



## 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:** March 10, 2020

**Report Number:** PBS-2020-09

**Subject:** Site Plan Control Amending Agreement  
Villa Pia Investments Ltd.  
12000 Tecumseh Road  
OUR FILE: D11 VILLA

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### Recommendations

It is recommended:

**That** a by-law authorizing the execution of the “Villa Pia Investments Ltd.” site plan control amending agreement, satisfactory in form to the Town’s Solicitor, which allows for the construction of a new 361.5 square metre (3,891.7 square foot) commercial building and associated patios, landscaping and on-site services/works on 0.85 hectare (2.1 acre) parcel of land located on the north side of Tecumseh Road/Shawnee Road intersection (12000 Tecumseh Road), **be adopted**, subject to the following occurring prior to the Town’s execution of the Agreement:

- i) the Owner executing the site plan control amending agreement;
- ii) the Owner executing an encroachment agreement to permit the two patios associated with the proposed commercial building pursuant to paragraph 3.1 of the amending agreement; and
- iii) the Owner providing the required land dedications pursuant to paragraph 3.1 of the agreement;

**And that** the execution of such further documents as are called for by the site plan control amending agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan control amending agreement on title to the lands and such other acknowledgements/directions for any

related transfers or real property registrations contemplated by the site plan control amending agreement, by the Mayor and Clerk, **be authorized.**

## Background

### Property Location

The subject 0.85 hectare (2.1 acre) commercial property is located on the north side of the Tecumseh Road/Shawnee Road intersection (12000 Tecumseh Road) (see Attachment 1). Over the past few years, Town Administration has met with the Owner regarding the long-term use and design of the property, currently occupied by the Frank Brewing restaurant/brewery and an auto sales and service establishment. The construction of the Frank Brewing restaurant/brewery was approved by Council by way of a site plan control agreement in 2015. It is the ultimate intent of the Owner to incrementally replace the auto-related uses on the balance of the property with new commercial/residential uses through the phased redevelopment of the entire property. A longer-term conceptual plan for the entire property has been discussed with Town Administration and this current proposed building is consistent with this longer-term vision (see Attachment 1A).

### Proposed Development

The Owner has filed an application for an amendment to the current site plan control agreement in order to facilitate the construction of a new 361.5 square metre (3,891.7 square foot) commercial building (to be divided into two units) on the subject property. The building will be constructed on the vacant grassed area to the southwest of the existing Frank Brewing restaurant/brewery, on the north side of Tecumseh Road. In addition, two outdoor patios, one for each commercial unit, are proposed.

The proposed site plan drawing (see Attachments 2A and 2B) depicts:

- The existing building which is occupied by the Frank Brewing restaurant/brewery;
- The proposed 361.5 square metre (3,891.7 square foot) commercial building fronting on Tecumseh Road;
- The two outdoor patios associated with the proposed commercial building. One patio is proposed to be constructed along the south façade of the building, fronting onto Tecumseh Road and the second is proposed to be constructed along the eastern façade of the building in close proximity to the existing Frank Brewing patio. Both patios will be delineated by a decorative fence and concrete planter boxes. It should be noted the proposed outdoor patios will require the approval of an encroachment agreement between the Town and the Owner to facilitate their construction, as a portion of each patio is proposed to be located within the municipal right-of-way. Council approval of the encroachment agreement is being requested concurrently with this site plan control application by way of PBS-2020-10;

- The construction of a new sidewalk to the east of the building and patios that will link to the existing sidewalk on Tecumseh Road, along with the provision of a bike rack;
- The existing asphalted parking area accommodating 67 vehicles that includes infrastructure to provide proper stormwater drainage.

In addition, the Owner has submitted architectural renderings of the proposed development (see Attachment 3).

## **Comments**

### **Official Plan and Zoning**

The proposed development and corresponding site plan conform to the General Commercial policies contained in the Official Plan. In addition, the site plan complies with all regulations established by the “General Commercial Zone (C3)” and “General Commercial Zone (C3-4)” that apply to the property (see Attachment 4).

### **Servicing**

The proposed development will be on full municipal services (sanitary, water and stormwater drainage). A Stormwater Management Study and associated site service drawings, which include quantity and quality control measures, were previously approved by Town Administration as part of the original site plan control agreement approval that occurred in 2015. The Owner installed municipal services for all future phases of development as part of the 2015 development approval. Public Works and Environmental Services has advised that it has no concerns with the proposed development.

### **Traffic**

In 2015, improvements were made by the Owner to the signalized intersection on Tecumseh Road that provides vehicular access to this property. It was designed in accordance with a traffic study undertaken by the Owner’s Traffic Engineering Consultant and took into account the full build-out of the subject property. The Town’s peer review of this study by Dillon Consulting found its conclusions to be sound. It is understood that the intersection is operating as expected and requires no adjustments at this time.

### **Community Improvement Plan (CIP)**

The subject property is located within the Tecumseh Road Main Street Community Improvement Plan (CIP) area. The CIP document identifies the importance of the redevelopment of the commercial establishments and properties within this study area and the rejuvenation of the entire CIP area. The CIP policies supporting this development include:

“Provide an enhanced public realm with a diversity of new attractive open spaces and a new streetscape that is welcoming to pedestrians and expands mobility options such as cycling.”;

“Create a vibrant and animated mixed-use main street with a predominance of commercial uses”; and

“Permitting outside dining along sidewalks enlivens a shopping district and helps increase retail sales.”

Based on the foregoing policies of the CIP, the proposed building and patios will assist in the revitalization of the CIP area by offering a new enhanced public gathering area that will assist in adding vibrancy to this area and strengthening the local commercial businesses.

Having regard to the building’s location and design noted previously, along with the development’s adherence to the goals and objectives of the CIP, Administration supports the proposal and believes it to be a positive contribution to this commercial district. Public Works and Environmental Services has reviewed the proposed location/design of the patios and has no concerns.

It is noted that the 3 metre (10 foot) widening of Tecumseh Road across the front of the subject property as required by the Official Plan and by the existing site plan control agreement has not been transferred to the Town to date. Accordingly, a condition precedent to the Town signing the amending agreement will be the transfer of these lands (a portion of which is proposed to be occupied by a portion of the patios).

## **Summary**

In summary, it is the opinion of the writer, along with Town Administration, that the proposed site plan control amending agreement will result in appropriate development that is based on sound land use planning principles. The proposed development will help to realize the community-developed vision articulated in the Tecumseh Road Main Street CIP.

Town Administration has reviewed the proposed site plan amending agreement and is prepared to recommend approval of the document and the attached drawings. Wolf Hooker Law Firm (Town Solicitor) has drafted the attached amending agreement (see Attachment 5, with site plan drawing attached thereto as Schedule B1) which facilitates the subject development. It should be noted that the amending agreement does not include language related to the provision of a security deposit as the Owner has already provided a \$10,000 security deposit as part of the site plan control approval that was obtained in 2015.

## **Consultations**

Public Works & Environmental Services  
Town Solicitor

## 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:

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Reviewed by:

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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

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
1A	Long-Term Site Plan Concept
2A	Proposed Site Plan
2B	Proposed Site Plan, Detail View
3	Proposed Architectural Renderings
4	Zoning Map
5	Site Plan Control Amending Agreement