



**TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING
AGENDA**

Monday, June 26, 2017

5:30 PM

Council Chambers

271 Sandwich Street South, Amherstburg, ON, N9V 2A5

For information pertaining to this agenda or to arrange for any additional accessibility needs please contact Tammy Fowkes, Deputy Clerk at tfowkes@amherstburg.ca

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Pages

- 1. CALL TO ORDER**
- 2. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

3. SPECIAL PLANNING REPORTS

3.1 Temporary Use Zoning By-law Amendment for vacant land south of 9834 Walker Road

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It is recommended that:

1. The report from the Manager of Planning Services dated May 24, 2017, regarding the Public Meeting to consider a Temporary Use Zoning By-law Amendment for vacant land south of 9834 Walker Road, **BE RECEIVED**; and,
2. Pending Council consideration of written and oral comments received that By-law 2017-52 being a by-law to permit the temporary use of the site located at the vacant parcel south of 9834 Walker Road, **BE CONSIDERED** at the next available future Council meeting.

4. ADJOURNMENT

That Council rise and adjourn at p.m.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING, DEVELOPMENT & LEGISLATIVE SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Rebecca Belanger	Report Date: May 24, 2017
Author's Phone: 519 736-5408 ext. 2124	Date to Council: June 26, 2017
Author's E-mail: rbelanger@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Temporary Use Zoning By-law Amendment for vacant land south of 9834 Walker Road

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Planning Services dated May 24, 2017, regarding the Public Meeting to consider a Temporary Use Zoning By-law Amendment for vacant land south of 9834 Walker Road, **BE RECEIVED**; and,
2. Pending Council consideration of written and oral comments received that By-law 2017-52 being a by-law to permit the temporary use of the site located at the vacant parcel south of 9834 Walker Road, **BE CONSIDERED** at the next available future Council meeting.

2. BACKGROUND:

The Town is in receipt of an application for a Temporary Use By-law Amendment, under Section 39 of the Planning Act for property located to the south of 9834 Walker Road. The applicant is requesting the permission to locate an accessory building on the property prior to locating a single detached dwelling on the subject lands. An aerial view map showing the location of the subject lands is attached to this report (Map No. 1).

3. DISCUSSION:

The subject lands affected by the proposed amendment are described as Parts 1 and 2 12R-12788, Pt Lot 12, Concession 8, municipally known as south of 9834 Walker Road.

The property presently has no municipal address. The property has 30.5 m frontage (approx.) on Walker Road and 64.6 m depth with a total area of 0.49 of an acre ±.

The subject lands are designated Agricultural in the Official Plan and Agricultural (A) in the Town of Amherstburg's Zoning By-law 1999-52, as amended. The Agricultural land use policies allow for a single detached dwelling as a permitted use in the Agricultural Policy Area subject to setbacks.

The requested Temporary Use By-law proposes to construct an accessory use building on the undersized agricultural lot prior to the construction of the single detached dwelling within the required three year timeframe. The proposed use of the building is for storage to the residential lot.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality with regard to risk and liability.

5. FINANCIAL MATTERS:

The cost associated with the application and planning processes are the responsibility of the developer. An application fee of \$1000 was submitted to the Town to process the application.

6. CONSULTATIONS:

The proposed Temporary Use By-law Amendment was published and circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations.

The Essex Region Conservation Authority (ERCA) provided correspondence which stated that the subject lands are not regulated under Section 28 of the Conservation Authorities Act and that they have no objection to the application.

The Building Department identified no objection to the application.

The Public Works and Engineering Department identified no objection to the application.

7. CONCLUSION:

It is recommended that comments received at this public meeting be summarized into a report and brought back for Council's information and consideration at an upcoming Council meeting.



