

## Table of Contents

Agenda . . . . .	2
Notice of Public Council Meeting, July 10, 2013	
Notice of PCM_OPA & ZBA_5550 Oldcastle Rd (Xcentrick Autosports)_13Jul10. . . . .	4
Manager, Planning Services/Senior Planner, July 3, 2013, Report No. 19/13	
PB Report No. 19-13_Towle Family Holdings, Purchase Sale Agrmnt w B Dorner (Xcentrick Autosports)_5550 Oldcastle Side Rd_OPA & ZBA_13Jul03 . . . . .	5
Essex Region Conservation Authority (ERCA), July 18, 2013	
ERCA OPA & ZBA_5550 Oldcastle_Towle . . . . .	14
J Robson, August 8, 2013	
J Robson_Notice of Opposition_OPA & ZBA_5550 Oldcastle Road . . . . .	16
Bylaw 2013-38	
Bylaw 2013-38_OPA No 13 (5550 Oldcastle Road) . . . . .	17
Bylaw 2013-39	
Bylaw 2013-39 ZBA_5550 Oldcastle Rd . . . . .	28



**TOWN OF TECUMSEH**  
WWW.TECUMSEH.CA

**Town of Tecumseh**  
**Public Council Meeting**  
Tuesday, August 13, 2013  
6:30 PM  
Tecumseh Town Hall

**MEETING:**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. DISCLOSURE OF PECUNIARY INTEREST**

**IV. INTRODUCTION AND PURPOSE OF MEETING**

The purpose of the meeting is to consider proposed Official Plan and Zoning By-law amendments pursuant to the provisions of the *Planning Act, R.S.O. 1990*. The purpose of the proposed Official Plan amendment is to change the land use designation on a vacant 1.2 hectare (3 acre) parcel of land located on the east side of Oldcastle Side Road (5550 Oldcastle Side Road), approximately 200 metres south of its intersection with Highway No. 3 from "General Commercial" to "Business Park". The proposed redesignation facilitates the reuse of the currently vacant property for a custom auto manufacturing/auto body repair facility and a contractor's yard with associated indoor/outdoor storage. The proposed uses will operate from the existing buildings on site.

A corresponding Zoning By-law amendment proposes to rezone the subject land from "Rural Commercial Zone (CR-15)" to "Industrial Zone (M1-22)" in order to permit the proposed uses.

**V. DELEGATIONS**

**VI. COMMUNICATIONS**

- A. Notice of Public Council Meeting, July 10, 2013  
*Re: Proposed Official Plan Amendment and Zoning By-law Amendment, 5550 Oldcastle Road*
- B. Manager, Planning Services/Senior Planner, July 3, 2013,  
Report No. 19/13 - *Re: Towle Family Holdings, Purchase/Sale Agreement with Mr. Bill Dorner (Xcentrick Autosports), 5550 Oldcastle Side Road, Proposed Official Plan Amendment and Zoning By-Law Amendment*
- C. Essex Region Conservation Authority (ERCA), July 18, 2013  
*Re: Comments OPA/ZBA, 5550 Oldcastle Road*
- D. J Robson, August 8, 2013 - *Re: Opposition to proposed OPA & ZBA, 5550 Oldcastle Road*

- E. *Bylaw 2013-38 - Amendment No. 13 to the Official Plan for the Town of Tecumseh for those lands in the former Township of Sandwich South (5550 Oldcastle Side Road)*
- F. *Bylaw 2013-39 - Being a by-law to amend By-law 85-15, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South - 5550 Oldcastle Road*

**VII. ADJOURNMENT**

**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, August 13<sup>th</sup>, 2013 at 6:30 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.*

The purpose of the proposed Official Plan amendment is to change the land use designation on a vacant 1.2 hectare (3 acre) parcel of land located on the east side of Oldcastle Side Road (5550 Oldcastle Side Road), approximately 200 metres south of its intersection with Highway No. 3 (see Key Map for location) from "General Commercial" to "Business Park". The proposed redesignation facilitates the reuse of the currently vacant property for a custom auto manufacturing/auto body repair facility and a contractor's yard with associated indoor/outdoor storage. The proposed uses will operate from the existing buildings on site.

A corresponding Zoning By-law amendment proposes to rezone the subject land from "Rural Commercial Zone (CR-15)" to "Industrial Zone (M1-22)" in order to permit the proposed uses.

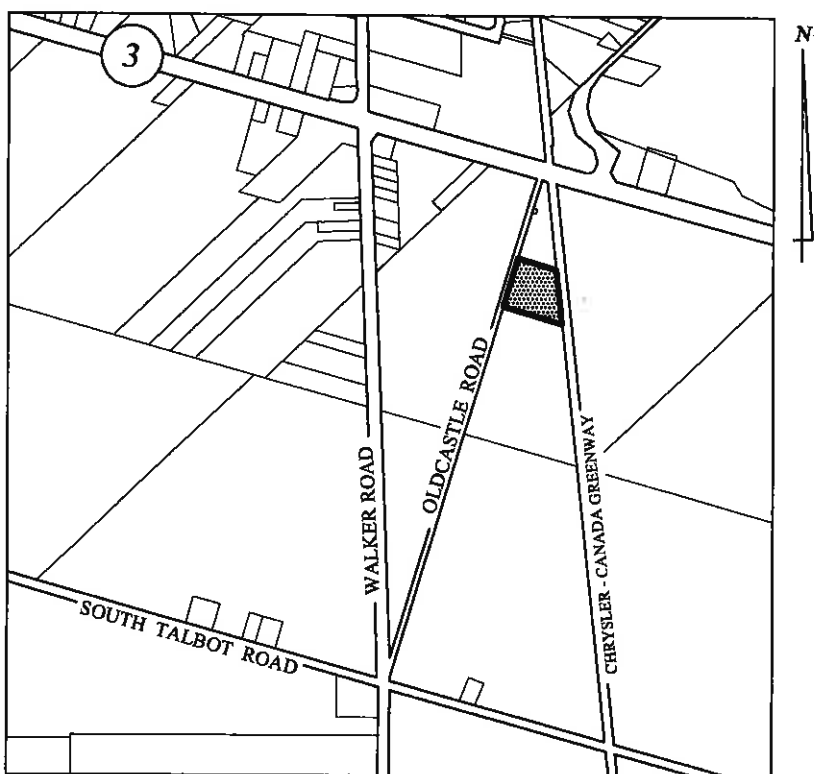
**ANY PERSON** may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan amendment and/or Zoning By-law amendment.

