



## 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:** April 13, 2021

**Report Number:** PBS-2021-19

**Subject:** Site Plan Control Approval  
Briadco Tool and Mould  
5605 and 5635 Roscon Industrial Drive  
OUR FILE: D11 ON

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### Recommendations

It is recommended:

**That** "Overall Site Plan - A1.0", as prepared by Rosati Construction Inc., and attached hereto as Attachment 2A, which depicts the construction of a 1538 square metre (16,555 square foot) industrial building, along with associated on-site works, on a 1.8 hectare (4.5 acre) property located on the west side of the southerly terminus of Roscon Industrial Drive (5605 and 5635 Roscon Industrial Drive), **be approved**, subject to:

- i) the Owner depositing with the Town security in the form of cash or letter of credit in the amount of ten thousand dollars (\$10,000) to ensure that all of the services and other obligations of the Owner are completed to the satisfaction of the Town, which cash or letter of credit security deposit shall be returned to the Owner upon completion and final inspection of all obligations of the Owner;
- ii) storm water retention calculations and associated servicing drawings being approved by the Town; and
- iii) the Owner finalizing, executing and otherwise performing the terms of an agreement with the Town calling for the merger of the subject lands (5605 and 5635 Roscon Industrial Drive) into one property on terms satisfactory to the Town's Solicitor and regularizing an easement for an existing waterline on 5605 Roscon Drive;

all of which is in accordance with Section 41 of the *Planning Act, R.S.O. 1990*;

**And further that** a by-law authorizing the execution of land transfer agreement between the Owner and the Town, satisfactory in form to the Town's Solicitor, which allows for the merger of the subject lands (5605 and 5635 Roscon Industrial Drive) into one property on terms satisfactory to the Town's Solicitor and regularizing an easement for an existing municipal waterline on 5605 Roscon Drive, **be adopted**, subject to the Owner executing the agreement;

**And furthermore that** the execution of such further documents as are called for by the land transfer agreement noted above, including, but not limited to, the execution of the acknowledgement/direction required to register the agreement on title to the lands and such other acknowledgements/directions for any related transfers or real property registrations contemplated by the agreement, by the Mayor and Clerk, **be authorized**;

**And furthermore over that** a by-law having the effect of amending the Sandwich South Zoning By-law 85-15 for a portion of the 1.8 hectare (4.5 acre) property located on the west side of the southerly terminus of Roscon Industrial Drive (5605 and 5635 Roscon Industrial Drive), by rezoning the property from "Holding – Industrial Zone (H) M1" to "Industrial Zone (M1)" in keeping with PBS-2021-19, **be adopted** in accordance with the provisions of the *Planning Act*.

## Background

The subject 1.8 hectare (4.5 acre) property, located at 5605 and 5635 Roscon Industrial Drive, is situated on the west side of the southerly terminus of Roscon Industrial Drive (see Attachment 1). It is currently occupied by a 3506 square metre (37,740 square foot) industrial building that contains a tool and mold industrial operation along with associated offices. It should be noted that the subject property comprises two separately conveyable lots that are under common ownership, however the Owner is currently in the process of formally merging the lands into one consolidated industrial lot.

The Owner is proposing the construction of a second industrial building on the subject property that will have a building footprint of 1538 square metres (16,555 square feet), along with associated on-site works needed to facilitate the second building.

To permit this second building in its proposed location, along with its associated parking, the Owner applied for, and was granted, a minor variance from the Committee of Adjustment at its February 22, 2021 meeting (Application A-09/21). The variance granted relief for a reduction in the total number of required parking spaces from 80 to 70 and a reduction in the minimum side yard width abutting a residential zone from 15.0 metres (49 feet) to 8.0 metres (26.25 feet).

The subject property is subject to site plan control in accordance with Section 41 of the *Planning Act*. This property is located in an area of the Town which requires Council approval of the site plan drawing only, without the need for a formal site plan agreement. Based on all of the foregoing, application for site plan approval has now been filed by Rosati Construction Inc. (on behalf of the Owner) to permit the aforementioned second industrial building. The

associated site plan drawing submitted with the application (see Attachment 2A, 2B) depicts the following:

- the existing 3506 square metre (37,740 square foot) industrial building;
- a proposed 1538 square metre (16,555 square foot) industrial building on the southern portion of the property;
- a parking lot providing 70 parking spaces including three barrier-free spaces. All parking and laneways are to be hard-surfaced asphalt and curbed;
- existing and proposed fencing and landscaped buffers, in accordance with the requirements of the Zoning By-law, along the eastern and western side lot lines where the subject property abuts residential and institutional uses, respectively; and
- on-site septic facilities and landscaped areas for both existing and proposed buildings.

