

Public Council Meeting Agenda

Date: Tuesday, August 11, 2020, 6:30 pm

Location: Electronic meeting live streamed at: <https://video.isilive.ca/tecumseh/live.html>.

Pages

- A. Roll Call
- B. Call to Order
- C. Disclosure of Pecuniary Interest
- D. Introduction and Purpose of Meeting

The purpose of the meeting is to hear public comment on **Application No. 37-CD-20002 for approval of a Plan of Condominium** on a vacant 1.08 hectare (2.68 acre) parcel of land situated at the **northeast corner of the Tecumseh Road/Southfield Drive intersection at 11870 Tecumseh Road**. The purpose of the application is to request a Plan of Condominium Approval to permit the condominium ownership of the units within a six-storey, 99-unit apartment building. The Condominium approval will also include associated parking spaces and storage areas. The subject property is designated in a site-specific “Commercial” designation in the Tecumseh Official Plan and zoned “General Commercial Zone (C3-15)” in the Tecumseh Zoning By-law 1746. The designation and zoning permit the construction of the proposed six-storey, 99-unit apartment building.

E. Delegations

- 1. Peter Valente and David Mady, Gateway Tower Inc.
Re: Applicant

F. Communications

- 1. Notice of Public Virtual, Electronic Public Meeting dated July 24, 2020
Re: Proposed Plan of Condominium Approval

2. County of Essex dated July 13, 2020 4 - 5

Re: Public Notice of an Application and Request to Hold a Public Meeting

G. Reports

1. PBS-2020-27 D11 VALTEC, Plan of Condominium Approval, Gateway Tower Inc. (Valente), 11870 Tecumseh Road 6 - 15

H. Adjournment

**TOWN OF TECUMSEH
NOTICE OF VIRTUAL/ELECTRONIC PUBLIC MEETING
PROPOSED PLAN OF CONDOMINIUM APPROVAL**

TAKE NOTICE that the Council of The Corporation of the Town of Tecumseh will hold a virtual/electronic public meeting **Tuesday, August 11, 2020 at 6:30 p.m.** to consider a proposed Plan of Condominium Approval pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

The County of Essex (the Approval Authority) has received Application No. 37-CD-20002 for approval of a Plan of Condominium on a vacant 1.08 hectare (2.68 acre) parcel of land situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road) (see Key Map below for location). The purpose of the application is to request Plan of Condominium Approval to permit the condominium ownership of the units within a six-storey, 99-unit apartment building that is proposed to be constructed on the subject property. The Condominium approval will also include associated parking spaces and storage areas.

The subject property is designated in a site-specific “General Commercial” designation in the Tecumseh Official Plan and zoned “General Commercial Zone (C3-15)” in the Tecumseh Zoning By-law 1746. The designation and zoning permit the construction of the proposed six-storey, 99-unit apartment building.

It should be noted that Council approved a site plan control agreement pertaining to the proposed development of the subject property in May of this year.

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

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

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

How to Provide Comments or Participate in Electronic Public Meeting:

Due to the COVID-19 declared emergency, Public Meetings are being held virtually through electronic means and live-streamed on the Town’s website. Any person who wishes **to make oral submissions** during the electronic Public Meeting **must register as a delegate**. To register as a delegate, persons may use the online registration form on the Town’s website at <https://www.tecumseh.ca/en/town-hall/appearing-before-council.aspx> or by providing their contact information (name, address, email and phone number) to the Town Clerk **by 12:00 p.m. (noon) on Thursday, August 6, 2020**. Registered delegates will receive the necessary log-in details to the meeting. By registering as a delegate persons are consenting to their image, voice and comments being recorded and available for public viewing on the Town’s website. **Written submissions** may also be provided to the Clerk by Thursday, August 6, 2020.

KEY MAP



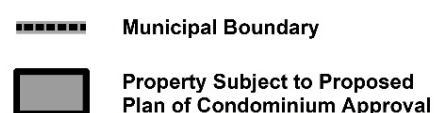
If you wish to be notified of the decision of the County of Essex in respect of the proposed Plan of Condominium, **you must make a written request** to the County of Essex, c/o Ms. Rebecca Belanger, Manager, Planning Services – 360 Fairview Ave W. Essex, ON N8M 1Y6, indicating the County of Essex file number (37-CD-20002).

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 this application will be available on the Town’s website <https://calendar.tecumseh.ca/meetings> on Friday, August 7, 2020.

DATED AT THE TOWN OF TECUMSEH
THIS 24TH DAY OF JULY, 2020.