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 or 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 Ontario Municipal Board.

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 Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

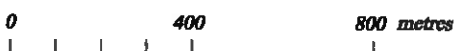
If you wish to be notified of the adoption of the proposed Official Plan amendment, or of the refusal to amend the Official Plan, you must make a written request to the Corporation of the Town of Tecumseh, c/o Laura Moy, Clerk, at the mailing address noted below.

**ADDITIONAL INFORMATION** relating to this matter is available for review during regular office hours at the Town Municipal Office on Lesperance Road.



DATED AT THE TOWN OF  
TECUMSEH THIS 10<sup>TH</sup> DAY  
OF JULY, 2013.

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



 Area Affected by the  
Proposed Amendments



THE CORPORATION OF THE  
TOWN OF TECUMSEH

PLANNING AND BUILDING SERVICES  
DEPARTMENT  
Report No. 19/13

7.6  
PRESENTED TO  
PUBLIC COUNCIL:  
AUGUST 13, 2013

11.10  
PRESENTED TO  
REGULAR COUNCIL:  
JULY 9, 2013

**TO:** Mayor and Members of Council

**FROM:** Chad Jeffery, MA, MCIP, RPP  
Manager, Planning Services/Senior Planner

**DATE:** July 3, 2013

**SUBJECT:** Towle Family Holdings, Purchase/Sale Agreement with  
Mr. Bill Dorner (Xcentrick Autosports)  
5550 Oldcastle Side Road  
Proposed Official Plan Amendment and Zoning By-Law Amendment  
OUR FILE: D19 TOWL2

---

**RECOMMENDATIONS**

It is recommended that:

1. The scheduling of a public meeting, to be held on Tuesday, August 13, 2013 at 6:30 p.m., in accordance with the *Planning Act* for the applications submitted by Mr. Bill Darmon (on behalf of Towle Family Holdings) to amend the Sandwich South Official Plan and Zoning By-law 85-15 by re-designating and re-zoning an approximately 1.2 hectare (3 acre) parcel of land located on the east side of Oldcastle Side Road (5550 Oldcastle Side Road), south of its intersection with Highway No. 3, from:
  - i. The current Official Plan land use designation of "General Commercial" to "Business Park"; and
  - ii. The current zoning of "Rural Commercial Zone (CR-15)" to a site specific "Industrial Zone (M1)"in order to permit the proposed use of the land for an automobile repair facility and a contractor's yard with associated indoor/outdoor storage, be authorized;
2. A draft Official Plan Amendment and Zoning By-law Amendment for consideration at the public meeting and the subsequent Regular Council meeting, be prepared.

**BACKGROUND**

The subject property is located on the east side of Oldcastle Side Road (5550 Oldcastle Side Road), approximately 200 metres south of its intersection with Highway No. 3. It is immediately abutted by the existing the Chrysler-Canada Greenway to the east, vacant commercial lands to the north and agricultural lands to the south and east (see Attachment 1).

**Planning and Building Services Report 19/13  
 Towle Family Holdings, Purchase/Sale Agreement with  
 Mr. Bill Dorner (Xcentrick Autosports)  
 5550 Oldcastle Side Road  
 Proposed Official Plan Amendment and Zoning By-Law Amendment  
 OUR FILE: D19 TOWL2  
 July 3, 2013**

---

## Proposal

In 2005, Council adopted a zoning by-law amendment that rezoned the subject property to the current "Rural Commercial Zone (CR-15)" in order to permit a school bus operation including associated dispatch offices, school bus repair facility and school bus fueling and parking. All uses that were permitted in the parent Rural Commercial Zone (CR) were also permitted. The school bus operation has since ceased and the property and its buildings have remained vacant for an extended period of time.

Mr. Bill Dorner, from Xcentrick Autosports ("the applicant"), on behalf of the current owner, Towle Family Holdings, has filed applications with the Town to amend the Sandwich South Official Plan and Zoning By-law. The nature of the amendments is to re-designate the subject property from "General Commercial" to "Business Park" and to rezone the property from "Rural Commercial Zone (CR-15)" to a site specific "Industrial Zone (M1)". The applicant has entered into an Agreement of Purchase and Sale with the owner and has been given authorization to submit the aforementioned planning applications.

The applicant is proposing the foregoing amendments to facilitate the re-use of the currently vacant 1.2 hectare (3 acre) property for a custom auto manufacturing/auto body repair facility and a contractor's yard with associated indoor/outdoor storage. The proposed uses will operate from the existing buildings located on site. The applicant has been advised by Building Services that alterations will be required to the existing buildings in order to meet the requirements of the Ontario Building Code for the proposed uses. The applicant is in the process of meeting these requirements.

## COMMENTS

### Provincial Policy Statement

The *Planning Act* requires that municipal councils, when making decisions on planning matters, "shall be consistent with" with the 2005 Provincial Policy Statement ("PPS").

