. Jeffery's emphasis]*

*Guidelines and criteria **will need to be developed in the new Official Plan** to direct intensification efforts to the most appropriate areas (p.35) [my emphasis]*

Mr. Jeffery has suggested three overlapping tests to be applied to residential intensification proposals, namely:

1. The standard of residential amenity of the area is maintained or enhanced.
2. The proposed development must fit within and enrich the existing context.
3. The proposed development should respect the local context and contribute to it.

It is my opinion that were these tests, as recommended by Mr. Jeffery, applied to the Briday proposal, it would fail.

Finally I note that Mr. Jeffery recognizes that “guidelines and criteria” regarding intensification will need to be included in the new Official Plan. In my opinion such policies would make the TOP consistent with the Provincial Policy Statement and be brought into conformity with the County Official Plan, neither of which, in my opinion, as discussed earlier, it is today.

## **2.5.2 INTENSIFICATION IN STABLE RESIDENTIAL AREAS – TOWN OF NEWMARKET**

This document was prepared by the Newmarket Planning Department as a report to Council in October of 2017. I have included it as it provides a brief discussion on Best Practices with regard to intensification as found in eight other Ontario municipalities. I found it instructive, and applicable to Tecumseh, for three reasons:

1. It notes on P.2 that intensification in “stable residential neighbourhoods” may be permitted (as opposed to other areas where it is positively encouraged) provided it is done “respectfully”.
2. Existing residential areas are referred to being stable, older mature and established. New intensification development must be compatible with the neighbourhood in terms scale, height, massing, architecture, setbacks, orientation, streetscape and building separation.
3. A number of tools are proposed to protect existing neighbourhood character including official plan policies, special zoning restrictions in existing neighbourhoods, urban design guidelines and special site plan control policies.

The emphasis underlying these best practices is that protection of an existing neighbourhood character takes priority in considering an intensification project. In my opinion, attempts to respect the local neighbourhood by the Briday development have been minimal and unsatisfactory.

## **3.0 CONCLUSION / SUMMARY**

The Briday Victoria Development proposal for a 63 unit townhouse development on a surplus school site is an example of residential intensification, a form of development generally encouraged by the Provincial Policy Statement (PPS), County of Essex Official Plan (COP) and Tecumseh Official Plan (TOP). However closer examination shows the project as proposed is neither consistent or in conformity with these documents.

The PPS requires that local official plans be kept reasonably current with PPS policies. It has been at least 24 years since the TOP has undergone an official plan review, which is in violation of the PPS, the Planning Act and the COP. As well, the PPS requires that specific development standards be prepared regarding housing intensification. Until the Town goes through this process, the Briday proposal is at best premature.

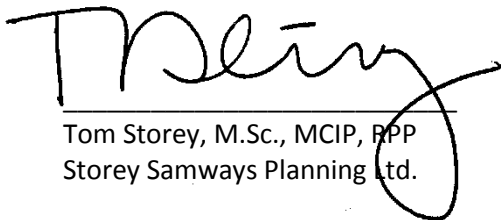
The COP approved in 2014, similar to the PPS requires that the TOP be made current with the COP within a reasonable time period, which has not happened. Also similar to the PPS, the COP requires that development standards be prepared for residential intensification recognizing such development is consistent with the overall character of older established neighbourhoods. The TOP and Briday proposal fail on both counts. Therefore the project is not in conformity with the COP.

The TOP, although seriously dated, does contain intensification standards requiring new development to be similar to a surrounding built up area in scale and density. As demonstrated, the proposal greatly exceeds the existing neighbourhood in both instances. It could be argued that a precedent exists for infilling of a surplus school site on another property (Carmelita Court) surrounded by an established residential neighbourhood. Application of the density and scale parameters of this project would result in a substantial reduction in the number of units and in the proposed scale of the Briday project.

In my opinion, the Briday project fails to meet the density and scale requirements for infilling and therefore is not in conformity with the TOP.

It is my recommendation that the Briday application be either refused or deferred until such time as the Town has updated its Official Plan and in particular develops modern residential intensification standards based on a comprehensive public consultation process.

Prepared by:



Tom Storey, M.Sc., MCIP, RPP  
Storey Samways Planning Ltd.

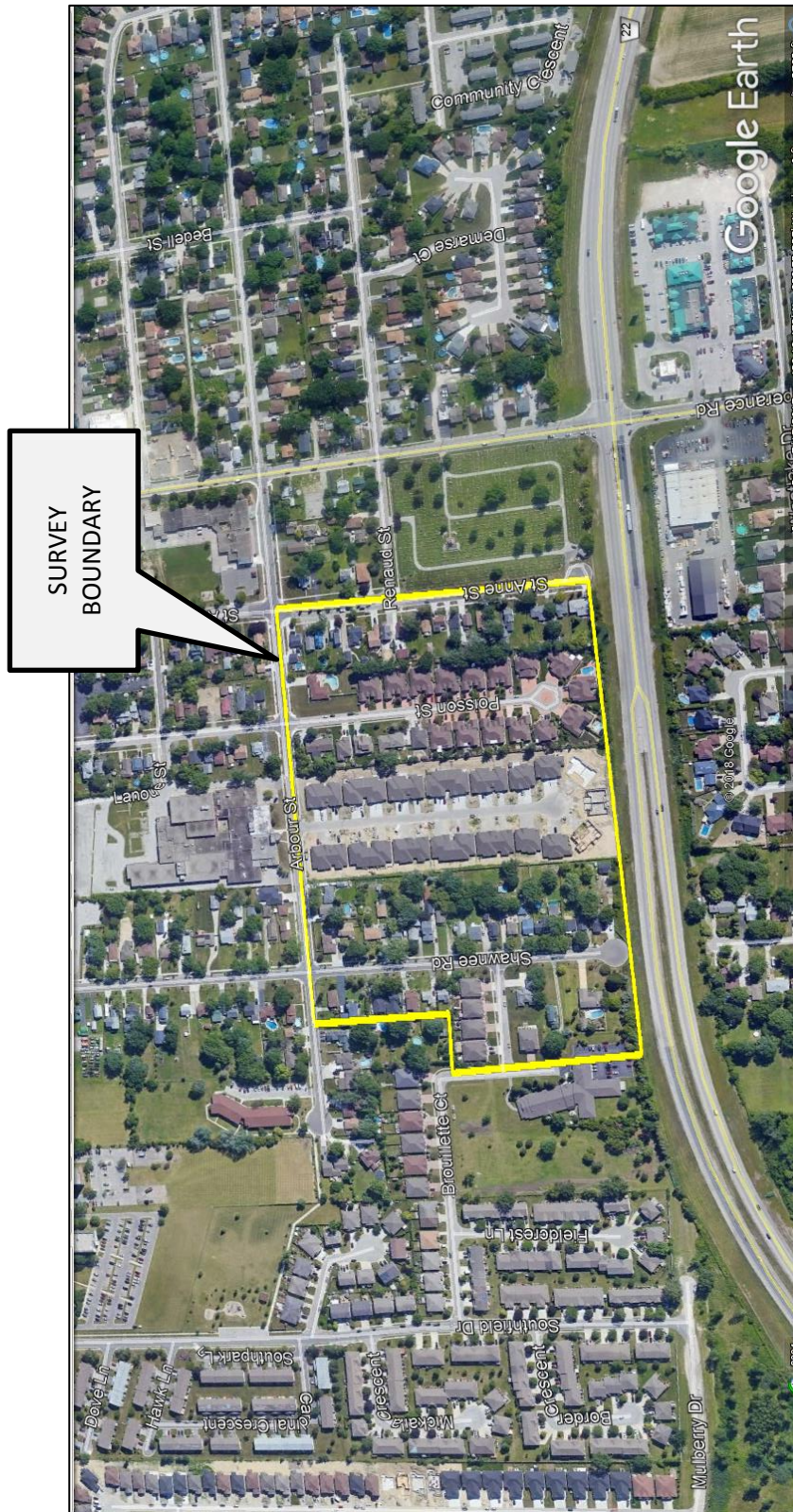
Attachments:

Appendix "A" – Victoria School Neighbourhood  
Appendix "B" – Carmelita Neighbourhood  
Appendix "C" – Newmarket Report

**APPENDIX "A" – VICTORIA SCHOOL NEIGHBOURHOOD**



**APPENDIX "B" – CARMELITA NEIGHBOURHOOD**



## **APPENDIX "C" – NEWMARKET REPORT**



DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES  
TOWN OF NEWMARKET  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7  
www.newmarket.ca  
info@newmarket.ca  
905.895.5193

October 16, 2017

### **DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-40**

TO: Committee of the Whole  
SUBJECT: Intensification in Stable Residential Areas – Best Practices  
ORIGIN: Planning Department

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#### **RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning and Building Services Report 2017-40 dated October 16, 2017 regarding intensification in stable residential areas be received and the following recommendation(s) be adopted:**

**THAT Council direct staff to organize a council workshop to provide further detailed information on each of the options presented in this report including but not limited to associated costs, resources necessary and impacts to customers.**

#### **COMMENTS**

Council at their March 27 2017 (COW) meeting adopted the following recommendation:

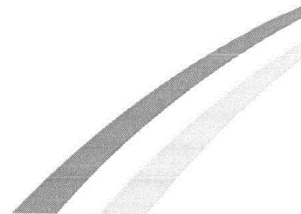
That staff be requested to review Zoning By-law Number 2010-40 and By-law Number 2013-30 to address best practices related to infill development standards across the town as a whole and provide a report to Council.

#### **ISSUE**

Residential trends in Newmarket are shifting from suburban growth to urban intensification and redevelopment. Concerns have been raised regarding the compatibility of new homes or additions to existing homes that comply with the current zoning by-law regulations but are considered to be out of character with the built form of the established neighbourhoods in which they are located.

One of the fundamental objectives of planning and zoning is to ensure compatibility between properties and land uses. Compatibility is achieved in part by regulating land use and built form.

Residential dwellings have evolved substantially over the past half-century; homes today have greater lot coverage and floor area and are much higher. This disproportion is most evident with intensification developments in low-density residential areas where a new or remodelled home is situated next to one that is approximately 40 to 50 years old.



### **Intensification in Newmarket**

Newmarket must rely on intensification within the Town's Urban Centres to accommodate projected population growth over the next 25 years, as the supply of greenfield lands is nearly exhausted. Intensification in the stable residential areas is, for the most part, limited to infill through the creation of new lots subject to the compatibility policies of the Town's Official Plan. The Town's approach to intensification must reflect the general framework for urban structure established by the Province and refined by York Region.

The Province of Ontario has advocated for intensification to be the key direction for managing growth in communities throughout the Growth Plan for the Greater Golden Horseshoe (Growth Plan). Integral to the Growth Plan is an emphasis on intensification and re-urbanization of existing built-up areas to curtail urban sprawl, support transit and protect significant greenlands and the Oak Ridges Moraine.

As directed by the Province in its Growth Plan, intensification is intended to be focused on urban growth centres, intensification corridors, major transit station sites, brownfields, and greyfields. These areas are envisioned to attract a significant portion of population and employment growth. They are to provide a diverse range of uses and high quality public open spaces in support of vibrant neighbourhoods, transit, walking and cycling, along with achieving higher densities and providing for appropriate transitions to adjacent neighbourhoods.

While intensification is directed to the Town's urban centres, limited intensification can still occur in stable residential neighbourhoods. If done respectfully, the redevelopment can be of value to the community. However, redevelopment can occur in a manner that does not respect the built form that exists. In older neighbourhoods, existing lot areas and frontages are often large enough to accommodate larger homes while still meeting the requirements of the zoning by-law. As a result, new development can occur in a form that is inconsistent with the height, building footprint, design and character of the existing residential dwellings in the neighborhood.

### **Background**

Staff researched this issue in 2013 culminating in a zoning by-law amendment for the older established areas of Newmarket, as depicted in the attached By-Law 2013-30, which modified three requirements affecting the siting of a dwelling on a lot. Within the subject area, By-Law 2013-30 reduced the maximum permitted height, reduced the maximum permitted coverage and modified the way in which front yard setback is determined.

Specifically, the by-law amendment defined maximum heights for one, one and a half and two storey dwellings and reduced the overall maximum height of a building on a lot from 10.7 m measured to the mid-point of the roof to 10 m measured from the front grade to the highest point of the roof. The by-law also reduced the maximum lot coverage for a 1.5 storey and 2 storey house from 35% to 25% and modified the way in which front yard setback is determined to allow a dwelling to be in line with dwellings on either side regardless of the front yard setback standard.

Committee of Adjustment – since Council passed By-law 2013-30, 9 applications for relief from the zoning by-law as it relates to these areas were received by the Committee of Adjustment. Of these, 7 were approved by the Committee and 2 have been denied and have since been appealed to the Ontario Municipal Board.

### **Best Practices**

A number of municipalities have recently researched and applied various mechanisms to address the issues of compatibility of new residential dwellings and large additions in established residential areas of their communities. Below is a brief description of the tools each municipality has implemented.