LAURA MOY, CLERK, TOWN OF TECUMSEH
917 LESPERANCE ROAD
TECUMSEH, ONTARIO, N8N 1W9
519-735-2184 Ext 116
lmoy@tecumseh.ca





July 13, 2020

VIA EMAIL ONLY

Town of Tecumseh
Attention: Ms. Laura Moy
917 Lesperance Road
Tecumseh, ON, N8N 1W2

**Subject: Public Notice of an Application and
Request to Hold a Public Meeting
Location: Part of Lot 147, Concession 1
Applicant: Gateway Tower Inc. c/o Peter Valente
County of Essex File No.: 37-CD-20002**

Dear Ms. Moy:

Pursuant to Subsection 51(20) of the Planning Act the County of Essex requests the Town of Tecumseh to give notice and hold a public meeting concerning the attached proposed draft plan of condominium, County of Essex File No. 37-CD-20002.

It is also requested that you give Public Notice of the Application in accordance with Subsection 51(20) of the Planning Act and Subsection 4 of Ontario Regulation 544/06. As noted in Subsection 51(20) the approval authority for plans of condominium is required to give notice of the receipt of an application at least 14 days prior to making a decision. The regulation provides that the approval authority may require the local municipality to provide public notice of the receipt of an application on its behalf.

Notice of the public meeting shall be given to the public and identified agencies in accordance with Subsection 4 of Ontario Regulation 544/06. The notice of a public meeting shall:

- (i) indicate the date, time and location of the public meeting;
- (ii) include a description of the proposed plan of condominium;
- (iii) include a key map showing the location of the land proposed to be subdivided;
- (iv) indicate where and when additional information regarding the proposed plan of condominium will be available to the public for inspection;
- (v) include the following statement:

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

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

(vi) include the following statement:

If you wish to be notified of the decision of the County of Essex in respect of this proposed plan of condominium, you must make a written request to the County of Essex 360 Fairview Avenue West, Essex, ON, N8M 1Y6, indicating the County of Essex file number;

(vii) indicate, if known, if the land proposed to be subdivided is the subject of an application under the Act for approval of a proposed official plan or plan amendment or for a zoning by-law amendment or a Minister's zoning order amendment or a minor variance, and the file number of the application(s);

(viii) indicate to whom written submissions in respect of the proposed plan of condominium are to be made.

The public meeting shall be held no sooner than 14 days after the requirements for the giving of notice of the public meeting have been met.

Within 15 days of the public meeting, the municipality or planning board must submit the information in Subsection 6 of Ontario Regulation 544/06 to the Manager, Planning Services, County of Essex.

Thank you for your assistance in this matter.

Yours truly,



REBECCA BELANGER, MCIP, RPP
Manager, Planning Services

c.c. Brian Hillman David Mady

☎ 519-776-6441 ext. 1325
TTY 1-877-624-4832

📍 360 Fairview Ave. W.
Suite # 302 Essex, ON N8M 1Y6

💻 countyofessex.ca



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 11, 2020

Report Number: PBS-2020-27

Subject: Gateway Tower Inc. (Valente Development Corporation)
11870 Tecumseh Road
Draft Plan of Condominium Approval (County File No. 37-CD-20002)
OUR FILE: D11 VALTEC

Recommendations

It is recommended:

That the granting of Draft Plan of Condominium Approval by the County of Essex (the Approval Authority) for the application filed by Gateway Tower Inc. (County of Essex File No. 37-D-20002) for a six-storey, 99-unit condominium dwelling on a 1.08 hectare (2.68 acre) parcel of land situated at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road), **be supported**, subject to the inclusion of appropriate conditions as noted in PBS-2020-27;

And that the County of Essex **be advised** of Council's support for County of Essex File No. 37-D-20002, along with the associated requested conditions of draft Plan of Condominium approval.

Background

The subject 1.08 hectare (2.68 acre) vacant property is located at the northeast corner of the Tecumseh Road/Southfield Drive intersection (11870 Tecumseh Road) (see Attachment 1).

Previous Planning Application Approvals

In July of 2019, Council adopted by-laws having the effect of amending the Tecumseh Official Plan and Tecumseh Zoning By-law 1746 to permit the use of the property for a six-storey

apartment building containing up to 97 dwelling units (see Attachment 2). The Official Plan Amendment (OPA No. 40), which introduced site-specific policies within the “Commercial” designation was subsequently approved by the County of Essex (the Approval Authority for Official Plan Amendments). The zoning was changed from “General Commercial Zone (C3)” to “General Commercial Zone (C3-15)” which, in addition to establishing the maximum height and number of units, set out site-specific minimum yard requirements.