Section 1.3 of the PPS outlines the goals that municipalities shall follow when dealing with employment areas. Section 1.3 states:

**" 1.3 EMPLOYMENT AREAS**

**1.3.1 Planning authorities shall promote economic development and competitiveness by:**

- a) *providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*
- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*

**Planning and Building Services Report 19/13**  
**Towle Family Holdings, Purchase/Sale Agreement with**  
**Mr. Bill Dörner (Xcentrick Autosports)**  
**5550 Oldcastle Side Road**  
**Proposed Official Plan Amendment and Zoning By-Law Amendment**  
**OUR FILE: D19 TOWL2**  
**July 3, 2013**

---

- c) *planning for, protecting and preserving employment areas for current and future uses."*

The PPS contemplates the type of employment uses proposed by the amendment applications. The PPS supports the development of a broad range of industrial activities and uses on lands identified for urban growth in identified settlement areas. The subject property is in the Oldcastle Hamlet, which is one of the three main urban settlement areas in the Town wherein urban development is directed. It is the opinion of the writer that the proposed uses for the subject property would be in keeping with the intent of the PPS.

#### Official Plan Designation / Policies

The subject property is currently designated "General Commercial" on "Schedule A-2" of the Sandwich South Official Plan (see Attachment 2).

The proposed "Business Park" designation encourages a range of industrial and commercial activities that can be appropriately integrated with the existing and proposed development pattern. When evaluating the merits of any amendment to the Official Plan, Section 6.17, Amendment Procedures, states that due regard be given to the following matters:

- i) ***the physical suitability of the land to be used for the proposed use;***

The proposed industrial use would be an extension of, and an enhancement to, the existing industrial fabric that exists within the Oldcastle Business Park. The property is suitably sized to accommodate the proposed uses and can be properly integrated within the surrounding area through the site plan control process (in the event additional development is proposed for the property).

- ii) ***the adequacy of all required services;***

The property is serviced by municipal water and stormwater drainage is provided by the Oldcastle Road and Branch drain. Sanitary service is provided by a privately owned septic facility that has been inspected and confirmed to be in good condition and capable of servicing the proposed uses.

- iii) ***the adequacy of the road system to accommodate the projected traffic volume increases;***

The subject property is located on Oldcastle Road, approximately 200 metres south of its intersection with Highway No. 3. Highway No. 3 is a key east-west arterial. It is anticipated that traffic volumes resulting from the proposed use would be similar, if not lower than other uses that could locate on the property under the current zoning. As noted, the previous use of the site was a school bus dispatch/depot centre. As opposed to the previous bussing use or a retail/commercial establishment, the proposed uses of a custom auto manufacturing/auto body repair facility and a

**Planning and Building Services Report 19/13**  
**Towle Family Holdings, Purchase/Sale Agreement with**  
**Mr. Bill Dorner (Xcentrick Autosports)**  
**5550 Oldcastle Side Road**  
**Proposed Official Plan Amendment and Zoning By-Law Amendment**  
**OUR FILE: D19 TOWL2**  
**July 3, 2013**

---

contractor's yard would generate low volumes of traffic. It is the opinion of Administration that the proposed uses can be accommodated by the road system.

**iv) *the compatibility of the proposed use with existing and potential future uses in the surrounding area;***

The subject property is situated within an area of primarily vacant commercial lands and agricultural lands that are identified for future urban uses. More specifically, the property is abutted by:

- vacant commercial lands to the immediate north;
- a residential dwelling located on a large agricultural lot, to the west and south (on lands that are zoned Agricultural, but identified for future urban development in the Official Plan). The residential homes are located approximately 200 metres and 850 metres, respectively, away from the subject property; and
- the Chrysler-Canada Greenway to the immediate east.

In addition, the subject property is subject to site plan control. This will enable the Town to use the site plan control process in the event any future additional development is proposed for the site.

**v) *the need for the additional land to accommodate the proposed use/facilities.***

The subject property has the locational and structural attributes that would lend itself to industrial type uses such as those the applicant is proposing. In addition, the subject property is already identified as a property in which urban land uses should be permitted.

Based on the foregoing, it is the opinion of the writer that, subject to addressing the concerns of interested stakeholders, if any, the proposed amendment conforms to the policies of the Sandwich South Official Plan.

**Zoning**

The subject property is zoned "Rural Commercial Zone (CR-15)" (see Attachment 3). In addition to the general list of uses permitted in the CR Zone, the CR-15 zone permits a school bus operation including associated dispatch offices, school bus repair facility and school bus fueling and parking. The property is proposed to be rezoned to a site specific Industrial Zone (M1) to permit the aforementioned proposed uses.

**Summary**

In summary, it is the opinion of the writer, along with Town Administration, that the lands are suitable for the proposed industrial uses and 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, if any,



**Planning and Building Services Report 19/13  
Towle Family Holdings, Purchase/Sale Agreement with  
Mr. Bill Dorner (Xcentrick Autosports)  
5550 Oldcastle Side Road  
Proposed Official Plan Amendment and Zoning By-Law Amendment  
OUR FILE: D19 TOWL2  
July 3, 2013**

---

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.

### **CONSULTATIONS**

The application was reviewed at recent Planning Staff Review meeting(s) by:

Planning and Building Services  
Public Works and Environmental Services  
Fire and Emergency Services

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **LINK TO STRATEGIC PRIORITIES**

Identifying and facilitating development of appropriate public and/or private lands to support growth, assessment and changing needs has been identified as a key strategic priority.