Rebecca Belanger
Manager of Planning Services

RLB

DEPARTMENTS/OTHERS CONSULTED:

Name: Office of Engineering and Public Works
Phone #: 519 736-3664 ext. 313

Name: Building Services
Phone #: 519 736-5408 ext. 4136

Name: Fire Services
Phone #: 519 736-6500

Name: Union Gas
Email: ONTUGLandsINQ@uniongas.com

Name: Ontario Power Generation
Email: Executivevp.lawanddevelopment@opg.com

Name: Essex Region Conservation Authority
Phone #: 519 776-5209

Name: Windsor Essex Catholic District School Board
Phone #: 519 253-2481

Report Approval Details

Document Title:	ZBA-9-17 9834 Walker Road Drouillard Temporary Use By-law .docx
Attachments:	- ZBA-9-17-Attachments.pdf
Final Approval Date:	Jun 19, 2017

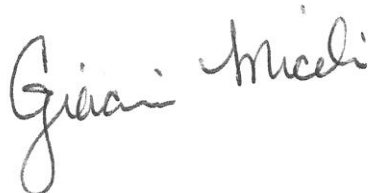
This report and all of its attachments were approved and signed as outlined below:



Mark Galvin - Jun 14, 2017 - 3:20 PM



Justin Rousseau - Jun 14, 2017 - 3:43 PM



John Miceli - Jun 15, 2017 - 8:40 AM



Paula Parker - Jun 19, 2017 - 1:55 PM

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2017-52**

**By-law to Temporarily Amend Zoning By-law No. 1999-52
N/S Walker Road, south of 9834 Walker Road, Amherstburg**

WHEREAS By-law 1999-52, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Amherstburg;

AND WHEREAS the Council of the Town of Amherstburg deems it appropriate and in the best interest of proper planning to amend By-law 1999-52, as herein provided under Sections 34 and 39 of the Planning Act for a Temporary Use;

AND WHEREAS this By-law conforms to the Official Plan for the Town of Amherstburg;

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg enacts as follows:

1. Schedule "A", Map 9 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "A to T-A-40" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Temporary Special Provision Agricultural (T-A-40) Zone".
2. Section 26(4) Special Provisions of the Town of Amherstburg Zoning By-law 1999-52 is hereby amended by adding a new clause (ee) after clause (dd) as follows:

“(ee) T-A-40 (Temporary Accessory Structure)

Notwithstanding any provisions of this By-law to the contrary, within any area designated T-A-40 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Permitted Uses
 1. A temporary accessory structure (30 ft by 40 ft) without a dwelling unit to be used until the dwelling unit is constructed;
 2. Any use permitted in an A Zone.
- (ii) Zone Provisions

All lot and building requirements for the permitted use and for the uses permitted in Subsection 26(4)(ee) of this By-law shall be in accordance with 26(3) and 26(4) of this By-law.
- (iii) Temporary (T) Zone

The zone symbol on Schedule "A" is preceded by a "T" which stands for a Temporary Zone as permitted under Section 39 of the Planning Act. When the date of expiry specified in subclause (iv) below is reached, and if no extension has been granted by Council, the zoning of the land shall revert to the base "A" Zone and the use permitted by the Temporary Zone that is not permitted by the base "A" Zone shall be removed.
- (iv) Expiry

The Permitted Uses and Zone Provisions of the T-A-40 Zone shall expire on June 26, 2020.

3. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 39 of the Planning Act, R.S.O. 1990, c.P. 13.