If approved, the existing and proposed industrial buildings will result in a total building area of approximately 5044 square metres (54,295 square feet).

## Comments

### Zoning

The subject property is zoned “Industrial Zone (M1)” and “Holding – Industrial Zone (H)M1” in the Sandwich South Zoning By-law 85-18 (see attachment 3). The northern portion of the property, where the existing building is located, is zoned M1 while the southern portion, where the proposed building is to be located, is zoned (H)M1. The holding symbol permits existing uses only until the (H) symbol is removed by Council by-law.

The purpose of the holding symbol is to ensure that all servicing issues are resolved prior to development occurring on the lands. The site plan approval process ensures that the proposed development will be properly serviced and is constructed and designed in accordance with the M1 zoning that applies to the entirety of the subject property and in accordance with the above-noted minor variance application that was approved by the Committee of Adjustment.

Accordingly, the Owner has concurrently applied for the Holding (H) symbol removal upon Council approval of the site plan drawing. In order for the development to proceed in a timely manner, it is recommended that the Holding symbol (H) be removed in accordance with the provisions of the *Planning Act*.

## **Servicing**

All development will be serviced by municipal water and stormwater services, along with private on-site septic facilities. Stormwater servicing for the proposed building will be provided by new stormwater connections. Municipal sanitary sewers are currently not available to the subject property and are not anticipated in the foreseeable future.

A Stormwater Management Study and associated site service drawings, which includes appropriate quantity and quality control measures, are currently under review by Town Administration. The results of this review will be provided to the applicant for incorporation into the final design. Final approval of the Stormwater Management Study and associated servicing drawings, to the satisfaction of the Town, shall be required prior to the issuance of a building permit. Public Works & Environmental Services does not foresee any significant issues with the proposed development, subject to the final approval of the Stormwater Management Study and associated drawings.

## **Land Consolidation Agreement**

As noted above, the subject property consists of two separately conveyable lots, under common ownership, that were created through the consent process of the *Planning Act*. In order to merge the two lots into one consolidated lot, the Owner is required to “break” the previously-approved consents that created the lots (by altering the configuration of the original parcels to which consent was given). In order to accomplish this, the Owner is proposing to convey a small triangular portion of each lot to the municipality where each lot abuts Roscon Industrial Drive. This type of technical process has been used by the Town in the past where there is a need to “break” a lot previously created by consent under the *Planning Act*. The end result is that the two lots will merge as one, consistent with the development and servicing scheme proposed on the land.

All costs associated with the land transfer will be the responsibility of the Owner. Town Solicitor, Edwin Hooker, in coordination with the Owner’s solicitor, is currently preparing all necessary legal agreements required to effect the land transfer. In addition, the agreement will also clarify terms in relation to the existing municipal easement situated on a portion of the property that extends from the southerly terminus of Roscon Industrial Drive to Highway No. 3 to the south. There is a need to clarify that a municipal waterline is permitted to be located in the easement.

## **Summary**

The existing and proposed buildings and associated on-site improvements such as parking, curbing, and stormwater management are being addressed through this site plan approval process. Town Administration believes the proposed development is of an acceptable design and therefore recommends that Council approve “Site Plan – A1.0”, as prepared by Rosati Construction Inc., attached hereto as Attachment 2A.

As is the practice of the Town, a security deposit in the amount of \$10,000 (cash or letter of credit) is required as a condition of approval to ensure all performance obligations of the Owner are fulfilled.

In addition, Town Administration recommends that Council pass a by-law authorizing the execution of an agreement between the Owner and the Town, satisfactory in form to the Town's Solicitor, providing for the merger of the subject lands (5605 and 5635 Roscon Industrial Drive) into one property and providing clarity with respect to a municipal water line in an existing municipal easement on the subject property.

Finally, Town Administration recommends that Council adopt a by-law to remove the Holding (H) symbol that currently applies to a portion of the 1.8 hectare (4.5 acre) property in accordance with the provisions of the *Planning Act*.

## Consultations

Fire & Emergency Services  
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:

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

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2A	Proposed Site Plan
2B	Proposed Site Plan, Detail View
3	Zoning Map