**Planning and Building Services Report 19/13  
Towle Family Holdings, Purchase/Sale Agreement with  
Mr. Bill Dornier (Xcentrick Autosports)  
5550 Oldcastle Side Road  
Proposed Official Plan Amendment and Zoning By-Law Amendment  
OUR FILE: D19 TOWL2  
July 3, 2013**

---

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



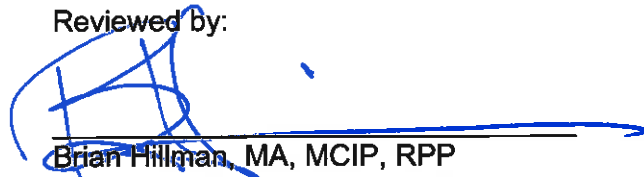
Enrico De Cecco, BA (Hons.), MCIP, RPP  
Junior Planner

Reviewed by:



Chad Jeffery, MA, MCIP, RPP  
Manager, Planning Services/Senior Planner

Reviewed by:



Brian Hillman, MA, MCIP, RPP  
Director of Planning and Building Services

Reviewed by:



Dan Piescic, P. Eng.,  
Director, Public Works and Environmental  
Services

Recommended by:



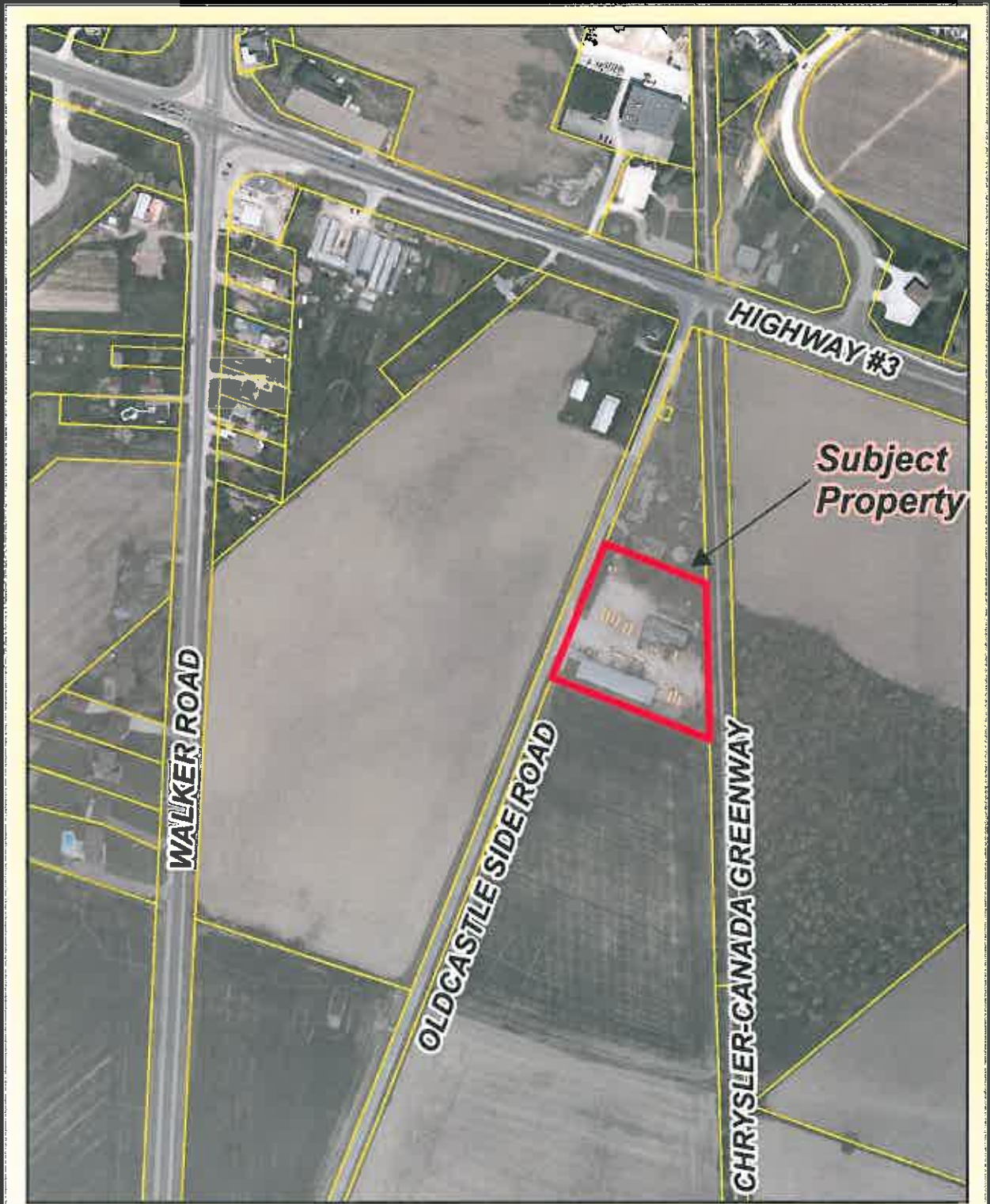
Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

ED

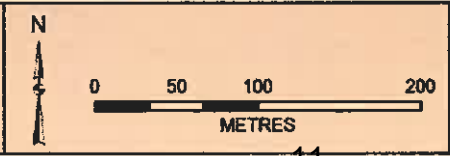
- Attachment(s):
1. Map 1 – Property Location
  2. Official Plan Map
  3. Zoning Map 1

File Name (R:\ZBA & OPA APPLICATIONS\D19 TOWL2\Planning Report 19-13 - D19 TOWL2 - Towle Family Holdings  
PSA Xcentrick Autosports OPA and ZBA.docx

**Planning and Building Services Report 19/13**  
**Towle Family Holdings, Purchase/Sale Agreement with**  
**Mr. Bill Dorner (Xcentrick Autosports)**  
**5550 Oldcastle Side Road**  
**Proposed Official Plan Amendment and Zoning By-Law Amendment**  
**OUR FILE: D19 TOWL2**  
**July 3, 2013**