**Brampton** – added Official Plan policies regarding defined “Older Mature Neighbourhoods” requiring new development to be compatible with the existing neighbourhood in scale, height, massing, architecture, setbacks, orientation and building separation. To implement the policy, Site Plan Control was imposed on older mature neighbourhoods applicable to all new dwellings or additions greater than 50 square metres in area. Brampton also included modifications to the zoning permission in the area of coverage, height and setbacks.

**Burlington**- has conducted a number of studies that look at neighbourhood character that were endorsed by Council in 2016. Burlington is now in the process of amending their zoning by-law as it relates to setbacks, driveways, landscaping, and lot coverage.

**Cambridge**- created an “Established Neighbourhoods” overlay in their zoning by-law that applies to the study areas. These areas have modified zoning standards as it relates to height, averaging of side and front yard setbacks, limiting of garage projections and minimum and maximum driveway widths.

**Halton Hills**- has recently concluded their review of Mature Neighbourhoods which has resulted in an Official plan amendment that discusses Mature Neighbourhood Areas and provides objectives and policies relating to new and replacement housing. Halton Hills have also approved new zoning regulations for the specific areas as they relate to heights, setbacks and coverage.

**Kitchener** – has amended their zoning by-law as it relates to setbacks, heights, garage placement; introduced site plan approval processes for single detached, semidetached and duplex dwellings in select neighbourhoods, updated their Urban Design Manual to provide guidance on infill and new developments; and developed a Citizen’s Guide to Intensification in an effort to ensure infill development within the identified areas is compatible with the surrounding context.

**Oakville** – drafted urban design policies called “Design Guidelines for Stable Residential Neighbourhoods” to address compatibility of new development. These policies informed a new zoning by-law that provided for specific zone standards for the study areas similar to Newmarket’s 2013 by-law. Oakville also included a standard that scaled the permitted residential floor area based on the lot size, meaning larger lots would have increasingly smaller floor area ratios to discourage excessively large homes from being developed.

**Ottawa**- adopted a Mature Neighbourhood Plan and Urban Design Guidelines along with a “Streetscape Character Analysis” tool under the zoning by-law to regulate new buildings in the study areas. The analysis tool used by Ottawa requires additional time and effort for the applicant and municipal staff to process development applications. Further details on this tool are provided in the below discussion.

**Richmond Hill**- have developed a number of Infill Studies/Tertiary Plans intended to guide infill housing in a similar manner to urban design guidelines. As the infill areas are described in the Official Plan, development applications that do not meet the objectives are deemed to be in conflict with the Official Plan.

Having the control provisions in the OP heavily regulates development. Applications must conform to the infill and urban design guidelines for the infill area.

### **Discussion on Options**

In reviewing best practices from other municipalities, there is no consistent approach in addressing the issue of perceived overbuilding in established residential areas. The following provides options that are in use in other municipalities and available for Council's consideration. These options can be implemented individually or combined.

1. Keep existing zone standards
2. Implement changes to the existing zoning standards within an identified study area similar to the modifications approved for established residential areas in 2013.
3. Amend the Official Plan to establish policies that direct that character areas be established through zoning tools. Adopt an implementing Zoning By-law to modify the zoning on certain streets to better reflect existing character.
4. Create Urban Design Manual/Guidelines for infill projects.
5. Expand site plan control approval to apply to single detached, semi-detached and duplex dwellings in identified areas.
6. Develop a streetscape character analysis process similar to the City of Ottawa
7. Implement Cultural Heritage Landscape in identified areas under the Ontario Heritage Act.

#### **1. Keep the existing zone standards**

The first option to consider is to maintain the existing standards in the zoning by-law. An argument can be made that the differences between lots and dwelling sizes are what make an interesting and vibrant neighbourhood. The by-law provisions as they relate to building standards have largely been unchanged in the established areas of Newmarket since the passing of the 1979 comprehensive town wide by-law. Communities are not static and as time passes changes are inevitable.

In the implementation of a policy or standards that would limit the ability to sever property and/or more strictly control building permissions, it would have to apply not only to new construction but also to any additions/changes existing property owners may desire in the future.

#### **2. Implement Changes to the Residential Zone Standards (individual streets or study wide area)**

The modifications that were implemented through By-law 2013-30 could be expanded to other areas of Newmarket that are experiencing similar intensification. The principle behind establishing new standards is that the regulations would be reflective of the existing built form for an identified neighbourhood. The

minimum lot area and frontage, maximum lot coverage and minimum building setbacks would be similar to the existing dwellings.

Where a proposal could not meet the minimum requirements a minor variance would be required and the application would be subject to a public process, require Committee of Adjustment approval, and be reviewed on the merits of the specific situation.

Through the use of GIS mapping, the approximate lot coverage for low density dwellings in established neighbourhoods can be determined. For this approach to be implemented appropriately, the identification of neighbourhood boundaries would have to be determined. Careful consideration would have to be given to the criteria used to define the boundaries. Subdivisions that were developed in the last 10-20 years will likely not benefit from any changes as the homes are typically built to the maximum permissions in the zone standards. These would include areas such as the southwest and southeast quadrants, northwest quadrant and other areas that have been recently developed.

An outcome of any changes to Zoning By-law 2010-40 is that there will be many homes in the low-density residential zones which comply with the current zoning by-law but will not conform to the recommended changes found in this report; essentially they will become legal non-conforming buildings. Legal non-conforming residential dwellings are often found in older neighbourhoods as they were built under a previous zoning by-law or at a time when a zoning-by-law did not exist.

An existing legal non-conforming building is permitted to continue indefinitely and is recognized by the Zoning By-law. However, an addition to an existing legal non-conforming dwelling must comply with the current Zoning By-law regulations or obtain approval for a minor variance.

It is impossible to capture every nuance and deviation from a zoning by-law with a proposed by-law amendment as described in this section of the report. Legal non-conforming uses, buildings, and structures are common and are the product of an evolving town.

**3. Amend the Official Plan to establish policies that direct that character areas be established through zoning tools. Adopt an implementing Zoning By-law to modify the zoning on certain streets/neighbourhoods to better reflect existing character.**

As neighbourhoods develop at different times, there are many different types of neighbourhoods with different character traits. Currently, the Town's Official plan contains general policies under the Residential section addressing compatibility indicating that the policies of the plan protect the stability of the Stable Residential Areas and ensure that new development is compatible with the existing character of the neighbourhood. The Official Plan reads that the Stable Residential Areas permits accessory units and infill units through the creation of new lots consistent with the size and form of housing as a whole. The creation of new lots are subject to the compatibility with the scale of the surrounding neighbourhood, the physical suitability of the site to accommodate the proposed infill housing, availability of hard services and road access requirements.

This type of general language is common in Official Plans. While providing some guidance for new development, it leaves what constitutes "compatible" up to interpretation. By providing further details on specific neighbourhood character of particular areas through an Official Plan amendment, an implementing zoning by-law would be uniquely tailored to the identified neighbourhoods.

This option appears to be best coupled with design guidelines similar to the Town of Richmond Hill. Richmond Hill has identified "priority infill" areas in their Official Plan with the intention that specific studies will be developed for these areas. Development within a priority infill area is subject to the applicable infill study and assessed based on conformity with the infill and urban design guidelines that have been approved by council. As noted above, having the control provisions in the OP heavily regulates development and applications must conform to the infill and urban design guidelines for the infill area.

#### **4. Create Urban Design Manual/Guidelines for infill projects.**

Many municipalities have created an Urban Design manual for mature neighbourhoods. As new development should be properly integrated into the existing streetscape, design guidelines would provide a basic framework for making decisions on massing, layout and compatibility within the context of the existing neighbourhood character. On their own, a manual or guidelines would provide context and guidance for property owners wishing to complete additions to existing dwellings or a new build however, they are not legislative and could not be strictly enforced unless coupled with an additional process such as the below site plan approval process or enhanced Official Plan policies related to infill development.

#### **5. Expand site plan control approval to apply to single detached, semi-detached and duplex dwellings in identified areas.**

Another option that is available to Council to better manage infill and redevelopment in the stable residential areas is through the site plan process under Section 41 of the *Planning Act*, rather than exclusively through "as of right" building permits.

The building permit process has regard for zoning regulations and the *Ontario Building Code*, however, the site plan review process would offer the Town an opportunity to provide detailed evaluations of residential proposals. The characteristics of an existing neighbourhood can be analyzed and proposals could be reviewed against the backdrop of fit within the larger community. Public feedback could also be integrated in the process (if needed) through community consultation however there would continue to be no mechanism for residents to appeal a site plan decision.

The transparency and integration of the site plan review process allows the Town to provide greater assurances to communities that development in residential areas will occur sensibly and respectfully with the built character of Newmarket's older established neighbourhoods. However, requiring site plan approval on lots within certain zones or areas would create an additional cost to landowners and require additional staff resources to process applications. The review of plans would have to be streamlined to ensure a proper use of time and resources. A fee schedule would also have to be developed factoring in cost recovery.

The process can be defined to only be applicable to new builds and additions that meet a particular threshold.

#### **6. Develop a streetscape character analysis process similar to the City of Ottawa**

Ottawa in 2015 adopted an infill by-law that provided a "Mature Neighbourhood" overlay that regulates the character of low rise residential development based on the existing character of the streetscapes in established neighbourhoods. In order to determine all the zoning requirements for a lot, a streetscape

analysis is required. The "Streetscape Character Analysis" is a complex system that intends to measure character based on the number of occurrences in an area and allows the streetscape design to be implemented in a systematic way. Through an application, this process requires applicants to demonstrate how the proposed structures will fit into the existing streetscape by identifying and recording the attributes of 21 lots surrounding the property.

The process requires additional time and effort for the applicant and municipal staff to process the development application. In addition, the process relies on photo documentation supplied by the applicant and extensive property mapping resources provided by City of Ottawa. The details of this tool will be further discussed in the recommended workshop.

#### **7. Implement cultural heritage landscape in identified areas under the Ontario Heritage Act.**

Defining specific Cultural Heritage Landscapes (CHL) under the Ontario Heritage Act is another tool available to the municipality to guide development proposals. A CHL is defined in the 2014 Provincial Policy Statement as *"a geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association."* Examples would include Heritage Conservation Districts, neighbourhoods, parks, industrial areas, shrines or spiritual places, aboriginal sites or trails and distinct or unique land-use patterns.

For example, the City of Kitchener has identified 12 residential neighbourhoods as cultural heritage landscapes.

The identification and implementation of Cultural Heritage Landscapes would require the contracting of a Heritage Consultant to review and recommend areas for inclusion and the basis for such recommendations. Along with any identified CHL, the establishment of guidelines would be necessary to control development proposals. A CHL could also be the basis for listing properties as non designated heritage properties or the establishment of a Heritage Conservation District.

#### **CONCLUSIONS**

As there are a number of options with verifying degrees of process and resources involved, it is appropriate to hold a workshop with Council to provide further detailed information on each of the identified options. This workshop will assist staff in determining a preferred approach based on Council's desired level of service, budgetary constraints, public consultation, timeframe involved to implement and acceptable impact to customers and staff resources. The timing of such a workshop could all in Q1 2018.

#### **COMMUNITY CONSULTATION POLICY**

A statutory public meeting will be required as part of the Planning Act requirements for any proposed changes to the Official Plan and/or Zoning By-law. Any process that involves defining neighbourhood character either through an Official Plan Amendment or guidelines for infill development should include public consultation with those residing in various neighbourhoods. Any option beyond modest changes to the zoning by-law should include a public awareness/education campaign. At Council's direction, staff can organize a Public Information Centre after the recommended workshop but prior to making a final recommendation to garner input from the public.

Development and Infrastructure Services/Planning and Building Services Report 2017-40  
Intensification in Stable Residential Areas- Best Practices  
October 16, 2017  
Page 8 of 8

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**BUDGET IMPACT (CURRENT AND FUTURE)**

There are no immediate budget impacts as a result of the recommendations of this report.

**CONTACT**

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; [druggle@newmarket.ca](mailto:druggle@newmarket.ca)



Commissioner, Development and Infrastructure Services



Director of Planning & Building Services



Senior Planner - Community Planning

**TOWN OF TECUMSEH**  
**NOTICE OF PUBLIC MEETING**  
**PROPOSED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT**

**TAKE NOTICE** that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, September 10<sup>th</sup>, 2019 at 5:00 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider proposed Official Plan and Zoning By-law amendments pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

Applications for Official Plan and Zoning By-law amendments have been filed with the Town of Tecumseh 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 Key Map below). The subject property is currently designated “Community Facility” in the Tecumseh Official Plan and was previously occupied by Victoria Public Elementary School. The purpose of the proposed Official Plan amendment is to redesignate the subject property to a “Residential” designation that would facilitate the development of the lands 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 proposed development included a driveway access onto Dillon Drive, a 0.12 hectare (0.29 acre) park area 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. The stormwater management area is proposed to be designed as a facility that is complementary to the abutting parkland amenity.

