



The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Chad Jeffery, Manager Planning Services

Date to Council: August 14, 2018

Report Number: PBS-2018-26

Subject: Site Plan Control Amending Agreement
Fairlane Towne Centre Inc. (St. Louis Commercial Plaza) Expansion
South-East Corner of County Road 22/Lesperance Rd. Intersection
OUR FILE: D12 ST

Recommendations

It is recommended:

1. **That** a by-law authorizing the execution of the “Fairlane Towne Centre Inc.” site plan control amending agreement, satisfactory in form to the Town’s Solicitor, which allows for the easterly expansion of the existing Tecumseh Towne Centre commercial plaza onto the easterly 0.7 hectares (1.7 acres) of a 2.6 hectare (6.4 acre) parcel of land located on the south-east corner of the County Road 22/Lesperance Rd. intersection, and which proposes the construction of a 1,403 square metre (15,107 square foot) building, along with associated parking, landscaping and on-site services/works, **be adopted**, subject to the following occurring prior to the Town’s execution of the Agreement:
 - i) the Owner executing the site plan control agreement; and
 - ii) the Owner posting security for performance pursuant to paragraph 9 of the agreement.
2. **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**.

3. **And further that** the giving of Notice of Intent to pass a by-law removing the holding (H) symbol in accordance with the provisions of the *Planning Act* for the portion of the subject property that is subject to the proposed development, in order to change the zoning from “Holding General Commercial Zone (H)C1-2” to “General Commercial Zone (C1-2)”, upon execution of the site plan control amending agreement by the Owner, in order to permit the proposed commercial plaza expansion, in accordance with PBS-2018-26, **be authorized.**

Background

Property Location

The subject 2.6 hectare (6.4 acre) commercial property is located on the south-east corner of the County Road 22/Lesperance Rd. intersection (see Attachment 1). The majority of the property has been developed as the Tecumseh Towne Centre commercial plaza, however the easterly 0.7 hectares (1.7 acres) of the property remain vacant.

Proposed Development

The Owner has now filed an application for site plan control amendment in order to facilitate the development of the final phase of the commercial plaza. The final phase consists of a 1,403 square metre (15,107 square foot) building containing up to six individual units, along with associated parking, landscaping and on-site services/works. The property is subject to site plan control approval in accordance with Section 41 of the *Planning Act, R.S.O. 1990*. Specifically, the proposed site plan drawing (see Attachment 2) depicts:

- The 1,403 square metre (15,107 square foot) commercial building which can be subdivided into six individual units along the eastern side of the property;
- An expansion to the existing asphalted parking area, including infrastructure to provide proper stormwater drainage, accommodating an additional 69 vehicles;
- The installation of a new pylon sign at the north-eastern corner of the property, abutting County Road 22;
- A new vehicular access lane that will extend easterly from the current terminus of Westlake Drive that will serve the proposed development. The amending agreement and site design accommodate a future land transfer to the Town of a municipal road allowance that will facilitate the easterly extension of Westlake Drive across the St. Louis land from its current terminus in accordance with a road alignment that has been approved by the County of Essex and is supported by Town Administration. The County requires the future use of Westlake Drive as part of the implementation of an interim and permanent solution to the Lesperance and County Road 22 intersection and future interchange in accordance with the prior Municipal Class EA undertaken by the

County. Westlake Drive will ultimately provide for the connection of the eastbound fly-off ramp from County Road 20 to Lesperance Road and is an integral component of the County's interim and permanent transportation infrastructure solutions at this location. Town Administration continues to discuss issues related to the preferred road cross-section of Westlake Drive and the timing of its construction with the County; and

- Other site amenities including the installation of an additional refuse bin, walkways and landscaping.

Comments

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 appropriate quantity and quality control measures, have been reviewed and approved by Town Administration. Public Works and Environmental Services has advised that it has no concerns with the proposed development.

Zoning

The portion of the property proposed for the plaza expansion is zoned "Holding General Commercial Zone (H)C1-2" in the Sandwich South Zoning By-law 85-18 (see Attachment 3). The holding (H) symbol will only be removed once the site plan control amending agreement has been executed by the owner. Upon removal of the holding (H) symbol, the development will comply with current building, yard, coverage and landscaping regulations established in the "General Commercial Zone (C1-2)", which also apply to the balance of the commercial plaza. With the approval and signing of the amending site plan agreement, it is appropriate that the Holding (H) symbol be removed in accordance with the requirements of the Planning Act.

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 compatible with the surrounding land uses and is based on sound land use planning principles.

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 4, with site plan drawing attached thereto as Schedule B) which facilitates the subject development. Consistent with Town practice to date, the agreement establishes that 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.

Based on all of the foregoing, Administration and the Town's Solicitor are prepared to recommend the following:

1. A by-law authorizing the execution of the “Fairlane Towne Centre Inc.” site plan control amending agreement, satisfactory in form to the Town’s Solicitor, be adopted, subject to:
 - i) the Owner executing the site plan control agreement; and
 - iii) the Owner posting security for performance pursuant to paragraph 9 of the agreement.
2. The giving of Notice of Intent to remove the holding (H) symbol in accordance with the provisions of the Planning Act for the subject property, be authorized. The C1-2 zone permits the proposed commercial development and the proposed site plan complies with all the regulations established in the C2-1 zone.

Consultations

Planning & Building Services
Public Works & Environmental Services
Fire & Emergency Services
Town Solicitor

Financial Implications

None.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that the Town of Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of the Town of Tecumseh’s plans and priorities.
<input type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Reviewed by:

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Reviewed by:

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Reviewed by:

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

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	Subject Property Map
2	Proposed Site Plan
3	Zoning Map
4	Draft Site Plan Control Amending Agreement