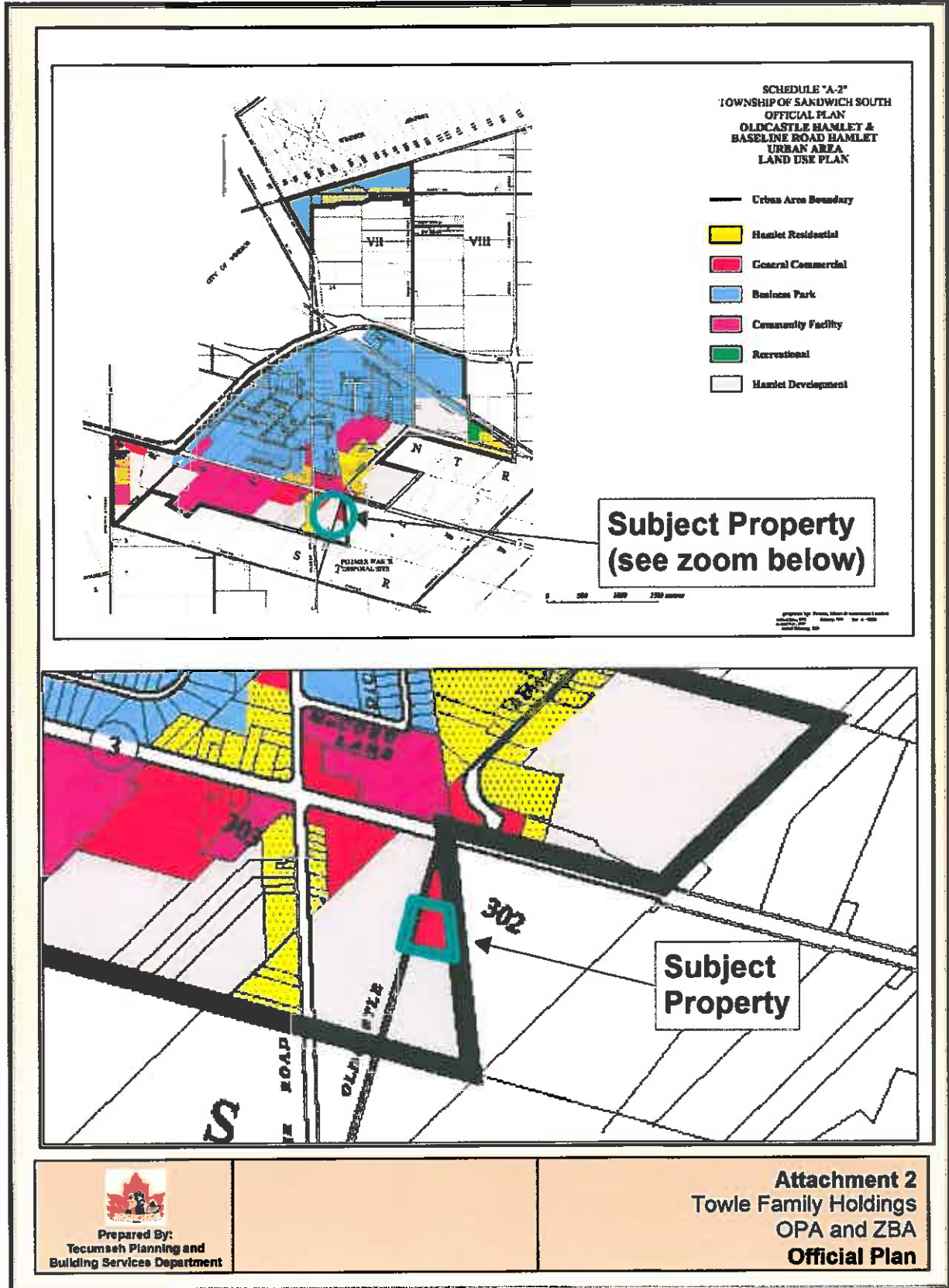


  
Prepared By:  
Tecumseh Planning and  
Building Department

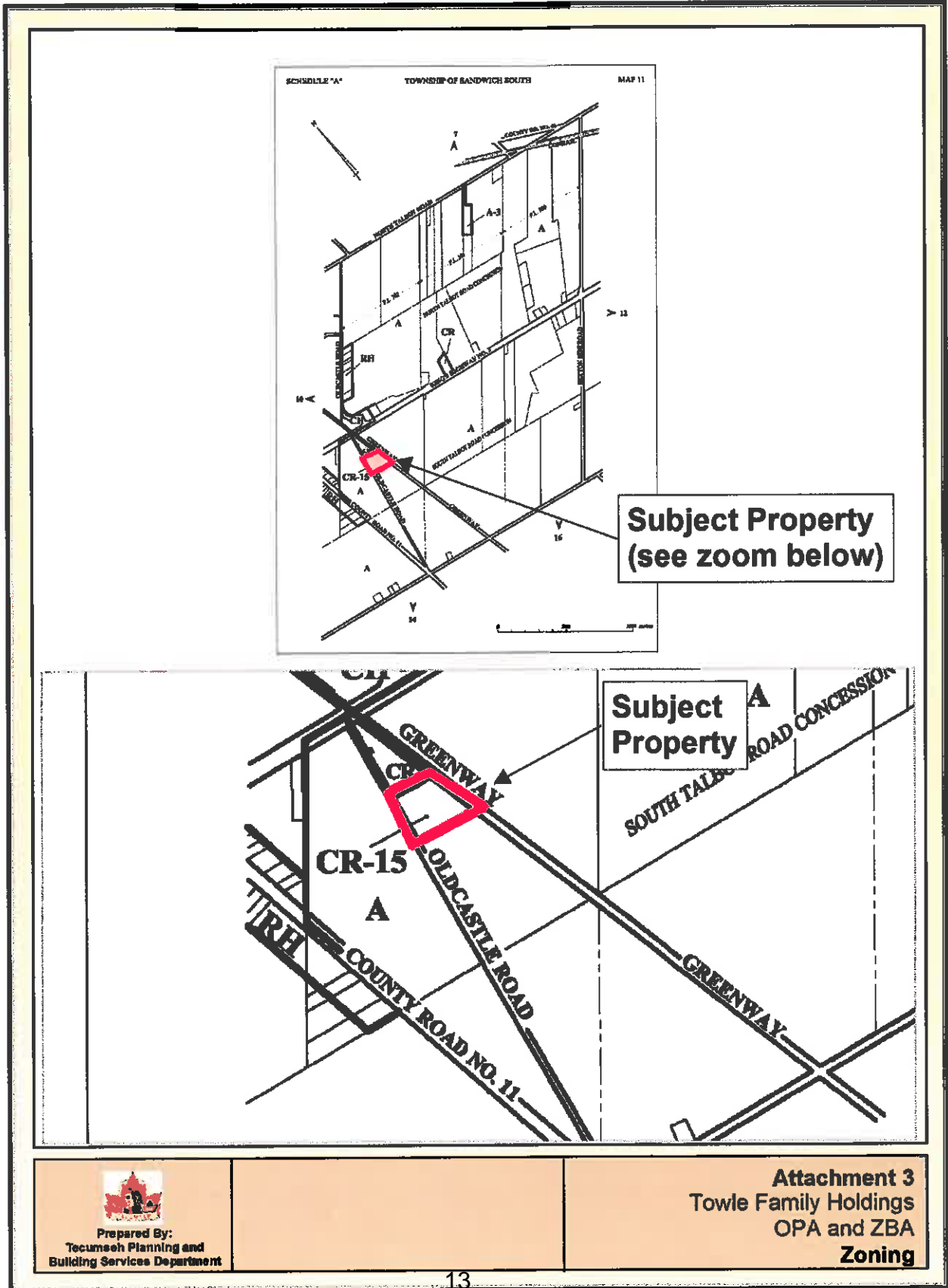


**Attachment 1**  
**Towle Family Holdings**  
**OPA and ZBA**  
**Property Location**

**Planning and Building Services Report 19/13**  
**Towle Family Holdings, Purchase/Sale Agreement with**  
**Mr. Bill Dorner (Xcentrick Autosports)**  
**5550 Oldcastle Side Road**  
**Proposed Official Plan Amendment and Zoning By-Law Amendment**  
**OUR FILE: D19 TOWL2**  
**July 3, 2013**



**Planning and Building Services Report 19/13**  
**Towle Family Holdings, Purchase/Sale Agreement with**  
**Mr. Bill Dorner (Xcentrick Autosports)**  
**5550 Oldcastle Side Road**  
**Proposed Official Plan Amendment and Zoning By-Law Amendment**  
**OUR FILE: D19 TOWL2**  
**July 3, 2013**





360 Fairview Avenue West, Suite 311, Essex, ON, Canada, N8M 1Y6 | P 519-776-5209 | F 519-776-8688 | erca.org | ourgreenlegacy.org

2013 Board of Directors July 18, 2013

**Town of Amherstburg**  
Robert Fillon  
John Sutton

**Town of Essex**  
Sherry Bondy  
John Scott

**Town of Kingsville**  
Gord Queen  
Tamara Stomp

**Town of Lakeshore**  
Al Fazio  
Len Janisse

**Town of Lasalle**  
Sue Desjarlais  
Ray Renaud

**Municipality of Leamington**  
Rick Atkin  
Larry Verbeke

**Township of Pelee**  
Rick Masse

**Town of Tecumseh**  
Joe Bachetti - Chair  
Rita Ossington

**City of Windsor**  
Percy Hatfield - Vice Chair  
Ron Jones  
Hilary Payne  
Ed Sleiman

**General Manager / Secretary Treasurer**  
Richard Wyma

Member of



7.6	PRESENTED TO PUBLIC COUNCIL:  AUGUST 13, 2013
-----	--

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

Dear Ms. Moy:

RE: Notice of Public Meeting to Consider Official Plan Amendment and Zoning By-law Amendment (OPA-ZBA) - Lot 302, Concessino Talbot Road South Side (Sandwich); 5550 Oldcastle Road; ARN: 374447000008900; PIN: 752330021; Regulated Area: Oldcastle Road Drain.

The following is provided for your information and consideration as a result of our review of the above referenced Notice of Public Meeting to Consider Official Plan Amendment and Zoning By-law Amendment (OPA-ZBA).