In January 2020, the Owner applied for a minor variance (Application A-01-20) requesting relief that would permit the increase in total dwelling units from 97 to 99. The Owner advised that the increase of two additional units was as a result of interior modifications to the floor layouts. The Committee of Adjustment granted the minor variance at its January 27, 2020 meeting.

In May 2020, Council approved a site plan control agreement pertaining to the proposed development of the subject property. The approved site plan agreement contains stipulations regarding the construction of the proposed apartment building as well as the provision all on-site works such as parking, landscaping, buffering from the adjacent railway and all municipal servicing requirements. It also contains provisions related to the development and conveyance of a municipal parkette located adjacent to the southwest corner of the proposed apartment building.

Current Draft Plan of Condominium Approval Application

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

The proposed Draft Plan of Condominium (see Attachment 3) includes:

- A total of 99 residential units;
- 132 parking spaces reserved for individual unit owners (104 uncovered and 29 covered) and 14 parking spaces reserved as visitor parking spaces;

- 57 storage areas located inside the building that are associated with the individual dwelling units; and
- 16 exclusive-use patio areas associated with 16 residential units located on the first floor of the proposed building.

The County, in accordance with the *Planning Act*, requested the Town hold a public meeting on its behalf. Accordingly, a public meeting was scheduled for August 11, 2020 in order to solicit stakeholder input on the proposed Plan of Condominium. A record of this public meeting will be forwarded to the County of Essex as part of its consideration of the approval of the Plan of Condominium. The County has also requested that the Town submit comments and requested conditions of approval for the proposed draft Plan of Condominium.

Comments

Planning Comments

A detailed planning analysis of the Official Plan and Zoning By-law amendments that were ultimately adopted by Council (and approved by the County of Essex) to permit the use of the land for the proposed apartment building and accessory uses was provided by way of planning reports PBS-2019-11 and PBS-2019-22. These reports assessed the proposed uses in the context of the policies contained in the Provincial Policy Statement, the County of Essex Official Plan, the Tecumseh Official Plan and the Tecumseh Road Mainstreet Community Improvement Plan. In addition, as noted above, Council approved the site plan control agreement for the proposed development by way of planning report 2020-02. The Owner is now simply taking one of the steps to facilitate the proposed development from an ownership perspective. It is the opinion of the writer that the Plan of Condominium is consistent with and conforms to the relevant Provincial, County and local site-specific policies now in effect.

The Draft Plan of Condominium is also in compliance with the site-specific zoning that applies to the subject property.

Municipal Services

The proposed development will be serviced by full municipal services. The Public Works and Environmental Services Department has reviewed the sanitary, storm and water servicing requirements for the proposed development and has advised that there are no servicing capacity concerns for the subject property or to the municipal system. The Applicant's engineering consultants, along with Town Administration, have finalized all municipal servicing design requirements through the completed site plan control approval process noted above.

Requested Conditions and Notes of Draft Plan of Condominium Approval

Based on Administration's review of the proposed Plan of Condominium, and pending any potential new concerns being identified at the August 11, 2020 Public Meeting, Administration

recommends that Town Council support Draft Plan of Condominium Approval of County File No. 37-CD-20002, subject to the County of Essex providing the following conditions:

1. That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that the Owner has entered into a site plan control agreement with the Town of Tecumseh wherein the Owner agrees to satisfy all the requirements, design, engineering, financial and otherwise, of the Town concerning but not limited to the payment of development charges, driveway access, surface parking, sidewalks, landscaping details, fencing details, lighting details, installation of services, sanitary sewerage collection system, water distribution system, utilities and stormwater management facilities for the development of the lands, including those works required off-site;
2. That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that the Owner has engaged the services of a qualified engineer to complete a Stormwater Management Study to address stormwater quantity and quality to the satisfaction of the Town and that the site plan control agreement between the Owner and the Town, where required, contains a provision requiring the construction of the works by the Owner as identified in the Stormwater Management Study; and
3. That prior to final approval by the Approval Authority, the Approval Authority is to be advised by the Town that this proposed Plan of Condominium conforms to the Zoning By-law in effect.

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

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

Summary

In summary, the proposed Draft Plan of Condominium is in accordance with the current site-specific land use policies of the Official Plan and will comply with all of the requirements of the site-specific zoning in effect for the subject property. Administration supports the layout and design of the proposed development and, subject to hearing any new issues at the August 11, 2020 Public Meeting, believes all detailed site design matters have been addressed through the required site plan agreement that has been finalized and executed by Council.

Based on the foregoing, it is appropriate that the draft Plan of Condominium application be supported, subject to the inclusion of appropriate conditions as noted in PBS-2020-27

Consultations

Fire & Emergency Services
Public Works & Environmental 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:

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

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

Wade Bondy
Director Fire Services & Fire Chief, C.E.M.C.