The purpose of the associated Zoning By-law amendment is to change the zoning pertaining to the subject parcel from “Community Facility Zone (CF)” and “Residential Zone 1 (R1)” to a site-specific “Residential Zone 3 (R3-16)”. The proposed site-specific R3-16 zone would permit the proposed residential uses and establish various site-specific zone provisions, such as minimum yard depths/widths, minimum parking space requirements and maximum density and height. In addition, the proposed rezoning adds a definition for the term “stacked townhouse dwelling unit” to the definitions section of Tecumseh Zoning By-law 1746.

**ANY PERSON** may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan amendment and/or Zoning By-law amendment.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of the County of Essex (the Approval Authority) to the Local Planning Appeal Tribunal (LPAT).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Local Planning Appeal Tribunal (LPAT).

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Official Plan amendment is adopted or the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the LPAT, there are reasonable grounds to do so.

KEY MAP




**If you wish to be notified of the decision of the Council** of the Corporation of Town of Tecumseh on the proposed Zoning By-law amendment or on the adoption of the proposed Official Plan amendment, or of the refusal of a request to amend the Official Plan, **you must make a written request** to the Corporation of the Town of Tecumseh, c/o Laura Moy, Clerk, at the mailing address noted 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, September 6, 2019.

DATED AT THE TOWN OF TECUMSEH  
THIS 15<sup>TH</sup> DAY OF AUGUST, 2019.

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

 Lands Subject to Proposed Amendments

Sara May, Clerk,  
Town of Tecumseh,

I am saying "YES"  
to change zoning from  
Community Facility Zone & Resi-  
dential Zone to Residential  
ZONE 3 (R3-16)

I wish to be notified  
of the decision of Council  
of the Corp of Town of Tecumseh  
on proposed zoning, by-law  
amendments, or adopt of proposed  
Official Plan amendment or of  
Refusal of a request to amend  
Official Plan.

I'm excited to see Tecumseh  
gain more living quarters  
for its people... It is  
much needed

ANN DUGAL

305 OAK PARK DR

TECUMSEH ON N8N4W9

Ann Dugal

Aug. 21 2019

August 21, 2019

To: Council of the Corporation of the Town Tecumseh Meeting on September 10, 2019

RE: Proposed Official Plan and By-Law Amendments re a 2.29-hectare parcel of land situated on the south side of Dillon Drive, approximately 40metres east of its intersection with St. Pierre Street (12433 Dillon Drive).

Please be advised that the undersigned **object** to the change in zoning from Community Facility Zone (CF) and Residential Zone 1 (R1) to Residential Zone 3 (R3-16) for the following reasons:

- Inadequate infrastructure to handle storm water
- Introduction of three story townhouses structures will alter the current 2 story designed neighborhood template reducing privacy for adjacent homes
- 86 new units will alter neighborhood density increasing traffic that flows through the St.Pierre, Little River and Wood St streets thereby reducing neighborhood safety.
- Current site should be retained to provide for future school construction
- If approved, would establish a precedent for all current neighborhood schools)

Dated: August 21, 2019

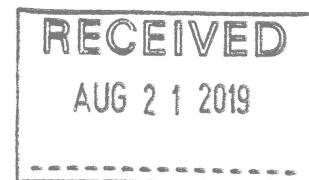
  
Charles Raymond

  
Gail Raymond

241 St Pierre St

Tecumseh, ON

N8N 1Z1



August 21, 2019

Laura Moy, Clerk

Town of Tecumseh

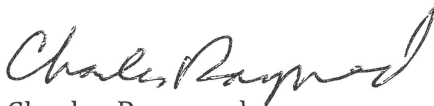
917 Lesperance Road

Tecumseh, Ontario

N8N 1W9

Please be advised that we wished to be notified of the any decision taken by the Council on Sept 10, 2019 regarding the undernoted meeting.

Meeting regarding Proposed Official Plan and By-Law Amendments re a 2.29-hectare parcel of land situated on the south side of Dillon Drive, approximately 40metres east of its intersection with St. Pierre Street (12433 Dillon Drive).



Charles Raymond

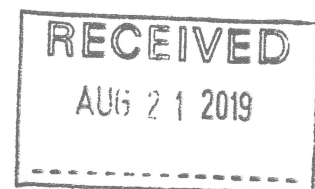


Gail Raymond

241 St Pierre St

Tecumseh, ON

N8N 1Z1



**From:** Kristy Davis

**Date:** August 25, 2019 at 8:00:44 PM EDT

**Subject:** Opposition to the old Victoria School property development

Hello,

I am writing to inform you that I am part of a group of concerned citizens that is in opposition to the Briday development in the location where the old Victoria school once stood. The type of development that they are proposing is not well suited for our area. I live on a property that backs directly onto the empty lot. I have always suspected that eventually something would be built on the lot but what I had envisioned was a development similar to Carmelita Court (where st. anne's high school was located). I have been informed that Briday's plan goes against what most zoning around the former school is. I am asking that council please honour the official zoning plan which would allow for residential, single family homes in the area (R1) (or similar to Carmelita court) as opposed to R3. I have major concerns about the loss of privacy, noise, light pollution, drainage issues, loss of personal space and the sheer density of buildings (63 units in that area is unreasonable) that would accompany Briday's current plans. I moved to Tecumseh for the solitude and expansive feeling that is even somewhat different than living in nearby Windsor. This proposal makes me feel like I am suddenly living in a cramped Metropolis like Toronto. Briday's plan is not conducive to our neighbourhood and I am also concerned about how this could impact the value of my home in the future. I do not want to see this type of development in my backyard. It is imperative that R-1 zoning must remain in place and the official plan be followed in good faith.

I will be present at the meeting on September 10th along with many other concerned residents.

Regards,  
Kristy Thompson

**From:** Danielle Lachance

**Date:** August 26, 2019 at 11:33:05 AM EDT

**Subject:** Victoria school site

Good Morning Margaret,

I am emailing you today to inform you that we do not support the proposal from the developer Briday has planned for the former Victoria School site at 12433 Dillon Dr.

I believe the neighbourhood needs to be heard before decisions are made. We want the area to remain a R1 residential zone.

Thanks

Tom & Danielle Lachance

**From:** Kendra Summerfield

**Date:** August 27, 2019 at 8:10:44 AM EDT

**Subject: Old Victoria School Property Development**

Good Morning Ms. Evans,

I am writing on behalf of my husband and I regarding the proposed development of the old Victoria School property. We are currently building a new home on Lacasse Boulevard. Our property backs onto the new proposed development land. We purchased the land on Lacasse due to it's large property size that allows us to both build a new home as well as enjoy a large private backyard as well as due to the feel/style of the neighborhood. We have been made aware that the developer is requesting that the zoning of the school property be changed to R3. We feel that allowing the zoning change would cause a huge increase in the density of the neighborhood in terms of both numbers of homes and residents. This would create less privacy and would completely change the feel of the neighborhood. We feel that our property value would be significantly decreased with this proposed change. Please consider our request to not allow the zoning change to the Victoria School property and maintain it's current zoning as R1.

Sincerely,

Chad and Kendra Summerfield

From Debra Dancey (St.Louis).

I have been a resident of Tecumseh since 1980 My late husband was a business owner in Tecumseh and he took pride in this town. I am all for new development providing that all the laws are followed and it will raise the value and beautify my neighbourhood. After reviewing what this developer Briday wants I can say I am totally against this proposal as I was with his first proposal. The zoning around this school area is R1 residential which means low density and single family homes. I do not support the town in allowing the change to R3 zoning and also giving him exceptions This would be against Tec. Bylaws. I do not want to see a Peach Tree Village (Villages of Riverside). I have flooded while residing at this address times three we do not have the infrastructure to support 63 more residences My flooding has occurred only because the towns pumps can not keep up. I have done drains etc yet it occurs again Dillon does not have any drains on the street. Also what about our taxes , lighting etc. My answer is no and I will definitely be present at the meeting.

Sincerely.

Debra Dancey ( St.Louis).

12490 Dillon Drive. Tec. On. N8N -1C2

From: Denise St. Louis  
Sent: Tuesday, August 27, 2019 11:48 AM  
To: Brian Hillman  
Subject: Opposition to the old Victoria School Property

Brian -

I have lived in this town, in this area, for 33 years - my late husband grew up here and the thought of having a development such as this builder is wanting to build would be detrimental to my neighbourhood and to this nice area of old Tecumseh!

After receiving more information about what this developer, Briday wants to build now on the old Victoria School Property, I can say I am totally against this proposal as I was the last proposal and open house. Was it his intent to start out with 90+ units, reduce to 63 units to make it look like it won't be so many? This is still too many units for our area! Appears to be a money grab for the builder - they don't care about the area residents, only to make a buck. And, shame on the town if they allow this to happen.

I am understanding that most of the zoning around the school is R1 Residential which means low density and single-family homes. I do not support the town allowing the change to to R3 zoning (with the builder's exemptions of not having to even follow the R3). I would like to see the town stick to their Official Plan and keep this property an R1 zone. I certainly don't want an area like "Villages of Riverside" where I live!

My biggest question is what is going to happen when we have another heavy rain storm or lake flooding? As it is right now, our area of Tecumseh can't handle it . . . my property at 161 Lacasse can't handle it!

My other question is will my taxes go down - especially with added volume of traffic and crime that these units would bring in?

While my address doesn't reflect it for some "Post Office" reason which I do not like - I live in Tecumseh - not Windsor. I do not want this type of bigger city housing in my neighbourhood!

I will definitely be at the meeting on September 10th.

Thank you.

Denise St. Louis  
161 Lacasse  
Tecumseh

**From:** K Renaud  
**Sent:** Tuesday, August 27, 2019 5:59 PM  
**To:** Brian Hillman  
**Subject:** OLD VICTORIA SCHOOL PROPERTY DEVELOPMENT  
**Importance:** High

Greetings

This email is to inform you that we as residents of Tecumseh are AGAINST rezoing of this area and we are requesting a copy of the report.

Thank you.

Patrick & Karla Renaud  
12480 Little River

**From:** Jim XXXX  
**Sent:** Tuesday, August 27, 2019 12:48 PM  
**Subject:** Old Victoria school site plan.

Town of Tecumseh Staff;

I am just explaining my displeasure with the town if allowing this developer of wanting to push ahead with his "big town style" of housing and zoning change. First off, we don't need the crowded style of residential homes here or anywhere in this town. According to the notice I received in my mailbox, the developer wants the town to allow zoning changes and increasing a higher population density. Are you seriously considering this? I am not against population growth and new development but this appears like you are considering it for more tax dollars, not for the residents that have to live in the area.

Secondly, what about the infrastructure? I have spoken to A Dowie and P Bartnik about this. Lacasse Blvd (Little River to Dillon) floods every time we get a decent rain,( I have videos of them), not withstanding downpours. We have to put up with this on a continuing basis since you opened Little River Rd on both sides of Lacasse and tied their sewers into the one on Lacasse. I remember what it was like before that happened. Lacasse never flooded prior to that. I have been here on Lacasse since 1986. Phil showed me the master plan on the storm sewers etc., but who knows when that will come to fruition, (\$\$\$\$), meanwhile you are allowing more structures in our area to overburden our system even more so. Furthermore, What happened to upgrading our water line? The old cast iron one coming from the old Riverside/Tecumseh water treatment plant hasn't been replaced like you told us it would. Cast iron pipe that had a plastic coating put on the inside and was supposed to be here for 5 yrs, then replaced with blue plastic pipe, but that was over 10 yrs ago. What happened to that plan? Surely, the same thing will happen to our sewers here in this area. I have spend thousands of extra dollars to try and protect my home, because the town won't make sure even the basic things are done properly. What happened to keeping green space to allow the extra water to percolate down into the green spaces? You don't have to allow every bit of green space that we have left, go into a concrete jungle. That is the problems in cities, too much concrete, and not enough green space. Trying to get the sewer system to remove large volumes of water it can't. You kept the old golf course mainly green, for a while now, but who knows what you are thinking about down the road. Plus you put in a drainage ditch there to help at that end. Why not here at this end? You where handed the same issues over there about a developer wanting to build there and the infrastruture issue was the same thought there too. Water has to go somewhere besides over burdening the sewers which at times can't handle the volume, as it is now. You want to allow more volumes of water on the sewer systems which can't handle it now most of the time. It is like giving your child their dessert before they finish their dinner. How about fixing the sewer systems before any more development or make the developer expand the system first, especially with the number of units planned there. If any of you think this development is so great, come and move here in our area and put up with we have to at times. I challenge all of you, that every time we get a decent rain, or a short 10-15 min downpour, to come down and drive through the flooded area of Lacasse Blvd. Like a third world town. Any takers on that? Maybe the town will have to supply us with sandbags too. Also, not to forget the traffic and speeders on Lacasse has increased dramatically not to mention as well in the last number of years, and will only get much worse. Put out traffic counters to see what I am talking about. There goes our neighbourhood, downhill. You all need to think about the ramifications to the existing residents and neighbourhood before you allow any of this to move ahead. Think with your common sense and not extra tax dollars coming into your coffers. You may not like some of my comments, but they are the truth. Thanks

**From:** Pam Burrell

**Date:** August 28, 2019 at 10:53:08 AM EDT

**Subject: Regarding Old Victoria school property development on Dillon (proposal by Briday)**

We live at 278 St. Pierre Street. Our neighborhood will be extremely negatively affected by this Briday proposal if it goes through as it is stated.

We moved from the county 5 years ago. WE chose this neighborhood to live in because of the quiet, peacefulness of it. WE loved the feeling here & the convenience of living in Tecumseh but being in an area that is like the county.

WE are so very against this proposal that the developer Briday has produced. It will ruin our neighborhood, the safety, the peacefulness & beauty of this neighborhood and all of my neighbors that we have talked to feel the same way. WE DO NOT WANT THIS TYPE OF DEVELOPMENT IN OUR NEIGHBORHOOD!!!!!! IT DOES NOT FIT OUR NEIGHBORHOOD. WE are concerned for the extra traffic and the safety of our children and grandchildren, our house values, & the whole look & feeling of our neighborhood. We do not want to be another Villages of Riverside with the look, the overcrowding, the negative stigma & all the other negative factors that go along with it. If we wanted that we would have chosen Windsor to live in not the beautiful Town of Tecumseh.

We understand that Tecumseh's official plan does NOT allow for this proposal. WE WANT OUR OFFICIAL PLAN followed & this area MUST remain an R-1 zoning. We are against rezoning because it does not fit our neighborhood. We do not want the overcrowding, the congestion, the traffic and the decline of our neighborhood that this proposal will do.

As an alternative, an option like Carmelita Court, located by the old St. Anne's high school property, would be an acceptable alternative. It is suitable for seniors, it looks beautiful, it isn't overcrowded, It would compliment our neighborhood & that development was approved by our council at an earlier date. Even our mayor lives there.....

Please listen to our voices. WE DO NOT WANT THIS CURRENT BRIDAY PROPOSAL IN OUR NEIGHBORHOOD!!!! WE DO NOT WANT THIS AREA REZONED. WE WANT OUR OFFICIAL PLAN FOLLOWED!!!!!!

Thank you for your time... We WILL be seeing you on Sept 10 at 5pm.

Sincerely

Rob & Pam Burrell

Mark Lukaniuk

August 28, 2019

Town Council  
Tecumseh Town Hall  
917 Lesperance Road  
Tecumseh, Ontario  
N8N 1W9

**Re: Briday Former Victoria Public School Rezoning**

Dear Mayor McNamara and Council Members:

I am writing to express my strong disapproval of the proposed rezoning of the above named property. I am also opposed to the applicant's plans to construct multi-story buildings on the site. I feel that this will be detrimental to the community and have an adverse effect on the residents of the surrounding neighbourhood.

I live several hundred yards from the former Victoria School property. My parents bought the property where I reside in 1952, the year I was born. I have lived there since a day after my birth, except for a period of five years.

During the sixty-six years that this property has been in my family, I have seen a drastic change to the town of Tecumseh with respect to size and its character. It has gone from a small, quiet and comfortable place to live to a much busier, more crowded and less peaceful locale.

The building of Little River Road and construction of numerous homes on it and Lacasse Boulevard has created a fairly steady stream of traffic, accompanied by noise and sometimes dangerous drivers. Building several dozen new dwellings in this area will bring a substantial deterioration to the quality of life for the present residents of the area.

My neighbourhood consists of well-kept, middle class, single family homes. Many of the people living there have been in these homes for decades. People moved there and continue to live in this area, because they value a more peaceful and safe environment rather than what a big city or busier, more commercial area would offer them.

The proposal to build a development on the Victoria School property, such as the one being proposed, would drastically alter the nature of the neighbourhoods nearby.

Currently, the roads in this area are at capacity. At certain times of the day, there is a heavy stream of cars that drive past my house, some of them do not bother to stop at the posted stop signs. Contrary to what the Traffic Impact Study states, there can be no doubt that the development would create substantially more traffic, noise and pollution, and it would be more pronounced at certain times of the day. This would be detrimental to the health and safety of residents in the area. There is no way that this can be mitigated. My street cannot be widened nor have a boulevard, so there will be considerably more cars driving past our homes. This will pose a danger to children who may be playing in the area as well as create inconvenience for the current residents.

The current residents chose to live on streets that have less traffic than a busy thoroughfare. We should not have to accept the higher traffic volumes that this development would create.

The size of this development will place a large strain on the current sewer and storm systems as well as the utilities which are already over-burdened. It has been many years since these systems were upgraded, and the cost of doing so will place a large demand on the taxpayers.

To illustrate this point, a few months ago, I woke up to find that my water was shut-off, and traffic on St. Pierre St. was being restricted. I walked to the corner of St. Pierre and Dillon Drive and there was water gushing out of the ground as a water main had burst. This was only a hundred yards from the Victoria School site.

Another example of the problems that already exist in the area regarding our systems is that I have had several basement floodings over the years, and little or nothing has been done by the town to remedy this problem. When we receive heavy rains, my backyard becomes almost entirely covered with a pool of water, and I have a large backyard. So you will get my point, I call it Lake Lukaniuk when this occurs.

I have no reason to doubt that the proposed development will make this matter worse, in spite of any claims made by the developers to the contrary. Lake levels are at a high and they can't change that fact.

As I mentioned, I have lived in Tecumseh for a long time and have seen the disappearance of far too much greenspace. Trees and parklands are vital to the physical and mental health and well-being of people. This has been vastly eroded over time. With all of the development going on, our neighbourhood has not seen the preservation of any greenspace or the building of any parks. We have been totally overlooked by the Town Council in this regard, yet our taxes have continued to rise with nothing of this nature to show for it.

The Victoria School property should have been acquired by the Town and turned into a park, but they failed to do so. At the very least, any proposal to develop this site should include the creation/preservation of a substantial area of greenspace! I don't see that in the proposal.

Recently, I drove through the community of LaSalle. That town has grown substantially, just as Tecumseh has expanded. Unlike Tecumseh, their Town Council has ensured that a great deal of the natural beauty has been preserved.

Aside from the former Lakewood Golf Course, the Tecumseh Town Council seems to have been mainly concerned with commercial development and promoting the growth of concrete as opposed to greenery. Much more could have been done to enhance the town's greenspace. Having more businesses in town has not frozen or lowered our taxes nor raised the quality of life here. Traffic delays on Tecumseh and Manning Roads slow everyone down considerably.

By ensuring that this development is a reasonable size, Town Council can show the residents of Tecumseh that they are concerned about maintaining some of the more people-friendly aspects of living in a smaller sized community, much of which has been lost already.

The proposed development will lower the property values of the homes for several blocks around. There is no compensation for the residents, as this brings nothing positive to the area. It will negatively affect the quality of life for the residents who have lived and paid taxes there for years and years.

I understand that the developers have certain rights in this matter and that includes making a decent profit from their investment. I have no objection to them doing so, however this must not negatively affect my property value and, even more importantly, our quality of life. If it comes down to the developers maximizing their profits at the expense of the current residents, then town council should take whatever steps they can to prevent this from happening.

The proposed development represents a dramatic change to the character of this long-established, single-family, single/double storey residential neighbourhood. This is illustrated by the fact that the official town plan and zoning will have to be amended and a new category created along with new zoning regulations to accommodate this project! This is completely unfair to the current residents who never envisioned that this would happen when they bought their properties. Changing the zoning of a neighbourhood to this extent should not be done without the approval of the residents who are going to be affected by it the most.

I feel that most of the residents in this area would not object to a reasonably sized development without a multi-story apartment building or buildings. Such a building is out of place and should not be built in our neighbourhood.

A few months ago,, I spoke with several members of town council including the mayor and the councillor for my ward. I voiced my concerns at that time. I was told that the town wanted to promote the settlement of seniors in the town and create dwelling spaces for them.

I do not believe that very many seniors would prefer to live in a multi-storey building. There is no guarantee that seniors would move into this development. If seniors do choose to move there, there is no guarantee that they will be people who currently live in Tecumseh.

Tecumseh Town Council has a responsibility to the people who are currently living in the town and supporting it. They do not have any responsibility to provide housing for people who may come from some other municipality. The conscience of the town's councillors should be focused on us, the residents of this area, and not on people who presently are unknown, and who may never have lived in Tecumseh nor paid taxes here.

Based on the way this development appears on paper, it is quite possible that it will attract a grade of people who will not live up to the standards of the neighbourhood where residents take a great deal of pride in their homes and ensure that they are well-maintained. We are all well-aware of developments that have been built in the east-Windsor-Riverdale Road area that have turned into dilapidated eyesores. We do not welcome this in our area!

The role of town council as stated in "The Ontario Municipal Councillor's Guide 2018 is "to represent the public and interests of the municipality".

The public, in this instance, consists primarily of the residents of the area surrounding the former Victoria School Property. I believe that you have heard and will hear that these residents strongly oppose the development, as it is currently rendered.

I assert that it is the obligation of the town council to put the interests of the taxpaying residents in the vicinity of the development ahead of those of people who do not reside in the town. More specifically,

the residents of the area that will be affected, if this proposal is passed, should be the main consideration of the Mayor and Councillors and our opinion should carry the most weight in this matter.

I ask members of Council to honestly ask themselves, if they would want to move into a house that is across the street from this development or bordering on it and raise their children there. I Think Not!

Please feel free to contact me. My phone number is [REDACTED]

Sincerely,

Mark Lukaniuk

**From:** Cathy dranchak

**Sent:** Thursday, August 29, 2019 9:11 AM

**Subject:** VICTORIA SCHOOL PROPERTY

*I live at 329 Lacasse Blvd. Unfortunately my husband and I will be out of town so we cannot attend the meeting on Tuesday Sept 10th to oppose rezoning to R3*

**PLEASE DO NOT SUPPORT  
THIS REZONING**

We are not against ranch style townhomes going there, but certainly not 3 storey buildings. it does not suit the neighbourhood. it will increase the traffic that is already very busy there in a school zone. Our road floods every time it rains, and you want to add to this. Our homes on Lacasee and St. Pierre will now decreased their values because we have lost out privacy with people on 3 floors above looking right down into our yards. I would like reports sent to me and again I

would like it noted that **my husband and I most definitely oppose changing the zoning to allow 3 storey buildings**

**From:** Lori McConnell

**Date:** September 3, 2019 at 11:39:50 AM EDT

**To:** [mevans@tecumsrh.ca](mailto:mevans@tecumsrh.ca), [adowie@tecumseh.ca](mailto:adowie@tecumseh.ca), [bhillman@tecumseh.ca](mailto:bhillman@tecumseh.ca), [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)

**Cc:** [gmcnamara@tecumseh.ca](mailto:gmcnamara@tecumseh.ca), [jbachetti@tecumseh.ca](mailto:jbachetti@tecumseh.ca),  
[baltenhof@tecumseh.ca](mailto:baltenhof@tecumseh.ca), [rtonial@tecumseh.ca](mailto:rtonial@tecumseh.ca), [bhouston@tecumseh.ca](mailto:bhouston@tecumseh.ca), [tjobin@tecumseh.ca](mailto:tjobin@tecumseh.ca)

**Subject: Proposed Victoria Public School Development**

My name is Ron McConnell and my wife Lori and I reside at 12466 Dillon Drive (immediately across the street from the proposed development). We purchased this home (which was one of the original farm homes in the area) in 1982 and in the ensuing 37 years we have witnessed the evolution of our neighbourhood and the Town itself. Over the years single family subdivisions have been built to the south and north of us. The poorly planned Pinewood subdivision built in 1991 immediately behind my home (approximately 4 feet higher than my property) has led to stormwater flooding of my property. Over the years I have built a berm at the rear of my property and installed rain barrels and an outdoor sump pump system to remove rainwater runoff from my property to stop my garage from flooding during any substantial rainfall. Since the construction of all the newer homes to the South we have also experienced street and property flooding on a more regular basis which makes one wonder if we have adequate infrastructure to handle those developments let alone the proposed development directly across the street from my residence, which is also at a higher elevation from all of us who reside on the north side of Dillon Drive. While my wife and I understand that a development is inevitable, we have major concerns regarding the density of the proposed development. The rezoning of the property to R3 seems excessive and totally outside the norm for the Town of Tecumseh. I think a development similar to the one recently constructed on Carmelita Court would be a welcome addition to the neighbourhood with few, IF ANY objections.

I'm sure that there will be many presentations regarding the proposed rezoning so I want to focus on the issues that we have with the infrastructure that is going to be required to support ANY development of this property.

First I would like to address the Traffic Impact Study completed by RC Spencer on behalf of the proponent. It concludes that 'this proposed development would have a nominal effect on traffic operations in the area. I don't know how they came to this conclusion as I have never seen any traffic count or study being completed at any time. The reality regarding traffic is that it has multiplied at least TEN fold since we moved here 37 years ago. In addition to the traffic from the subdivisions to the north & east we now have EIGHTY mailboxes directly across the street (people on St. Pierre have to drive to collect their mail now) and have just been informed by Canada Post that another FORTYEIGHT mailboxes currently at Lacasse & Riverside Drive will be relocated across from my home. I don't think the noise, nuisance and traffic impact of 128 mailboxes (basically a Post office!) has been taken into consideration. As many as 60 vehicles a day collect their mail (some actually throw their junk mail on the ground for me to pick up when it arrives on my lawn), turn around in our driveways or cut across our boulevards as we have NO curbs. In addition, Dillon Drive is now on the Town's bus route so we get to hear the clinging and clanging of the bus passing 12 times a day. If you add another 100 to 200 car trips a day emanating from the

proposed development I think the town might want to complete a real traffic study prior to approving such a high density development. With regard to the street itself there has been NO substantive improvements made in the 37 years that we have been here. On ONE occasion, many years ago, the street was planed and resurfaced. The road surface itself continues to deteriorate, puddles after rain, is riddled with alligator cracking and is certainly not designed to handle the heavy truck traffic that this street will be subjected to during construction of any development. The road is in a state that currently requires substantial repair or replacement. The time for a real road with curbs, gutters and proper storm water drainage has arrived. In addition, the underground infrastructure (gas and water lines and storm and sanitary sewer systems) are well past their due date for replacement as they are over 70 years old and have not received any work in my 37 years at this location. Last year the gas line to my home began leaking from line corrosion and had to be replaced. Union Gas stated that the entire main line needed to be replaced as it was one of the original lines installed in Tecumseh AND that it would NOT support any new development. The water lines are LEAD PIPE and probably should have been replaced years ago. Finally the storm sewer system has proved to be inadequate on a number of occasions over the years which has led to property and basement flooding and caused damage to property and personal belongings. I think it would be prudent for the Town to address these issues prior to any approval of the development of this property. In addition I have an old metal culvert storm sewer (maybe an old farm drain?) that runs through my property towards the lake. I think it is also under the McColl right of way and is still active. I need to know what impact the development proposal may have on this old infrastructure.

In conclusion, we vehemently oppose rezoning application to R3 and we think the infrastructure needs have to be addressed by the Town prior to any approval of any development in either it's current proposed form or any modified application.

I look forward to the public meeting on the 10th and if anyone would like to discuss my concerns with me prior to the meeting I can be reached at 519 7359689. Thank you for considering my comments and concerns.

THE POTENTIAL PROFITABILITY TO A DEVELOPER SHOULD NEVER SUPERCEDE THE CONCERNS OF EXISTING RESIDENTS.

Sincerely

Ron McConnell  
12466 Dillon Drive

**From:** Barb Cole

**Sent:** September-05-19 1:55 PM

**To:** Andrew Dowie <[adowie@tecumseh.ca](mailto:adowie@tecumseh.ca)>; Bill Altenhof <[baltenhof@tecumseh.ca](mailto:baltenhof@tecumseh.ca)>; Brian Hillman <[bhillman@tecumseh.ca](mailto:bhillman@tecumseh.ca)>; Brian Houston <[bhouston@tecumseh.ca](mailto:bhouston@tecumseh.ca)>; Chad Jeffery <[cjeffery@tecumseh.ca](mailto:cjeffery@tecumseh.ca)>; Enrico De Cecco <[edececco@tecumseh.ca](mailto:edececco@tecumseh.ca)>; Jennifer Alexander <[jalexander@tecumseh.ca](mailto:jalexander@tecumseh.ca)>; jbacheti@tecumseh.ca; Laura Moy <[lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)>; Margaret Misk-Evans <[mevans@tecumseh.ca](mailto:mevans@tecumseh.ca)>; Tania Jobin <[tjobin@tecumseh.ca](mailto:tjobin@tecumseh.ca)>

**Subject:** Opposition of pLan amendment and zoning by-law amendment for school property located on Dillon Drive between St Pierre and Lacassef

This is our official letter opposing Briday's development proposal and the plan amendment and/or zoning by-law amendment on the subject property

The following are my concerns, questions and rationale for our opposition:

In total, the plan stated that 63 housing units would be erected on this small parcel of property, a proposal that will seriously and negatively impact our present and future lifestyle. A proposal which, if implemented has the potential to thoroughly disrupt and alter the character of the surrounding neighbourhoods, as well as the quality of life of those of who have lived in these neighbourhoods for many years. Redevelopment of the site makes sense, but density and building heights appear incompatible with surrounding properties. This development does not fit with comparable residential built homes in this area nor with the residential intensity that is compatible with low density uses.....this plan seems to place high density housing right in the centre of a long established single family area. The majority of the zoning in the area is R1, and the amendment is proposing an R3, which negatively impacts the landscape of our neighbourhood in many ways; monetarily, privacy, emotionally, density, traffic, green space, etc.

Tecumseh is already currently providing condo and townhouse developments in other areas. Are the two three storey stacked townhouse dwellings totalling 40 units going to lead to an over-supply of that type of housing with the pending condo developments on the north side Tecumseh Rd near Southfield and the 'Ryegate' condos on the South side of Tecumseh Rd and the condo planned for Old Tecumseh at Brighton/Pike Creek??

Furthermore, 32.8 foot rear yard seems low for, a relatively high density development---only approx 8 ft more than the requirement for single family dwelling. This particular area does not seem well suited as the entire area is surrounded by single family dwellings.

Why would the town consider creating new zoning for an already established neighbourhood? What does the Town of Tecumseh encourage in regard to density for the area? Are there any guidelines? Do the proposed changes fall in line with the Town's Provincial Policy Statement?

Will there be appropriate level of services, ie flooding, traffic, lighting, etc, to avoid wreaking havoc for surrounding residents? Many area homes experienced flooding in the past and with the already overburdened system, will this development further impact the flooding possibilities?

Since the purchase of our home, which abuts the subject property, we have enjoyed the privacy and privilege of no rear neighbours. With the current proposal, the value of our home and it's resale ability has been assaulted. Two and three storey units behind our property is an intrusion to our property and privacy, which also limits prospective buyers for the same reason. We were in serious negotiations with our children to buy our home, but they have since opted out pending the outcome of the approved proposal. As a homeowner, I am fighting to save the value of our home and our nest egg! Two and three storey townhomes behind my home drastically devalues my property!

As seniors, we plan to eventually downsize to a one level home and remain in the area. This development offers us, nor other seniors, any possibility of relocating to any of these proposed units with only erecting two and three storey units.

Is there any assurance that the McColl street right of way will never be used for vehicular traffic? Pedestrian walkways near parks can become public nuisances/maintenance issues to the adjoining owners, as well.

We would also like the reassurance that the developer is not applying for any government grants which in turn can allow for subsidized housing units.

We fully realize that we are at the mercy of the Town in the upcoming decisions to be made in regard to the subject property. We ask that you keep our concerns and future lifestyles of your current citizens/residents in mind as you decide our fate and the property's future use. We are trusting The Town of Tecumseh to act in the best interest of all concerned and will support any approvals with factual data and sound decision making. Please take into consideration how the plan for this parcel of land will affect the surrounding landowners, using the same criteria for us that you would want used on your behalf if you were in our position. We believe that decision making should be based on fairness, equality and sound reasoning, not only for the greatest monetary gain.

Lastly, we request that you keep us apprised of any updates or ongoing developments/decisions/proposals/amendments/conversations that arise in reference to the subject property.

Thank you,

John and Barbara Cole

12430 Little River Blvd

Tecumseh, Ontario. N8N 4V4

To whom it may concern,

Please accept this letter as my formal opposition letter to the proposed development formally known as Victoria Public School sold to Briday Inc.

As a resident in the community for nearly 20 years, the property that I currently reside in was chosen because of the zoning. I was looking for an area that did not have town homes and high density. With the proposal of an R3 zoning, it will decrease the value of my home and become something I wanted to get away from.

All the surrounding properties of the above-mentioned parcel of land are all Zone 1. I am also not for the variances in the heights of the buildings and the yard depths and widths.

Please take note that I am not against the development of land and I ask that the town take into consideration of what the current residents have purchased and why these properties were purchased. We want to keep the integrity of our area and keep our area attractive.

There is no reason why the property can't be developed with class and beauty and maintain the current style of dwellings that are currently in the area.

As an example of beautifying the area would be to develop the property like Carmelita Court.

I would like to be notified of any decision and or proposals to this property.

Sincerely,

Mike Huczel

12440 Little River Blvd.

[REDACTED]

Dear Mr. McNamara,

This is to let you know that we, Stuart and Diana Caverhill residing at 334 Lacasse Blvd. in the Town of Tecumseh are **against** the development proposal be Briday for a zoning change to R3 for this property development and wish it to remain R1. As residents that will be impacted daily with this development we request that Briday and the Town of Tecumseh adhere to the Official Plan for this development.

Sincerely,

Diana and Stuart Caverhill

**From:** René Bélanger

**Sent:** September 1, 2019 1:23 PM

**To:** Andrew Dowie <[adowie@tecumseh.ca](mailto:adowie@tecumseh.ca)>

**Cc:** [gmcnamara@tecumseh.ca](mailto:gmcnamara@tecumseh.ca); Joe Bachetti <[jbachetti@tecumseh.ca](mailto:jbachetti@tecumseh.ca)>; Margaret Misk-Evans <[mevans@tecumseh.ca](mailto:mevans@tecumseh.ca)>

**Subject:** Rezoning of former Victoria School site

Councilman Dowie,

As residents of your Ward, my wife and I are counting on you to champion the rezoning of the former Victoria School site to R1 Residential as opposed to the requested R3.

We have resided at 346 St. Pierre since March 1973. We moved here because the neighborhood offered a low density environment close to Church, School and Community activities. The storm and sanitary sewer system was, at that time, being revamped to better meet environmental requirements. We have since experienced two floods due to precipitations levels far exceeding normal levels. Can this component of the current infrastructure sustain the load of an R1 zoning let alone an R3? Can the Power grid supply the proposed burden with guarantees of no damaging "brown-outs"? Will the 4-way stop access from both East and West cause undue backups to current and proposed residents?

I plan on attending the September 10th meeting expecting to hear that these assessments have been completed with an **unbias** professional recommendation justifying the appropriate rezoning of the former Victoria School tract.

Respectfully,

René and Elaine Bélanger

346 St. Pierre

**From:** Ken Sauve

**Sent:** September 5, 2019 2:42 PM

**To:** Laura Moy <[lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)>; Andrew Dowie Ward 1 Tecumseh <[andrew@andrewdowie.ca](mailto:andrew@andrewdowie.ca)>

**Cc:** Chad Jeffery <[cjeffery@tecumseh.ca](mailto:cjeffery@tecumseh.ca)>; Brian Hillman <[bhillman@tecumseh.ca](mailto:bhillman@tecumseh.ca)>

**Subject:** Re: Rosati - Public Meeting Agenda

hi Laura/Andrew,

We are writing regarding the Victoria School property planned subdivision, which is adjacent to our lot.(12460 Little River)

After studying the proposal, we are definitely opposed as it stands. Suggesting to put anything but an attractive single storey townhouse development, would devalue our property in our opinion. We will be in attendance at the meeting Sept. 10 to further investigate.

Also, please advise current status of the old St.Gregory Church location / Rosatti Development which had previously been proposed?

Also, please advise current status of the 354 Hayes st. lot, which we had asked Andrew Dowie about a couple years

Appreciate your response.

Ken & Joyce Sauve

From: lucy

Sent: September 3, 2019 4:29 PM

To: Andrew Dowie <[adowie@tecumseh.ca](mailto:adowie@tecumseh.ca)>; Gary McNamara <[gmcnamara@tecumseh.ca](mailto:gmcnamara@tecumseh.ca)>; Joe Bachetti <[jbachetti@tecumseh.ca](mailto:jbachetti@tecumseh.ca)>; Bill Altenhof <[baltenhof@tecumseh.ca](mailto:baltenhof@tecumseh.ca)>; Rick Toniai <[rtoniai@tecumseh.ca](mailto:rtoniai@tecumseh.ca)>; Brian Houston <[bhouston@tecumseh.ca](mailto:bhouston@tecumseh.ca)>; Tania Jobin <[tjobin@tecumseh.ca](mailto:tjobin@tecumseh.ca)>; Margaret Misk-Evans <[mevans@tecumseh.ca](mailto:mevans@tecumseh.ca)>; Brian Hillman <[bhillman@tecumseh.ca](mailto:bhillman@tecumseh.ca)>

Subject: Dillon Drive Home Owner across from former Victoria Public School site

Hi

I live at 12450 Dillon Drive, Tecumseh, ON, emailing to all council members my concerns and objections as a 27 year Dillon Drive homeowner as follows:

- Flooding is a high concern of changing to R3 proposed housing from Briday Developments especially since the flooding that occurred September of 2016 and September of 2017.

My basement and garage were flooded in September of 2016 as well as the water that came up right against my house and in September of 2017 the torrential rain water came halfway up unto my property which was extremely difficult to experience again having been in this situation the year before.

The old Victoria School parking lot, property and Dillon Drive across from my home at 12450 Dillon Drive is so much higher than the properties of my neighbours and I on the North side that the rain water runs down unto our properties with torrential rains which are occurring more often than previous years.

There are only 2 storm sewers at sidewalk level across the street in this section (one in front of my house and the other in front of my next door neighbour to the right of me) that they are overwhelmed with rain water and cannot keep up draining creating water to seep up 1/3 to 1/2 way up our properties not to mention flooding right up to our homes during the flood of Sept. 2016.

The sidewalks remain flooded for hours after the draining. This is a very stressful situation for fear of our homes flooding again.

SEE ATTACHED PHOTOS TO VIEW THIS PROBLEM. KEEP IN MIND THESE PHOTOS WERE TAKEN AFTER THE HEAVY RAIN STOPPED - IT WAS MUCH WORSE WHILE THE HEAVY RAIN WAS FALLING.

We need a NEW road with proper drainage that is not higher than properties on North side!

- I am strongly against the R3 zoning, the zoning must remain R1!

- The proposed Stacked 2 & 3 storey townhouses will be overcrowded for this piece of property creating heavy traffic. We are already experiencing heavy traffic with additional mailboxes across the street and the Tecumseh transit bus. Higher traffic will be more dangerous to the families with young children. The children on Dillon play and walk to their nearby bus stops.

I am also concerned what the water pressure will be like with the overcrowding of dwellings.

The proposed townhouses will not be visually appealing to our neighbourhood surrounding Briday Development property. Our homes are all single dwellings. It will depreciate the value of our homes. From the design posted by the developer, the appearance of the dwellings are very unattractive - looks like a motel.

The neighbourhood surrounding the Briday Property all take pride in the appearance of our individual homes and yards so we want the new homes to maintain this pride.

- Since the 2 and 3 storey proposed dwellings will not have elevators, seniors who are looking for a nice quiet area to live will be turned off.

- I agree on a development similar to Carmelita Court that would compliment our neighbourhood.

My next door neighbour, Ron McConnell who resides at 12466 Dillon has written in to all the councillors as well AND I AGREE WITH ALL THE INFORMATION HE HAS PROVIDED in detail.

I look forward to the public meeting on Tuesday, September 10, I will certainly be there.

Yours sincerely.  
Lucy Pereira  
12450 Dillon Drive











planning@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West  
Suite 311, Essex, ON N8M 1Y6

September 6, 2019

Ms. Laura Moy, Clerk  
Town of Tecumseh  
917 Lesperance Road  
Tecumseh, Ontario, N8N 1W9

Dear Ms. Moy:

RE: Application for Official Plan Amendment and Zoning By-Law Amendment [D19 BRIDAY]  
12433 Dillon Drive  
ARN 374412000002400; PIN: 752610053 752610062 752610084  
Applicant: Briday Victoria Development Corporation

The following is provided as a result of our review of the Notice of Public Meeting to Consider proposed Official Plan Amendment and Zoning By-Law Amendment [D19 BRIDAY]. The purpose of the applications are to (1) re-designate the subject land to a residential designation and (2) to change the zoning of the subject lands from Community Facility Zone and Residential Zone 1 to a site-specific Residential Zone 3.

Staff have received and reviewed the following documents submitted with this application:

1. Traffic Impact Study prepared by RC Spencer Associates Inc. dated may 2019
2. Concept Plan prepared by Zelinka Priamo Ltd., dated April 2019
3. Planning Justification and Design Report, Briday Victoria Development Corporation prepared by Zelinka Priamo Ltd., dated June 2019
4. Proposed Victoria of the Lake Development Design Brief, prepared by Odan Detech Consulting Engineers, dated June 26, 2019
5. Servicing Plan, Grading Plan and Sections drawings, prepared by Odan Detech Consulting Engineers, dated June 2019

Staff have reviewed this application as per our delegated responsibility from the province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement and as a regulatory authority under Ontario Regulation 158/06. ERCA provides these comments as per our Conservation Authority Board approved policies.

### **Site characteristics:**

Existing mapping indicates that the subject property is subject to the 1:100 year extent of flooding associated with Lake St. Clair. This County of Essex Official Plan reflects this area as being subject to the Lake St. Clair Flood Prone Area (Schedule C1) along with associated Flooding and Erosion (Natural Hazards) policies as outlined in section 2.4 and more specifically, section 2.4.1. The 1:100 year flooding elevation at this location is

Ms. Moy  
September 06, 2019

176.400 m GSC based on existing shoreline floodplain hazard mapping.

**DELEGATED RESPONSIBILITY TO REPRESENT PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS, 2014) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT**

The following comments reflect our role as representing the provincial interest in natural hazards encompassed by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Lake St. Clair.

The subject lands are also located within the floodprone 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. In particular, the concern is with respect to the depths of water across the road during a flooding event and the concern surrounding public health and safety. The respective policies within the PPS that must be addressed by the subject applications for re-designation and rezoning include the following:

3.1.1 Development shall generally be directed to areas outside of:

a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;

...

3.1.2 *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; and

...

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may



Ms. Moy  
September 06, 2019

be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

In summary, the PPS discourages development within areas subject to significant natural hazards. The PPS outlines a series of tests that need to be addressed to permit development to proceed in areas that are subject to specific types of natural hazards. These tests are detailed in the Technical Guide for River and Stream Systems: Flooding Hazard Limit published by the Ministry of Natural Resources, which support the Natural Hazard Policies of the PPS (MNR, 2002). The specific method that a particular development application can be supported must take into account the above policies and reflect how the effects and risk to public safety can be appropriately mitigated (e.g., 3.1.7 a) subject to applicable floodproofing standards and access standards).

ERCA will continue to work with the Town of Tecumseh to ensure the application can address the requisite tests of the PPS and of the Technical Guide to address the proposed development within the identified portions of hazardous lands of this property. The work that the Town of Tecumseh has completed to date and as identified on its website "Lake Flooding" (<https://www.tecumseh.ca/en/living-here/lake-flooding.aspx>) recognizes that areas within the Town of Tecumseh subject to flooding during a lake induced flooding event. The subject lands are located within one of the provided images (e.g., Sheet 1 Gauthier to Lacasse). The Town of Tecumseh has indicated that additional work on the emergency response plan to address these areas along the municipal roads to satisfy the intent of the PPS policies. ERCA supports this approach to mitigate the effects of flooding at this location from a natural hazards perspective.

#### **WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

#### **SECTION 1.6.6.7 Stormwater Management (PPS, 2014)**

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development on this site. We recommend that stormwater quality



Ms. Moy  
September 06, 2019

and stormwater quantity for the subject site conform to the Windsor-Essex Region Stormwater Management Standards Manual. We understand that the subject application was accompanied by a Design Brief prepared by the Odan/Detech group. The additional information about the areas of flooding inundation from the "Lake Flooding" study completed by the Town of Tecumseh may not be appropriately considered in the Design Brief. We request the opportunity to review the Design Brief in consultation with the Town of Tecumseh staff to ensure the design parameters are in acceptance to the regional standards.

### **FINAL RECOMMENDATION**

We wish to continue to work with the Town of Tecumseh to ensure that the supporting information is available to address natural hazards issues associated with this development. Ongoing work between staff from our office and staff from the Town of Tecumseh to identify appropriate means to address safe access and associated natural hazard concerns to provincial standards will be required in advance of this development proceeding.

Given the above comments, it is the opinion of the Essex Region Conservation Authority that:

1. Consistency with Section 3.1 of the PPS has not been demonstrated. Additional work is required as outlined in comments above.
2. Ontario Regulation 158/06 does apply to the subject site and a permit from ERCA will be required prior to any development taking place.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Michael Nelson, BSc, MSc (Planning)  
*Watershed Planner*  
/mn



## 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:** August 13, 2019

**Report Number:** PBS-2019-25

**Subject:** Proposed Official Plan and Zoning By-Law Amendments  
Briday Victoria Development Corporation  
12433 Dillon Drive (Former Victoria Public School)  
Proposed Residential Condominium Development  
Scheduling of a Public Meeting  
OUR FILE: D19 BRIDAY

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### Recommendations

It is recommended:

**That** the scheduling of a public meeting, to be held on Tuesday, September 10, 2019 at 5:00 p.m., in accordance with the *Planning Act* for applications submitted by Zelinka Priamo Ltd., on behalf of the Owner, Briday Victoria Development Corporation 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), to amend the Tecumseh Official Plan and Tecumseh Zoning By-law 1746 by:

- i. Redesignating the property from “Community Facility” to “Residential”; and
- ii. Rezoning the subject property from “Community Facility Zone (CF)” and “Residential Zone 1 (R1)” to a site-specific “Residential Zone 3 (R3-16)”;

to facilitate the development of the lands 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, **be authorized**.

## **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 by the Owner from the Town, which is subject to a range 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.

### **Surrounding Land Uses**

The subject land is surrounded by residential neighbourhoods predominately comprising single-unit detached dwellings of various building heights and styles, the majority of which are situated on conventional sized lots (see Attachment 2). The residential lots to the east of the subject land and fronting on Lacasse Blvd, however, are 250 feet in depth with substantial rear yards that provide for a more significant 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.

The only exceptions to the predominate residential use of the surrounding lands are: the 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 from the subject land; and a medical clinic located on the northwest corner of Lesperance Road and Little River Blvd.

### **Public Information Centre (PIC) Held by Applicant**

Prior to the formal submission of the proposed Official Plan and Zoning By-law amendment applications to the Town, Zelinka Priamo Ltd. planning consultants, on behalf of the Owner, organized and held a Public Information Centre (PIC) on November 29, 2018. The proposal presented at this PIC comprised a six-storey apartment building in the centre of the former school site surrounded by townhouse units along the entire perimeter (see Figure below). That proposal included a total of 94 units.



The intent of the PIC was to introduce the initial proposed development concept, receive preliminary comments/feedback from neighbouring property owners and local residents and answer questions from those in attendance. Town Administration also attended to review what

was being proposed but played no formal role in the presentation. Primary issues that were identified at the PIC centred on character, compatibility and density of the proposal, building height, municipal servicing and issues related to site design/buffering.

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

Based on the foregoing, the Owner has formally submitted Official Plan and Zoning By-law amendment applications along with a site plan and architectural renderings (see Attachments 3 and 4A to 4F) depicting a residential condominium development that comprises:

- A total of 63 residential units resulting in a lot density of 30 units per hectare (11 units per acre). These residential units include:
  - i) **Five, two-storey townhouse dwellings**, each containing between four to six units, for a total of 23 townhouse dwelling units, that will front onto a private internal roadway. These dwellings are proposed along the western and southern portion of the subject property, abutting the rear yards of the existing residential dwellings that front on the east side of St. Pierre Street and the north side of Little River Boulevard, respectively. These townhouse units will have a mix of one and two car garages (12 two-car and 11 one-car) along with 10 spaces allocated for visitor parking. Each townhouse unit is proposed to be between 2,000 to 3,000 square feet of floor area. A 10-metre (32.8-foot) rear yard depth is being proposed for these units. As a reference point, the minimum rear yard depth for the lots surrounding the subject property is 7.6 metres (24.9 feet);
  - ii) **Two, three-storey stacked townhouse dwellings**. A “stacked townhouse” is proposed to be defined as:

“a building designed to contain three or more dwelling units that are attached side by side, two or three units high, with each unit having a private entrance to grade level”

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 dwelling units within the 16-unit stacked townhouse dwelling are proposed to have floor area of approximately 2,000 square feet while the dwelling units with the 24-unit stacked townhouse are proposed to have a floor area of between 1,100 to 1,500 square feet.

The 24-unit stacked townhouse dwelling is proposed for the central portion of the subject property and is to be situated approximately: 45 metres (148 feet) from

the east lot line; 51 metres (167 feet) from the west lot line; 86 metres (282 feet) from the north lot line; and 46 metres (151 feet) from the south lot line.

The second stacked townhouse dwelling is proposed for the northeastern portion of the subject property and is to be situated approximately: 10 metres (33 feet) from the east lot line; 50 metres (164 feet) from the west lot line; 42 metres (139 feet) from the north lot line; and 126 metres (413 feet) from the south lot line.

Parking for the stacked townhouse dwellings is proposed to be provided in a shared surface parking area containing 60 spaces for residents and 12 spaces for visitors;

- One 8.0-metre (26.2-foot) wide access drive to/from Dillon Drive;
- Internal sidewalks that will 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 area along Dillon Drive that is proposed to be conveyed to the Town as municipal parkland;
- 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 will not hold water for prolonged periods of time; and
- The retention of as much of the existing vegetation as possible along the boundaries of the subject land, along with the introduction of additional plantings. A Tree Preservation Report will be completed as part of future development approvals (i.e. Site Plan Control) if the development is to proceed.

## Planning Applications

In order to permit the proposed development, the applicant is requesting 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.

## **Additional Planning Approvals**

In addition to the aforementioned planning applications, the approval of a Draft Plan of Condominium by the County of Essex, along with Council approval of a development and/or site plan control agreement, will be required prior to the proposed development proceeding. The Draft Plan of Condominium approval process will also require a public review process, including a statutory public meeting, and will proceed in the event that the current applications are approved.

## **Supporting Documents**

During early discussions regarding potential development of the subject property, Town Administration identified that the preparation of the following reports/studies would be necessary to properly assess the proposal from a land-use planning perspective and to consider the applications complete:

1. Planning Justification Report (PJR);
2. Traffic Impact Study (TIS);
3. Site Servicing Study; and
4. Stormwater Management Study

Below is a summary of the findings of the aforementioned reports/studies:

1. Planning Justification and Design Report, 12433 Dillon Drive, Briday Victoria Development Corporation – Zelinka Priamo Ltd., June 2019.

The PJR evaluated the proposed development and land uses against the Provincial Policy Statement (PPS) and the Town's Official Plan. In addition, it provided an introductory evaluation of the development with respect to built form, massing/scale, separation from existing land uses, shadowing and integration with the surrounding area.

The PJR concluded that:

“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 and Design Report, the proposed Zoning By-Law Amendment is consistent with intent and policies of the 2014 Provincial Policy Statement, and Town of Tecumseh Official Plan, and complies 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 study and is satisfied that its analysis and recommendations are sufficient to support consideration of the proposed application and to proceed with a formal public meeting.

2. Traffic Impact Study, 12433 Dillon Drive – RC Spencer and Associates Inc., May 2019.

The TIS study provided an analysis of the existing traffic operations, as well as future traffic conditions with and without the proposed development. The objective of the TIS was to determine the traffic impact of the development and whether any operational issues would arise as a result of the development. The scope of the TIS looked at traffic implications of the proposed development on peak AM and PM traffic time period operations in the area, focusing on the traffic implications of the proposed development on traffic operations in the area, particularly on Dillon Drive and on abutting roadway intersections that would experience a direct impact as a result of the proposed development.

The TIS concluded that:

“Using recently obtained turning movement counts and applying the best available trip generation and distribution data and methodologies, an analysis was completed to measure the operational impact of the development on traffic conditions on the adjacent intersections. The analysis was carried out assuming full build-out in 2020 and projected horizon years of 2025 and 2030. Background traffic was increased by 2% per year for the 2025 and 2030 horizon forecasts.

After modelling the traffic network and extracting the relevant traffic operations metrics, the following conclusions were made:

- 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 well into the future;

- 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 well into the future;
- 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 well into the future;
- 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 well into the future;
- Existing and projected traffic volumes at non-signalized intersections do not satisfy the provincial warrants for traffic signals;
- A stopped northbound passenger vehicle at the proposed intersection of Dillon Drive and the Site Access has clear sight lines to safely egress from the site.

In consideration of the above findings, it is the engineers' opinion that allowing this proposed development would have a nominal effect on traffic operations in the area. Dillon Drive has the capacity to accept the added site generated trips, both now and into the horizon years, and levels of service at the peripheral intersections remain largely unaffected by the proposed development."

Town Administration has received the TIS and has requested Dillon Consulting Ltd. to complete a peer-review of this study in order to obtain confirmation that the findings of the TIS are valid and acceptable to the Town. The results of the peer-review will be provided to Council by way of a future Planning Report.

3. Design Brief, 12433 Dillon Drive – Odan Detach Consulting Engineers, June 2019.

The Site Servicing and Stormwater Management Studies were combined into a Design Brief that addresses municipal water, sanitary and stormwater management (quantity and quality) services for the proposed development.

Town Administration has received the Design Brief and has requested Dillon Consulting Ltd. to complete a peer-review of the servicing study in order to obtain confirmation that the findings of the study are valid and acceptable to the Town. The results of the peer-review will be provided to Council by way of a future Planning Report.

## Comments

The following summary of relevant goals and policies is provided to assist Council in understanding the scope of the issues and the matters requiring consideration as this proposal advances through the planning process.

## Provincial Policy Statement

The Planning Act establishes that Council, when making decisions that affect a planning matter, “shall be consistent with” the 2014 Provincial Policy Statement (“PPS”) issued under The Planning Act.

There are a number of policies within the PPS that support the applications for the proposed residential development. The following are the relevant excerpts from the PPS:

- “1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.1 Healthy, liveable and safe communities are sustained by:
  - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - b) accommodating an appropriate range and mix of residential ... and other uses to meet long-term needs;  
...
  - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing cost.
- 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years...  
  
Within settlement areas, sufficient land shall be made available through intensification and redevelopment ...
- 1.1.3 Settlement Areas

- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within settlement areas shall be based on:
  - a) densities and a mix of land uses which:
    - 1. efficiently use land and resources;
    - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
    - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
    - 4. support active transportation; and
    - 5. are transit-supportive, where transit is planned, exists or may be developed
  - b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

...

- b) permitting and facilitating:
    - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
    - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
  - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
  - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
  - e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.
- 1.5 Public Spaces, Recreation, Parks, Trails and Open Space
- 1.5.1 Healthy, active communities should be promoted by:
- ...
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces,

open space areas, trails and linkages, and, where practical, water-based resources;

#### 1.6.7 Transportation Systems

- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

#### 1.8 Energy Conservation, Air Quality and Climate Change

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

#### 6.0 Definitions

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;”

In summary, the PPS encourages and supports development on lands identified for urban growth in settlement areas. It also establishes that the Town should be supporting and promoting residential infill development that results in compact built form and makes more efficient use of existing services while offering a range of housing forms/types to meet

expected needs. The PPS also supports the development of a broad range of housing types and tenures and encourages residential intensification within identified urban areas where such areas have appropriate levels of servicing. The foregoing policies illustrate the emphasis that the PPS places on intensification in urban areas. Any decision of Council should be consistent with the PPS.

## County of Essex Official Plan

The subject lands are within an identified Primary Settlement Area of the County Official Plan. The goals and policies of the County of Essex Official Plan encourage a range of residential development within identified settlement areas such as the fully serviced urban areas of the Town of Tecumseh. The following goals and policies of the County Official Plan are most relevant in the assessment of the subject proposal:

### “1.5 GOALS FOR A HEALTHY COUNTY

The long-term prosperity and social well-being of the County depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

...

- c) To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities.
- d) To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and transportation systems that create more sustainable, efficient, healthy, and liveable communities.
- e) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.
- f) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

## 3.2 SETTLEMENT AREAS

### 3.2.2 Goals

The following goals are established for those lands designated as settlement areas on Schedule "A1":

- a) Support and promote public and private re-investment in the Primary Settlement Areas
- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.
- c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.
- d) To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place;
- ...
- i) Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced secondary settlement areas.

### 3.2.4 Primary Settlement Areas

Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County.

#### 3.2.4.1 Policies

The following policies apply to Primary Settlement Areas:

1. Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.
2. Primary Settlement Areas shall have full municipal sewerage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options.

3. Local municipal Official Plans shall establish appropriate land uses in accordance with the polices of this Plan.
4. All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services...  
...
- i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

### 3.2.6 General Settlement Area Policies

The following policies apply to all "Settlement Areas" identified on Schedule "A1" of this Plan:

...

- b) The County supports residential intensification within Primary Settlement Areas.

...

- d) Local Official Plans are encouraged to establish land requirement needs based on densities which meet the following:
  - i) Efficiently use land, resources, infrastructure and public service facilities.
  - ii) Avoid the need for unnecessary and/or uneconomical expansion of infrastructure.
  - iii) Support the use of public transit where available or where it can be provided in future years.
  - iv) Are appropriate to the type of sewage and water systems which are planned or available.
- e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area as outlined below:

- i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification, redevelopment and if necessary, lands which are designated and available as defined by Provincial Policy.
  - ii) Maintaining at all times, where new development is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.
  - iii) Permitting and facilitating all forms of housing, including special needs housing, required to meet the social, health and well-being requirements of current and future residents.
- f) Local Official Plans are encouraged to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure.

### 3.2.7 Intensification & Redevelopment

The County encourages well-planned intensification development projects in the Settlement Areas to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community.

The County also specifically encourages residential intensification and redevelopment within Primary Settlement Areas in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities.”

The subject property is within a Primary Settlement Area, as designated in the County OP. Any decision of Council should be in conformity with the County OP.

## **Tecumseh Official Plan**

As noted above, the subject property is currently designated “Community Facility” in the Tecumseh Official Plan (see Attachment 5). An amendment to the Official Plan will be required to designate the subject property into a “Residential” designation in order to facilitate the proposed residential development. The following sections of the Official Plan are of relevance in Council’s consideration of the proposed development:

### “2.3 Environmental Objectives

- a) To provide parks within the Town of Tecumseh at the neighbourhood scale of development by receiving a 5% land dedication or payment in lieu of land for each subdivision to be developed.
- b) To determine the exact location of the park, to benefit the greatest number of people, when the subdivision is under consideration and that the park area adhere to the standards set out in this Official Plan

## 2.10 Residential Goal

It shall be the residential goal of this Plan to create a policy and regulatory environment which will provide the opportunity for both private and public sector developers, builders and landowners to construct a broad range of housing types and tenures in the municipality to meet the anticipated future needs of all households - including low and moderate income households and households with special needs.

## 2.11 Residential Objectives

...

- b) To encourage new residential development to occur in such a manner which makes the most efficient use of municipal infrastructure and services, in keeping with the capacity of the existing services available and the financial ability of the municipality to provide the required additional infrastructure and services.

...

- d) To broaden the range of housing options available to existing and future residents of the Town, by encouraging the continued production of a diverse and affordable mix of housing that is capable of meeting the needs of all households – including low and moderate income households and households with special needs. The provision of a mixture of housing forms, sizes, tenures and affordable housing types, including both public and private sector sponsored housing are to be encouraged.

## 3.3 Residential

- 3.3.1 The lands designated Residential shall be used primarily for residential purposes. Various types of residential dwellings shall be permitted within this designation, provided they meet all of the applicable policies of this Plan. The regulations and zone

provisions of the town's comprehensive zoning by-law implementing this Plan shall be in accordance with the following:

ii) Medium Density Residential Uses

The maximum permitted density within any Medium Density Residential Zone shall be 30 units per net hectare. Permitted uses shall consist of duplex dwellings, triplex dwellings, townhouse dwellings, and other multi-unit residential dwellings which do not exceed 3 storeys in height.

Council will use the following criteria in the creation and application of medium density residential zone categories in the Town of Tecumseh:

- a) medium and high density residential uses should have frontage and/or access driveways onto an arterial or collector road;
- b) proposals will not be approved which would result in substantial traffic flow increases on local streets serving single-unit residential development;

In considering applications to amend the town's comprehensive zoning by-law to establish a medium or high density residential use, Council will also have regard to the following:

- the need for the proposed development as identified through an analysis of housing supply and demand;
- the density and form of adjacent development;
- the adequacy of the municipal water supply, sanitary sewers (and associated treatment plant capacity), storm drainage, and roads to serve the proposed development;
- the adequacy of schools, parks, and community facilities to serve the proposed development;
- the adequacy of off-street parking facilities to serve the proposed development; and

- the provision of adequate buffering standards deemed necessary to protect the residential amenities of adjacent land uses.”

Accordingly, the Town will have to have regard to the foregoing criteria in its review and evaluation of the proposed Official Plan and Zoning By-law amendments.

## **Tecumseh Zoning By-law 1746**

As noted above, the subject land is currently zoned “Community Facility Zone (CF)” and “Residential Zone 1 (R1)” in Tecumseh Zoning By-law 1746 (see Attachment 6). The CF zone applies to the entirety of the former Victoria Public Elementary School lands, along with the westerly half of the former McColl Street right-of-way. The R1 zone applies to the easterly half of the McColl Street right-of-way. The proposed Zoning By-law amendment would place the subject land into a site specific “Residential Zone 3 (R3-15)” that would facilitate the proposed development and establish appropriate zoning regulations including minimum lot and yard provisions, maximum building height, minimum parking requirements and so on.

## **Summary**

In summary, it is the opinion of the writer, along with Town Administration, that the proposal warrants further consideration. A public meeting to consider the proposed official plan and zoning by-law amendments, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

Upon hearing the comments of the stakeholders, a Planning Report will be prepared having regard to the stakeholder comments and giving full consideration to the various policies and criteria at hand from a professional planning perspective.

## **Consultations**

Public Works & Environmental Services  
Fire & Emergency 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:

Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Reviewed by:

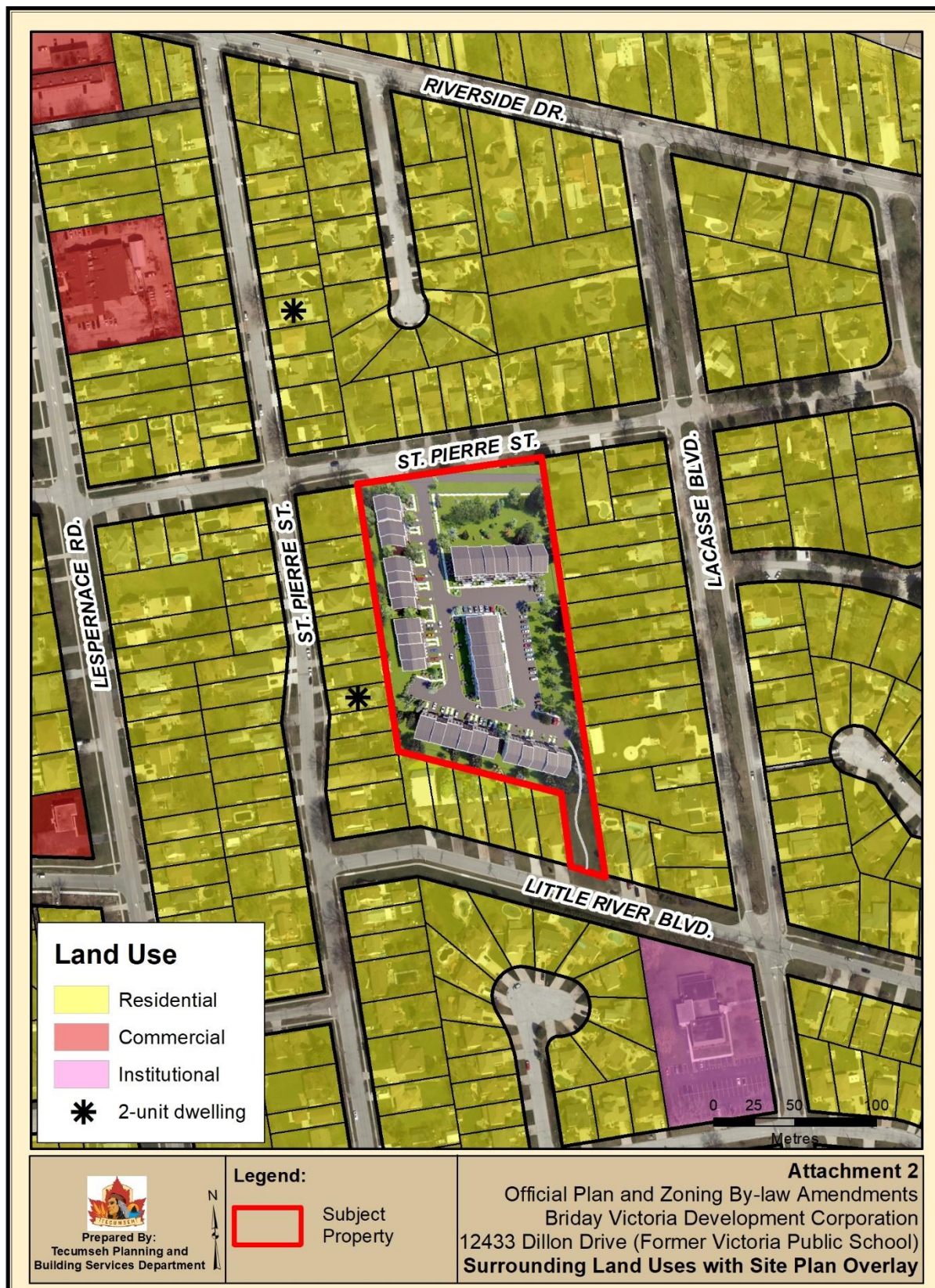
Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

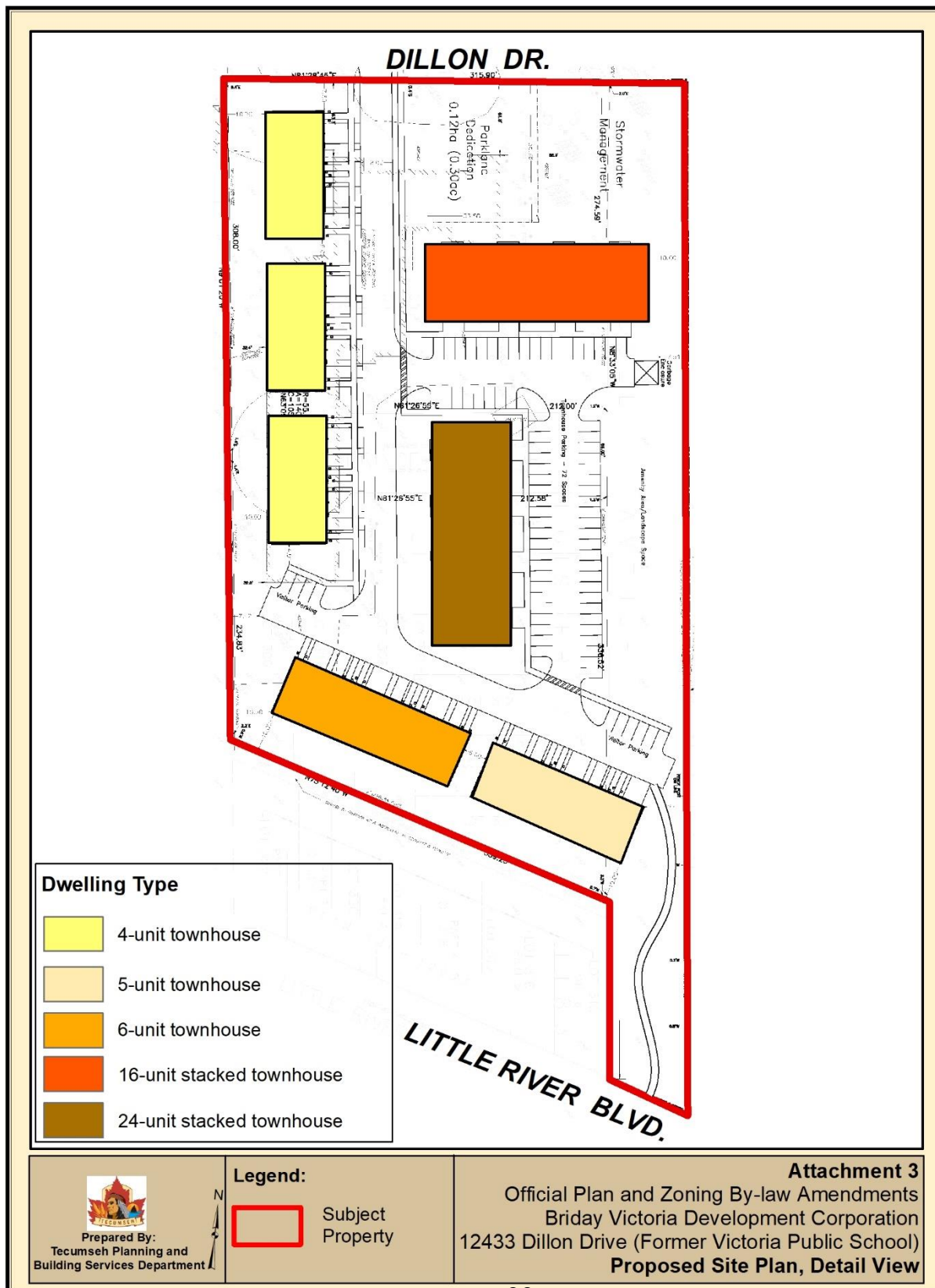
Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2	Surrounding Land Uses with Proposed Site Plan Overlay Map
3	Proposed Site Plan, Detail View
4A	Site Plan Rendering
4B	Architectural Elevation Renderings 1
4C	Architectural Elevation Renderings 2
4D	Architectural Elevation Renderings 3
4E	Architectural Elevation Renderings 4
4F	Architectural Elevation Renderings 5
5	Official Plan Map
6	Zoning Map











***View: Central stacked townhouse and townhouse units from Dillon Dr. facing south***



***View: Southern-most townhomes, facing south.***



Prepared By:  
 Tecumseh Planning and  
 Building Services Department



**Attachment 4B**  
 Official Plan and Zoning By-law Amendments  
 Briday Victoria Development Corporation  
 12433 Dillon Drive (Former Victoria Public School)  
**Architectural Elevation Renderings 1**



***View: Northern stacked townhouse from Dillon Dr. facing south***



***View: Northern stacked townhouse facing north towards Dillon Dr.***



Prepared By:  
 Tecumseh Planning and  
 Building Services Department



**Attachment 4C**  
 Official Plan and Zoning By-law Amendments  
 Briday Victoria Development Corporation  
 12433 Dillon Drive (Former Victoria Public School)  
**Architectural Elevation Renderings 2**



***View: Central stacked townhouse facing south***



***View: Central stacked townhouse facing north***



Prepared By:  
 Tecumseh Planning and  
 Building Services Department



**Attachment 4D**  
 Official Plan and Zoning By-law Amendments  
 Briday Victoria Development Corporation  
 12433 Dillon Drive (Former Victoria Public School)  
**Architectural Elevation Renderings 3**



***View: Central stacked townhouse and western townhouse units facing southwest***



***View: Northern stacked townhouse and western townhouse units from Dillon Dr. facing south***



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Tecumseh Planning and  
Building Services Department



**Attachment 4E**  
Official Plan and Zoning By-law Amendments  
Briday Victoria Development Corporation  
12433 Dillon Drive (Former Victoria Public School)  
**Architectural Elevation Renderings 4**



***View: Western townhouse units facing west***



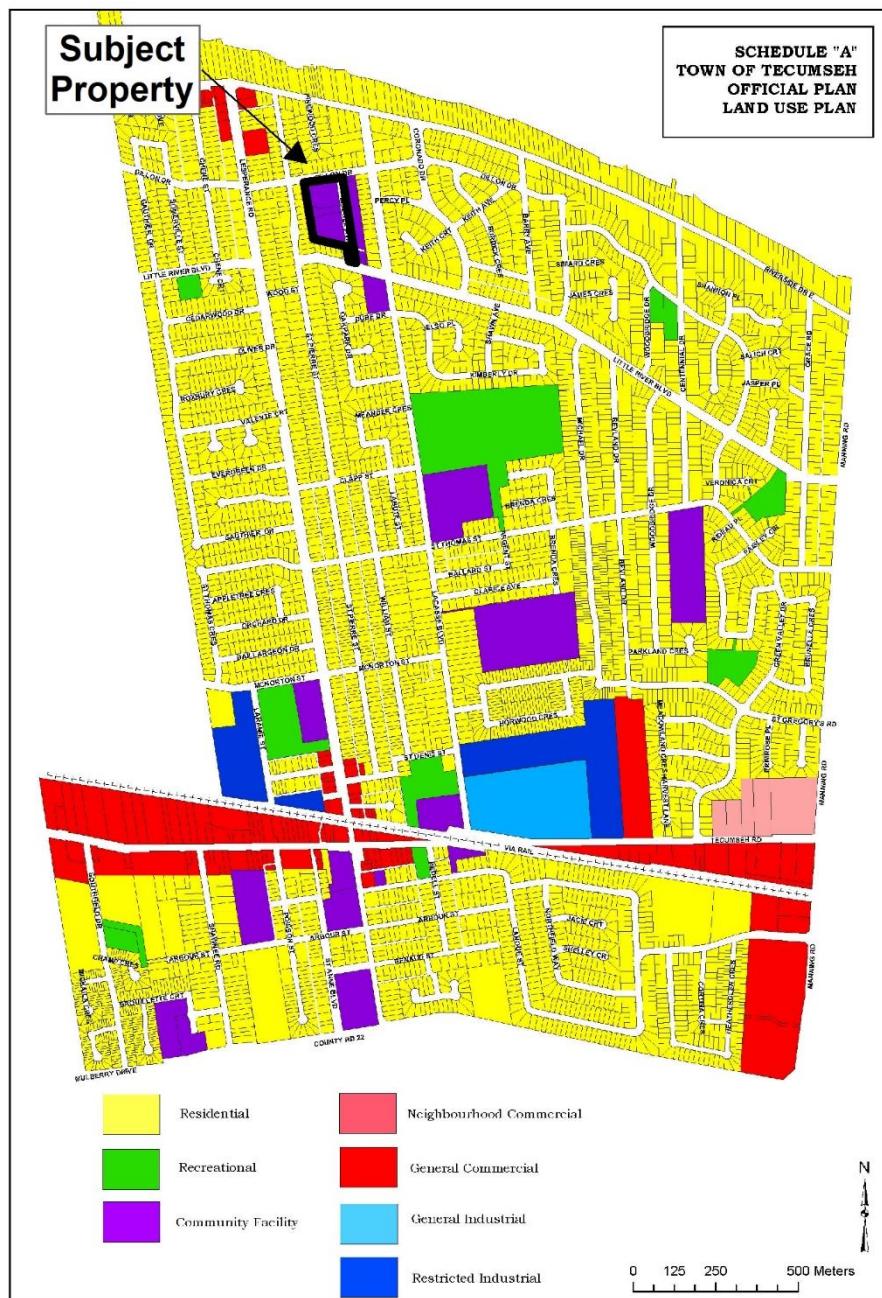
***View: Southern townhouse units facing south***



Prepared By:  
 Tecumseh Planning and  
 Building Services Department



**Attachment 4F**  
 Official Plan and Zoning By-law Amendments  
 Briday Victoria Development Corporation  
 12433 Dillon Drive (Former Victoria Public School)  
**Architectural Elevation Renderings 5**



Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Legend:**

Subject Property

**Attachment 5**  
 Official Plan and Zoning By-law Amendments  
 Briday Victoria Development Corporation  
 12433 Dillon Drive (Former Victoria Public School)  
**Official Plan**