For the owner's information, we note that the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). Prior to any construction or site alteration, or other activities affected by the regulations, the property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority.

We note that we have reviewed the proposal and have no concerns relating to stormwater management. As outlined in the circulation the purpose of the amendment is to change the land use designation and zoning on the parcel of land and no new buildings or site alterations are proposed at this time.

The subject property is adjacent to (within 120 metres of), a natural heritage feature (CNHS Site #13) that may meet the criteria for significant woodland and/or significant wildlife habitat under the Provincial Policy Statement (PPS). Section 2.1.6 of the PPS states "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the ecological functions of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions". This demonstration of no negative impact is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA).

.../2



100% Post-Consumer Recycled Paper

Ms. Laura Moy, Clerk

July 18, 2013

Page 2

However, because there is no change in land use and because of the presence of the intervening ERCA Greenway property, no negative impacts are anticipated and therefore, **we have no concerns with respect to natural heritage issues associated with this application.**

We note that the subject parcel is adjacent to a property which is owned and/or managed by the Essex Region Conservation Authority. Prior to any construction and/or site alteration activities adjacent to this property, or for general information regarding this ERCA-owned property, please contact Kevin Money, *Director, Conservation Services* at (519) 776-5209 ext. 351.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA office by phone at (519) 776-5209 or by fax at (519) 776-8688.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Byrne', with a long horizontal flourish extending to the right.

Tim Byrne  
*Director, Watershed Management Services*  
/mn

7.6	PRESENTED TO PUBLIC COUNCIL:  AUGUST 13, 2013
-----	--

I am submitting to you a written opposition to the proposed official Plan amendment and corresponding Zoning By-Law amendment to change the land use designation on the parcel of land located at 5550 Oldcastle side road.