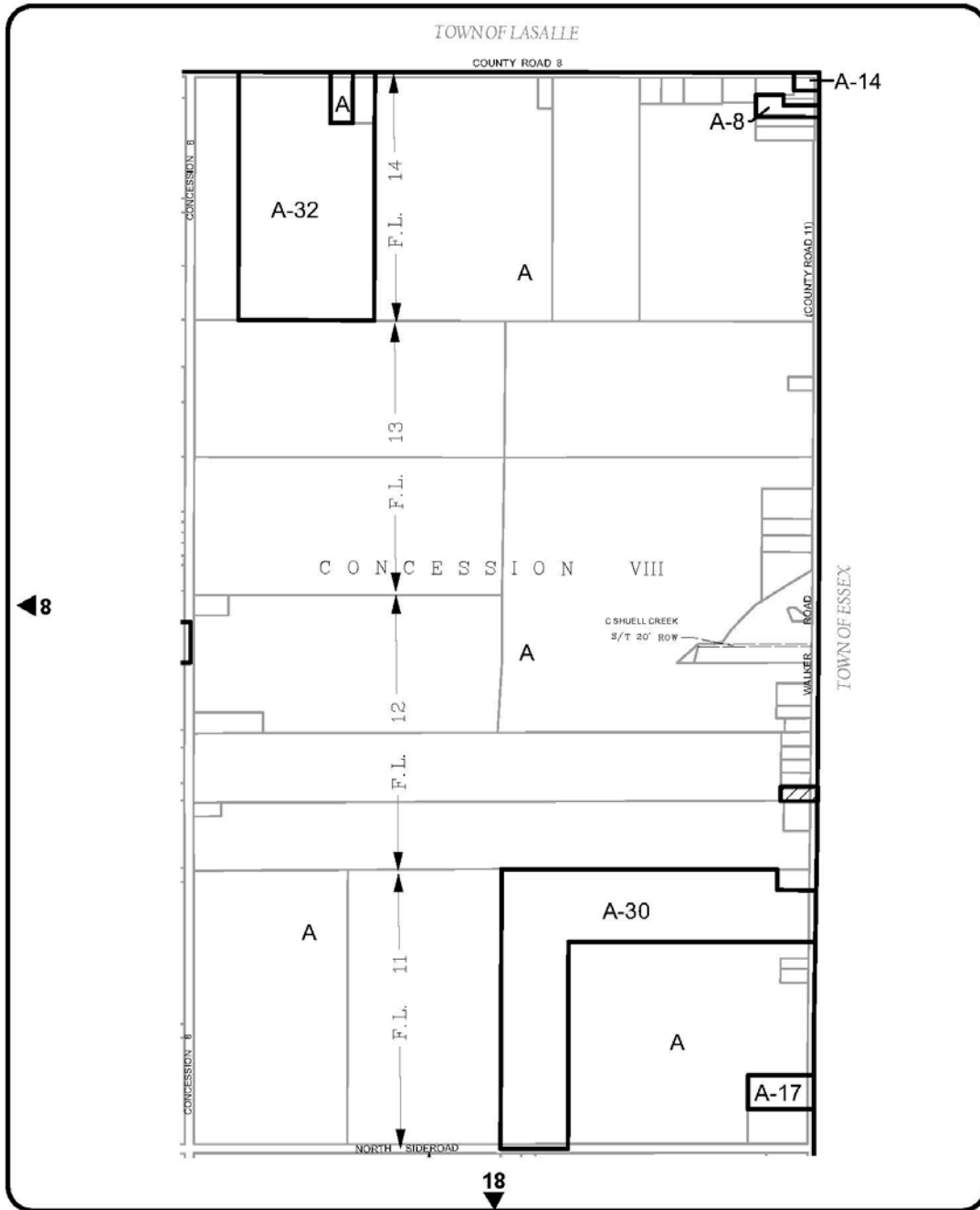
Read a first, second and third time and finally passed this 26th day of June, 2017.

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2017-52
 A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
MAP 9
 ZONING BY-LAW NO. 1999-52

A to T-A-40 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

Jerome Drovillard
9834 Walker Rd.
(East)





From: [Ron Meloche](#)
To: [Sarah Sinasac](#)
Cc: [Lee Tome](#)
Subject: RE: Notice of Public Meeting June 26
Date: Monday, June 05, 2017 10:06:40 AM

Good morning Sarah, Fire has no objection to the application. Thanks Ron

Ron Meloche

Assistant Deputy Chief / Fire Prevention & Inspection Officer

271 Sandwich St. South, Amherstburg, ON, N9V 2A5
Tel: 519-736-6500 Fax: 519-736-3683 TTY: 519-736-9860



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From: Sarah Sinasac [mailto:ssinasac@amherstburg.ca]
Sent: June-05-17 8:58 AM
To: Rebecca Belanger; Antonietta Giofu; Bruce Bratt; Dave Attwood; Denise Kimmerly-Machier; ERCA Notice & Applications (planning@erca.org); Giovanni (John) Miceli; Lee Tome; Mark Alzner; Mark Galvin; Michelle Lavin-Faucher; Ontario Power Generation Inc; Paula Parker; Ron Meloche; Shane McVitty; Stephen Brown; Tammy Fowkes; Todd Hewitt; Union Gas
Subject: Notice of Public Meeting June 26

Good morning,

As per Planning Act regulations please find attached the circulation of the Notice of Public Meeting for a proposed Zoning By-law Amendment in the Town of Amherstburg, for your information and comments.

Please provide the town with any comments by June 13th, 2017.

Best,
Sarah

Sarah Sinasac

3295 Meloche Rd., Amherstburg, ON, N9V 2Y8
Tel: 519-736-5408 x2134 Fax: 519-736-9859 TTY: 519-736-9860



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