Reviewed by:

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

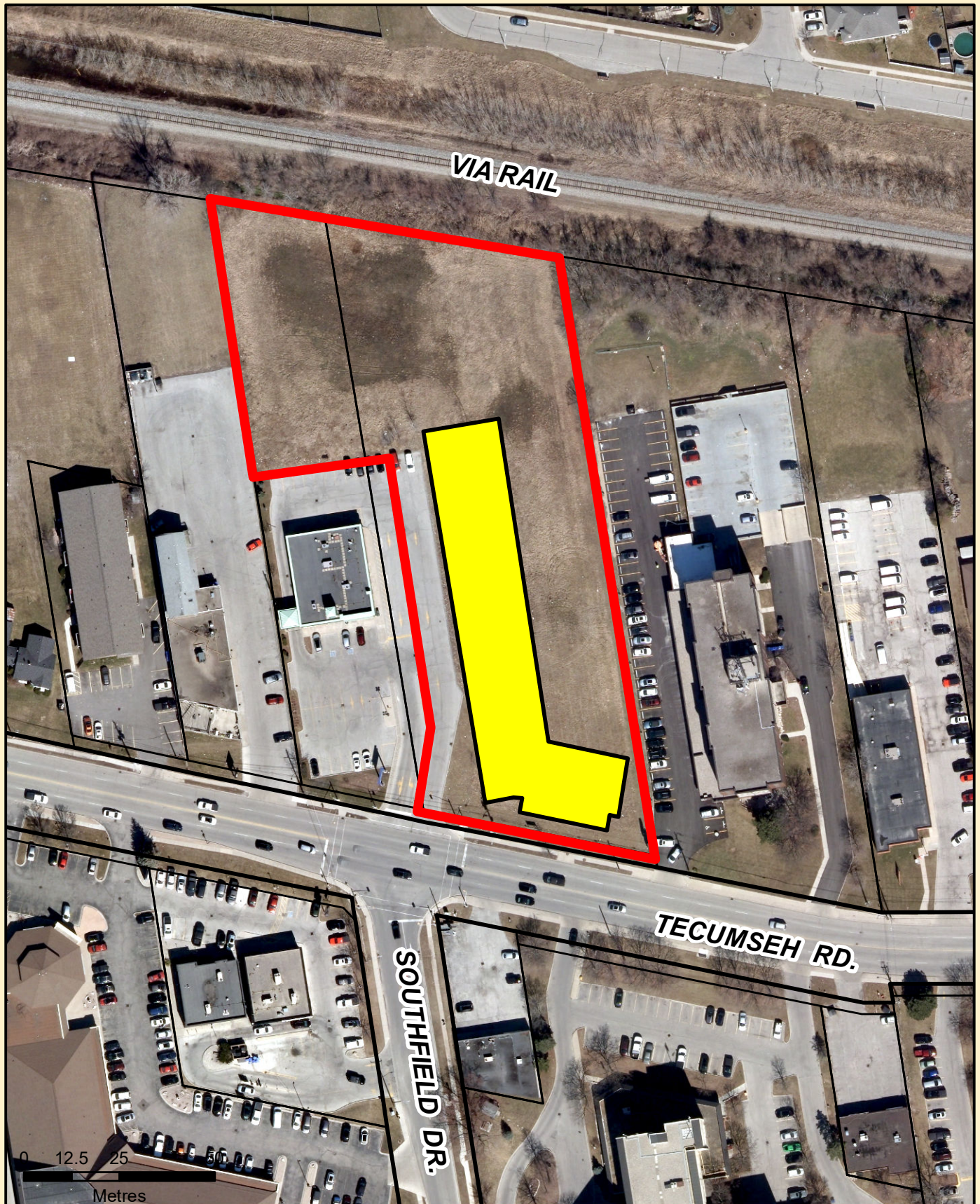
Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Property Location with Proposed Building Footprint Map
2	Architectural Renderings
3	Draft Plan of Condominium, Detail View



Prepared By:
Tecumseh Planning and
Building Services Department



Legend:



Subject
Property



Proposed
Building

Attachment 1

Draft Plan of Condominium Approval
Gateway Tower Inc. (Valente Development Corp.)

11870 Tecumseh Road

Property Location with Proposed Building Footprint



View from Tecumseh Road facing northeast



View from Tecumseh Road facing northwest



Prepared By:
Tecumseh Planning and
Building Services Department

Attachment 2
Draft Plan of Condominium Approval
Gateway Tower Inc. (Valente Development Corp.)
11870 Tecumseh Road
Architectural Renderings