Thank You.  
Judy Robson



<b>7.6</b>
PRESENTED TO PUBLIC COUNCIL: AUGUST 13, 2013

<b>13.11</b>
PRESENTED TO REGULAR COUNCIL: AUGUST 13, 2013

**TOWN OF TECUMSEH**

**AMENDMENT NO. 13**

**TO THE OFFICIAL PLAN FOR THE TOWN OF TECUMSEH**

**FOR THOSE LANDS IN THE FORMER TOWNSHIP OF SANDWICH SOUTH**

(N PT LT 302, Concession STR - 5550 Oldcastle Side Road)

August 2013

Prepared by  
Town of Tecumseh Planning and Building Services Department  
(519) 735-2184

**TOWN OF TECUMSEH**  
**AMENDMENT NO. 13 TO THE OFFICIAL PLAN**  
**FOR THE TOWN OF TECUMSEH**  
**FOR THOSE LANDS IN THE FORMER TOWNSHIP OF SANDWICH SOUTH**

TABLE OF CONTENTS

	<u>Page</u>
OFFICIAL DOCUMENTATION PAGES	i
- The Clerk's Certificate Page	i
- The Approval Page	ii
- The Adopting By-law	iii
THE CONSTITUTIONAL STATEMENT	iv
PART A - THE PREAMBLE	1
Purpose and Basis of the Amendment	1
PART B - THE AMENDMENT	2
Details of the Amendment	2
Implementation of the Amendment	2
PART C - THE APPENDICES	3
Appendix 1 - Planning and Land Use Analysis	3
Appendix 2 - Public Participation	3

**TOWN OF TECUMSEH**  
**AMENDMENT NO. 13 TO THE OFFICIAL PLAN**  
**FOR THE TOWN OF TECUMSEH**  
**FOR THOSE LANDS IN THE FORMER TOWNSHIP OF SANDWICH SOUTH**

I, Laura Moy, Clerk of the Town of Tecumseh, certify that this is a/the original/duplicate original/certified copy of Amendment No. 13 to the Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South.

---

Laura Moy, Clerk

This Amendment No. 13 to the Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South, which has been adopted by the Council for the Corporation of the Town of Tecumseh, is hereby approved in accordance with Section 21 of the *Planning Act, R.S.O. 1990* as Amendment No. 13 to the Official Plan for the former Township of Sandwich South.

\_\_\_\_\_  
DATE

TOWN OF TECUMSEH  
BY-LAW NUMBER 2013-38

NOW THEREFORE the Council of the Corporation of the Town of Tecumseh in accordance with the provisions of Section 21 of the *Planning Act, R.S.O. 1990* hereby enacts as follows:

1. Amendment No. 13 to the Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South, consisting of the attached explanatory text and map schedule, is hereby adopted;
2. That the Clerk is hereby authorized and directed to make application to the County of Essex for approval of Amendment No. 13 to the Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South;
3. This By-law shall come into force and take effect on the day of the final passing thereof.

**Enacted and passed this 13<sup>th</sup> day of August, 2013.**

Signed \_\_\_\_\_  
CLERK

Signed \_\_\_\_\_  
MAYOR

CORPORATE SEAL  
OF MUNICIPALITY

Certified that the above is a true copy of By-law No. **2013-38** passed by the Council of the Town of Tecumseh on the **13<sup>th</sup> day of August, 2013.**

Signed \_\_\_\_\_  
CLERK

## THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following explanatory text and map schedule, constitutes Amendment No. 13 to the Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South.

Also attached is PART C - THE APPENDICES which does not constitute part of this amendment. These appendices contain the planning analysis and public involvement associated with this amendment.

## OFFICIAL PLAN AMENDMENT NO. 13

### PART A - THE PREAMBLE

#### Purpose and Basis of the Amendment

The purpose of the proposed Official Plan amendment is to change the land use designation on a 1.2 hectare (3.0 acre) parcel of land situated on the east side of Oldcastle Side Road (5550 Oldcastle Side Road), approximately 200 metres south of its intersection with Highway No. 3 (see Map One for location) from "General Commercial" to "Business Park". The proposed redesignation facilitates the reuse of the currently vacant property for a custom automobile restoration/body repair facility and a contractor's yard with associated indoor/outdoor storage. The proposed uses will operate from the existing buildings on site

The planning and land use analysis for the changes being made as part of OPA No. 13 are described in the documents referred to in the Planning Analysis section of the amendment.

MAP ONE - LOCATION OF SUBJECT PROPERTY  
OFFICIAL PLAN AMENDMENT NO.13  
N PT LT 302, CONCESSION STR  
5550 OLDCASTLE SIDE ROAD  
TOWN OF TECUMSEH



AREA SUBJECT TO PROPOSED AMENDMENT



## PART B THE AMENDMENT

### Details of the Amendment

The Official Plan for the Town of Tecumseh, for those lands in the former Township of Sandwich South, as amended, is hereby further amended as follows:

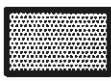
1. Schedule "A-2", Township of Sandwich South Official Plan, Tecumseh Hamlet Urban Area Land Use Plan, is hereby amended by changing the land use designation for those lands as depicted on Schedule "A" attached hereto from "General Commercial" to "Business Park".

### Implementation of the Amendment

This official plan amendment will be implemented through a corresponding zoning by-law amendment, being completed concurrently, which will place the lands in a site specific "Industrial Zone (M1-22)" in order to permit the proposed uses and recognize exiting building setbacks.

SCHEDULE "A"  
OFFICIAL PLAN AMENDMENT NO.13  
N PT LT 302, CONCESSION STR  
5550 OLDCASTLE SIDE ROAD  
TOWN OF TECUMSEH



 CHANGE FROM "GENERAL COMMERCIAL"  
TO "BUSINESS PARK"

## PART C THE APPENDICES

### Appendix 1 - Planning and Land Use Analysis

The planning and land use analysis in support of this Official Plan Amendment is contained within the following attached documents:

- Planning and Building Services Report No. 19/13 dated July 3, 2013

### Appendix 2 - Public Participation

The minutes of the public meeting held on Tuesday, August 13, 2013 are attached for information purposes.

**THE CORPORATION OF THE TOWN OF TECUMSEH**

**BY-LAW NUMBER 2013-39**

Being a by-law to amend By-law 85-15,  
the Town's Comprehensive Zoning By-law  
for those lands in the former  
Township of Sandwich South

(N PT LT 302, Concession STR --5550 Oldcastle Road)

**WHEREAS** By-law No. 85-15 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Tecumseh, for lands situated within the former Township of Sandwich South;

**AND WHEREAS** the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 85-15;

**AND WHEREAS** this By-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Township of Sandwich South, as amended by Official Plan Amendment No. 13;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH ENACTS AS FOLLOWS:**

1. That Schedule "A", to By-law 85-15, as amended, is hereby further amended by changing the zoning classification for those lands as depicted on Schedule "A" attached hereto and forming part of this by-law from "Rural Commercial Zone (CR-15)" to "Industrial Zone (M1-22)".
2. That By-law 85-18, Section 14, Industrial Zone (M1) Regulations, as amended, is hereby further amended by the addition of a new subsection 14.3.22 to immediately follow subsection 14.3.21 and to read as follows:

"14.3.22      Defined Area M1-22 as shown on Schedule "A", Map 11 of this By-Law.

a)      Permitted Uses

- i)      custom automobile restoration and body repair facility;
- ii)     contractor's yard with associated indoor/outdoor storage;
- iii)    accessory uses.

b)      Permitted Buildings and Structures

- i)      buildings and structures for the uses permitted in subsection 14.3.22a);
- ii)     accessory buildings and structures for the uses permitted in subsection 14.3.22a).

c)      Zone Provisions

- i)      all building requirements for existing buildings and structures shall be as they existed as of the date of passing of the By-law incorporating subsection 14.3.22 into the Zoning By-law;
- ii)     all additions to existing buildings and structures and all

<b>7.6</b>	<b>13.11</b>
PRESENTED TO PUBLIC COUNCIL: AUGUST 13, 2013	PRESENTED TO REGULAR COUNCIL: AUGUST 13, 2013

new buildings and structures shall comply with subsection 14.1.3 to 14.2.5, inclusive.”

3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990*.

**READ** a first, second, third time and finally passed this 13<sup>th</sup> day of August, 2013.

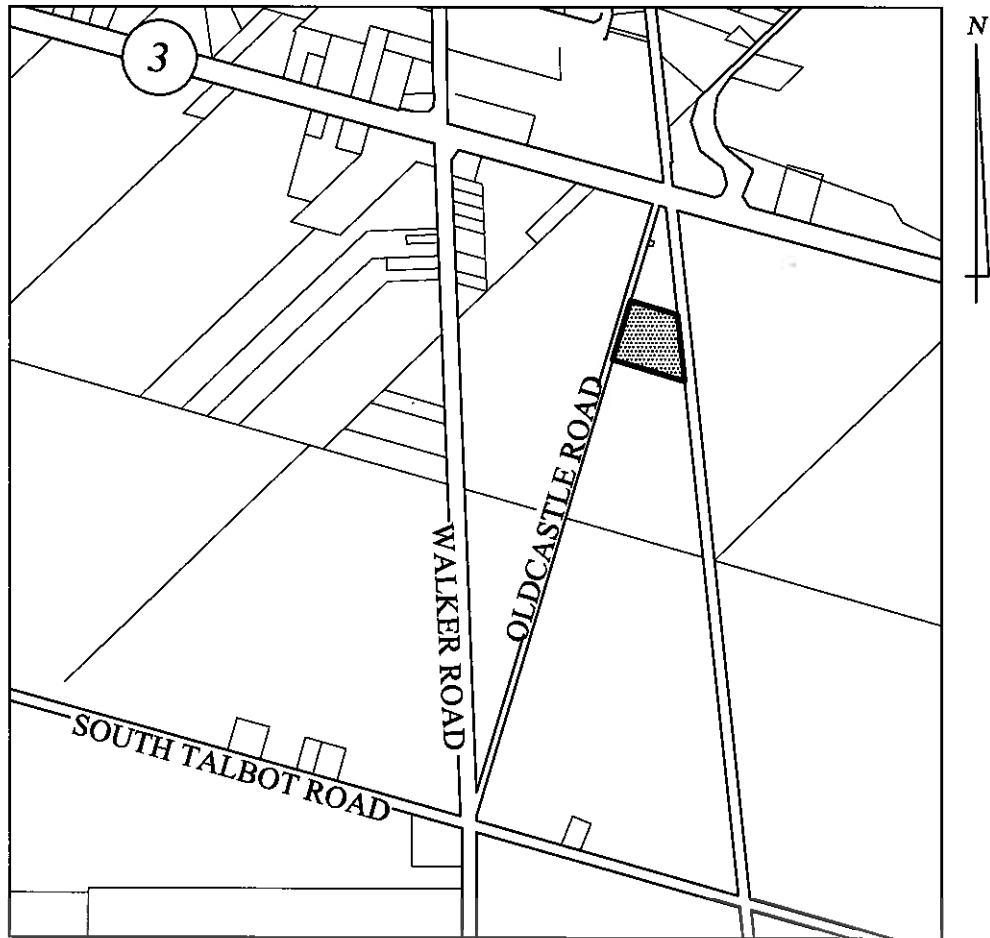
---

Gary McNamara, Mayor

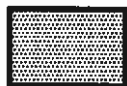
---

Laura Moy, Clerk

SCHEDULE "A"  
N PT LT 302, CONCESSION STR  
5550 OLDCASTLE SIDE ROAD  
TOWN OF TECUMSEH



0 400 800 metres



Change from "CR-15" to "M1-22"

This is Schedule "A" to By-law No. 2013-39.  
Passed the 13TH day of AUGUST, 2013.

Signed

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk