



**TOWN OF AMHERSTBURG  
SPECIAL COUNCIL MEETING - PLANNING  
AGENDA**

**Electronic Meeting  
Public Participation via Livestream  
<https://www.amherstburg.ca/livestream>**

**Monday, November 23, 2020**

**5:00 PM**

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

Information will be gathered in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). All comments and communications received will become part of the public record unless you expressly request the Town to remove it. If you want to learn more about why and how the Town collects your information, write to the Town Clerk's Office, 271 Sandwich Street South, Amherstburg, ON N9V 2A5 or call 519-736-0012.

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**Pages**

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

### 3. SPECIAL PLANNING REPORTS

#### 3.1. Statutory Public Meeting to Consider a Zoning By-law Amendment for W/S Victoria Street South

3

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for W/S Victoria Street South (File ZBA-08-20), Zoning By-law 2020-064 **BE RECEIVED and SUMMARIZED** in a future report to Council.

### 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: Frank Garardo	Report Date: November 3, 2020
Author's Phone: 519 736-5408 ext. 2124	Date to Council: November 23, 2020
Author's E-mail: <a href="mailto:fgarardo@amherstburg.ca">fgarardo@amherstburg.ca</a>	Resolution #:

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider a Zoning By-law Amendment for W/S Victoria Street South

1. **RECOMMENDATION:**

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for W/S Victoria Street South (File ZBA-08-20), Zoning By-law 2020-064 **BE RECEIVED and SUMMARIZED** in a future report to Council.

2. **BACKGROUND:**

The Town is in receipt of an application for a Zoning By-law Amendment to By-law 1999-52, as amended under Section 34 of the Planning Act, R.S.O. 1990 c.P. 13 from property owner Coulson Design Build Inc. The 9393 sq ft parcel of land is situated on the west side of Victoria Street South, has no municipal address and is a severed parcel from 295 Simcoe Street (shown below as County Rd 18). The subject lands affected by the proposed amendment are described as as Part of Lot 3, Concession 1 designated as Part 2 on Registered Plan 12R-28316. The property has 88.52 ft frontage and 106.45 ft depth. The lands are designated Low Density Residential in the Town's Official Plan.

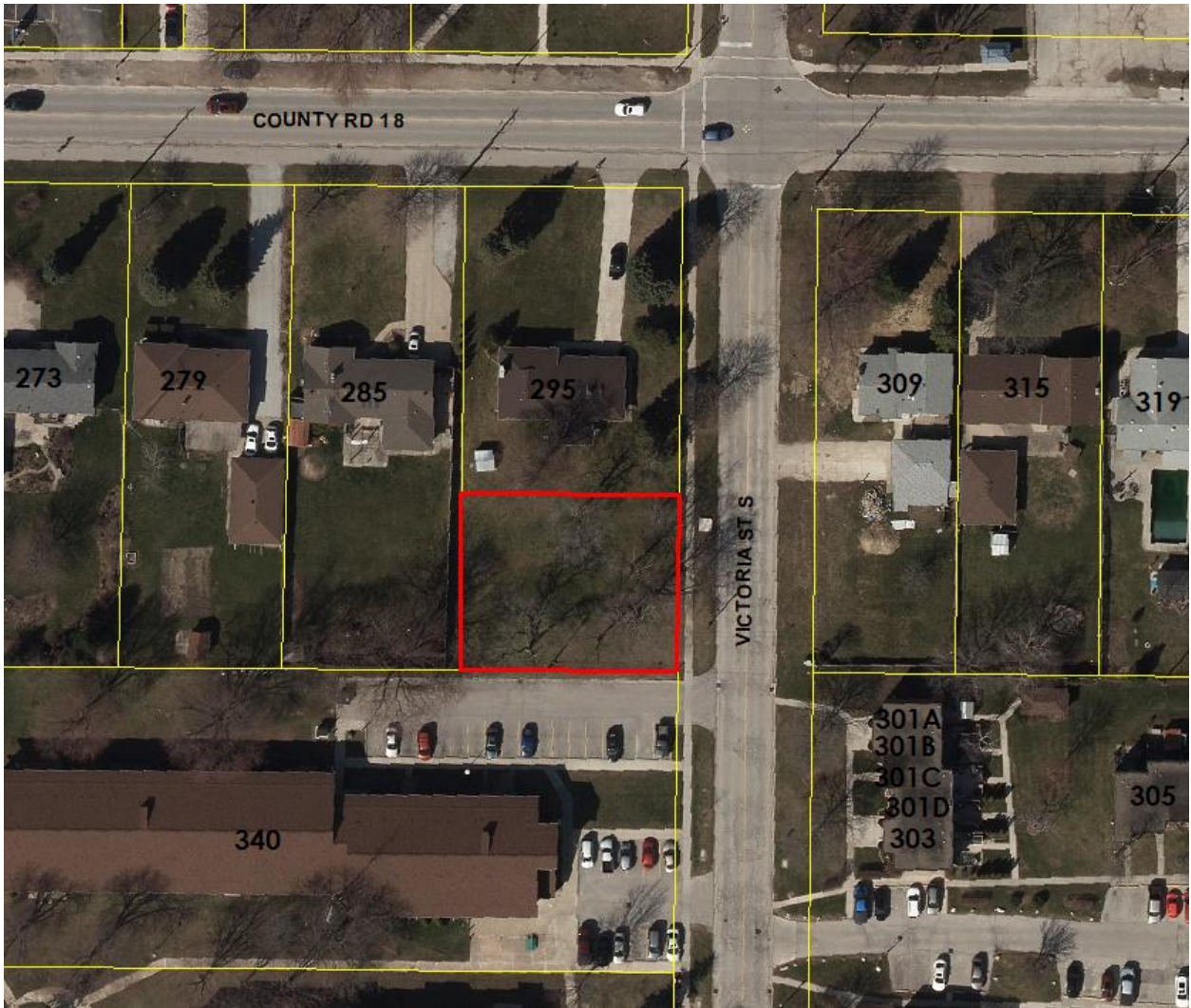


Figure 1: Aerial of W/S Victoria Street South

Adjacent land uses	OP designation/zoning Use/existing	Lot coverage
North	Low density residential/R1/ single detached	35%
South	Medium density residential/RM1/Multiple dwelling/townhomes	40%
East	Low density residential/R1/ single detached	35%
West	Low density residential/R1/ single detached	35%

**3. DISCUSSION:**

The Official Plan for the Town of Amherstburg designates the lands subject of the application as “Low Density Residential”. The rezoning conforms to the applicable Official Plan policies. The subject property has municipal sanitary sewers, storm networks and municipal water available for capacity and connections.

The subject property is currently zoned Residential First Density (R1) Zone.

The proposed Zoning By-law Amendment appears to be in conformity with the policies in the Town's Official Plan. The land is designated Low Density Residential. Section 4.3.1 of the Official Plan states:

*“Areas designated as Low Density Residential shall be limited to single detached, semidetached, duplex, or converted dwelling units, home occupation uses and public uses.”*

The applicant is proposing to re-zone the subject from Residential First Density (R1) Zone to Special Provision Residential Second Density (R2-7) Zone to allow for the development of a semi-detached dwellings with proposed maximum lot coverage of 45%.

## **Planning Analysis**

### **Provincial Policy Statement**

The proposed OPA and ZBA appear to be in conformity with the Provincial Policy Statement 2020 (PPS). The subject land is within a Settlement Area as defined within the PPS. Section 1.1.3.1 of the PPS states:

*Settlement areas shall be the focus of growth and development.*

Section 1.1.3.2 of the PPS states:

*Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

Section 1.1.1 of the PPS states:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The subject lands are located within the Town's Primary Settlement area and are designated Low Density Residential in the Town's Official Plan. The subject lands are an appropriate area for development due to their location within an existing built-up area of Town and their close proximity to existing services and infrastructure. The proposal will provide infill development that is consistent with the Low Density Residential designation.

### **County of Essex Official Plan**

The proposed Zoning By-law Amendment is consistent with the County of Essex Official Plan. The County Official Plan identifies the subject lands as within the Primary Settlement Area. For uses within the Settlement Area, local Official Plans are required to put in place site specific land use policies. The County OP Section 3.4.2.1 states:

- a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.*
- b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).*
- c) Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan.*

The proposed Zoning By-law Amendment is for subject lands that will have full municipal services and will provide a mixture of housing types in the area. The location of the subject site is in close proximity to higher density developments including the multi-unit residential development located directly to the south of the subject lands. The subject lands are in a walkable area and are in close proximity to existing retail and service lands located on Sandwich Street and Simcoe Street.

### **Town of Amherstburg Official Plan**

The Official Plan promotes the intensification of housing within the Settlement Area. The Goals for the various Residential areas throughout the Town include (Section 4.2.2):

- (1) To ensure that new development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;*
- (2) To encourage the development of a greater variety of housing types;*
- (3) To provide the opportunity for the provision of affordable housing in accordance with the Provincial Policy Statement and County of Essex Housing Study;*
- (4) To encourage the provision of an adequate supply of draft approved and/or registered lots and blocks on new plans of subdivision and/or registered lots which have been created in accordance with the policies of this Plan;*
- (5) To provide the opportunity to increase the housing supply through residential intensification in appropriate and selected Residential designations. Residential intensification may include infilling, accessory apartments, conversions and redevelopment;*

*(6) To encourage an adequate supply of new building lots to meet the anticipated demand for additional housing units over the next 25 year planning period as the capacity of the Town's services permit.*

The proposed semi-detached on the subject property meets many of the Town's residential goals as identified above and provides for additional housing within a built-up area with a mix of housing types. The subject lands were severed through the Committee of Adjustment on September 24, 2019 (application number B/25/19) and represent a form of infill development that is encouraged by the Town's Official Plan.

#### *4.2.3 Policies – Applicable to All Residential Designations*

*Section 4.2.3(3) of the Official Plan states:*

##### *Established Low Density Residential Areas*

*In established low density residential areas, the indiscriminate mixing of different housing types shall not be permitted, in the interest of protecting the stability of existing neighbourhoods. Redevelopment proposals will, to the satisfaction of Council, ensure that the residential character of the area will be maintained or enhanced and not present a burden to existing facilities and services.*

*Section 4.2.3(5) of the Official Plan states:*

##### *(5) Conservation and Rehabilitation of Existing Housing Stock*

*The conservation and rehabilitation of the existing housing stock shall be encouraged in order to maintain the supply of older housing and to preserve the physical, social, and economic character of stable residential areas. In existing residential neighbourhoods, the applicable Residential land use policies shall serve as guidelines for actions aimed at improving the neighbourhood and amenities and the housing and living conditions of residents.*

It is recommended in the Official Plan that the indiscriminate mixing of housing types in established low density neighbourhoods be discouraged and the physical characters be maintained. There may be areas in the Town, within existing neighbourhoods, where a rezoning for a semi-detached is not appropriate, even though the Low Density Residential designation permits semi-detached dwelling units. When reviewing an application to permit a semi-detached on land that is zoned only for single detached dwellings, Council should consider whether the location of the semi-detached dwelling is appropriate and compatible with the existing neighbouring uses. When identifying appropriate locations for intensification, planning authorities should take into account the most efficient and sustainable use of existing infrastructure and consider public safety with respect to natural hazards, as well as the compatibility of new development within the context and character of the existing community. A general rule to follow is that proposed development should be in keeping with the scale and character of existing development patterns in the community.

The Official Plan recommends that when considering proposals for higher density that existing land uses within a 120 metre radius of the subject property be used as a guide to the nature of existing development characteristics (Section 4.3.1(3)). In this case, the subject lands are abutted by single detached dwellings to the north, east and west, however the subject lands are also abutting larger multi-unit residential developments to the south. Additionally, the lands are located in close proximity to Simcoe Street, which has a variety of uses, including low density residential, the future highschool, and some

limited commercial neighbourhood retail uses, including a convenience store and car sales establishment. There is also an existing semi-detached on Simcoe Street that is located within the 120 m buffer. It also appears that the proposed development will not create a burden on the existing facilities and services in the area, however the developer will be required to extend the sanitary sewer southerly along Victoria Street. All costs and development of the sanitary sewer will be the responsibility of the developer.

The proposed semi-detached lots would be substantially smaller than the abutting parcel fabrics. The parcel fabrics on the abutting lands comprise of comprise of the R1 zoning/single detached dwellings at 35 percent lot coverage and the RM1/multiple dwelling/townhome units which permit 40 percent lot coverage. The existing semi-detached dwellings within the general vicinity of the subject are permitted at 35 percent lot coverage. If Council considers the proposed zoning amendment, Council may want to consider reducing the lot coverage to 40 percent to ensure more compatibility and spacing, rather than the requested 45 percent lot coverage. Permitting a lower lot coverage could provide a more similar spacing and setbacks with the existing built up area.

#### **4. RISK ANALYSIS:**

The public meeting is the initial step in the planning process to hear public and agency comments regarding the proposed use of the lands to determine if any concerns are raised.

#### **5. FINANCIAL MATTERS:**

The cost associated with the applications and planning processes are the responsibility of the developer. The current development charge for a semi-detached dwelling in the urban area is \$16,242 per dwelling.

#### **6. CONSULTATIONS:**

The Notice of Public Meeting was published in the local newspaper 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) has stated that:

*We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act). As a result, a permit is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservations Authorities Act, (Ontario Regulation No. 158/06).  
Our office has reviewed the proposal and has no concerns relating to stormwater management.*



*The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.*

*We have no objections to this Zoning Amendment application.*

The Engineering and Public Works Department identified no objection to the application. However, the following conditions and requirements will need to be addressed prior to construction of the proposed semi-detached structure.

- *Individual water service connection(s) required for new lot*
- *Individual sanitary service connection(s) required for new lot*
- *The existing sanitary sewer does not extend to the proposed new lot. In order to service the new lot, the developer will be responsible for extending the sanitary sewer southerly along Victoria. Design from a licensed professional engineer will be required. All associated costs with sanitary servicing, including engineering fees, will be borne by the developer.*
- *Driveway access from Victoria will be required.*

*The developer should be made aware of existing structures along Victoria that may impede or affect the installation of a new driveway access. These include a Town tree, Town street light, and a large utility structure. With relation to adjustments or relocation of these:*
- *Streetlight – relocation will be at the cost of the developer and must not negatively affect the existing level of service that the street light provides. Demonstration of this may be requested of the developer by EPW*
- *Tree – removal of the existing tree must follow the provisions listed in the Town Tree By-law 2016-94, which may require approval from the CAO and monetary compensation for the removal of the tree.*
- *Concrete Utility Structure – the developer may be required to deal directly with the owner of the utility structure and may be responsible for costs associated with its relocation as needed. EPW cannot be more specific in this respect at this time.*

The Building Division and Fire 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.



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Frank Garardo  
**Manager of Planning Services**

JM

**DEPARTMENTS/OTHERS CONSULTED:**

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

**Name: Town of Amherstburg Engineering and Public Works Department**  
**Phone #: 519 736-3664 ext. 2313**

**Name: Town of Amherstburg Building Department**  
**Phone #: 519 736-5408 ext. 2136**

**Name: Town of Amherstburg Fire Department**  
**Phone #: 519 736-0012 ext. 2231**

**Name: Union Gas**  
**Email: [ONTUGLandsINQ@uniongas.com](mailto:ONTUGLandsINQ@uniongas.com)**

**Name: Ontario Power Generation**  
**Email: [Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)**

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

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

**Name: Greater Essex County District School Board**  
**Phone #: 519 255-3200**

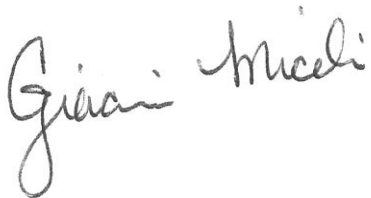
## Report Approval Details

Document Title:	Statutory Public Meeting- Zoning By-law Amendment for W-S Victoria St S.docx
Attachments:	- Report to Council- Nov 23- Statutory Public Meeting Zoning By-law Amendment W-S Victoria St S- ATTACHMENTS.pdf
Final Approval Date:	Nov 17, 2020

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



Cheryl Horrobin



John Miceli



Paula Parker

CORPORATION OF THE TOWN OF AMHERSTBURG  
**NOTICE OF STATUTORY PUBLIC MEETING  
TO CONSIDER A ZONING BY-LAW AMENDMENT**

**TAKE NOTICE** that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, November 23, 2020 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

**THE SUBJECT LANDS** affected by the proposed amendment are described as Part of Lot 3, Concession 1 designated as Part 2 on Registered Plan 12R-28316. The property has 88.52 ft frontage and 106.45 ft depth with a total area of 9,393 sq ft. (see key map below)

**THE PURPOSE OF THE AMENDMENT TO ZONING BY-LAW No. 1999-52** is to change the zoning of the subject lands noted above from the “**Residential First Density (R1) Zone**” to “**Special Provision Residential Second Density (R2-7) Zone**” to permit the development of a semi-detached dwelling with an attached garage and covered patio to be constructed with a maximum lot coverage of 45%. The lands are designated Low Density Residential in the Town’s Official Plan.

**COVID-19 Emergency: During the COVID-19 Declaration of Emergency (declared by the Province of Ontario and the Town of Amherstburg under the provisions of Section 7.0.1 and Section 4(1) of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9, respectively) Town of Amherstburg Council is holding electronic meetings, and in-person meeting attendance is restricted. Any person, who wishes to make representation is required to do so in writing.**

**ANY PERSON** may make written representation in support of or in opposition to the proposed Zoning By-law Amendment by email to the Planner, Frank Garardo at [fgarardo@amherstburg.ca](mailto:fgarardo@amherstburg.ca) or in person by appointment for drop-off in the vestibule of the Libro Centre located at 3295 Meloche Road. Comments must be submitted by 4:00 p.m. on Thursday, November 19, 2020 before the hearing and will be read aloud prior to the application being heard by Council.

**ANY PERSON** who wishes to attend by electronic means, must register with the Clerk’s Office no later than 4:00 pm on Thursday, November 19, 2020. To register for electronic participation please email the Deputy Clerk at [tfowkes@amherstburg.ca](mailto:tfowkes@amherstburg.ca). Once you register, you will be given information on how to make your submission at the electronic meeting by electronic participation. To participate, you will need access to a computer or tablet with internet service or a telephone.

**NO PERSON OR PUBLIC BODY** shall be added as a party to the hearing of the appeal unless, before the bylaw was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting, or make written submissions to the Town of Amherstburg before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

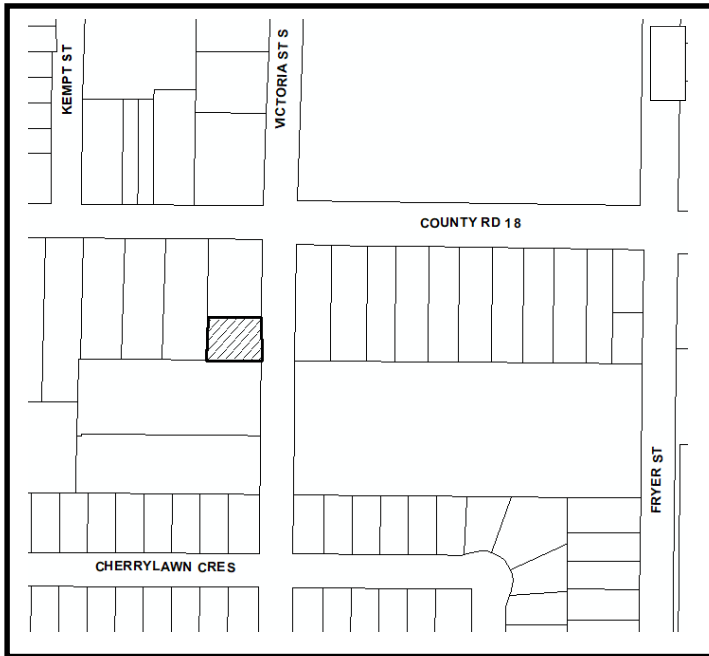
**ADDITIONAL INFORMATION** relating to the proposed Zoning By-law (File# ZBA/08/20) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment is also available for review on the Town of Amherstburg Website: [www.amherstburg.ca](http://www.amherstburg.ca). If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below. The hearing will be available for viewing by livestream by visiting [www.amherstburg.ca](http://www.amherstburg.ca).

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DATED at the Town of Amherstburg this 28<sup>th</sup> day of October, 2020.

**KEY MAP**



Frank Garardo, MCIP, RPP  
Manager of Planning Services

Town of Amherstburg  
Libro Centre  
3295 Meloche Road  
Amherstburg, Ontario N9V 2Y8  
Telephone: (519) 736-5408  
Fax No. (519) 736-9859  
Website: [www.amherstburg.ca](http://www.amherstburg.ca)

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**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2020-064**

**By-law to amend Zoning By-law No. 1999-52  
W/S Victoria Street South, Amherstburg**

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**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;

**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 46 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from R1 to R2-7" on Schedule "A" attached hereto and forming part of this By-law from "Residential First Density (R1) Zone" to "Special Provision Residential Second Density (R2-7) Zone".
2. "Section 8(4)(g) R2-7 (W/S Victoria Street South)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned R2-7 on Schedule 'A' hereto, the zone requirements of Section 8 of this By-law shall apply with the exception of the following:

(b) R2-7 Zone Requirements

1. Lot Coverage (maximum) 45%"
2. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

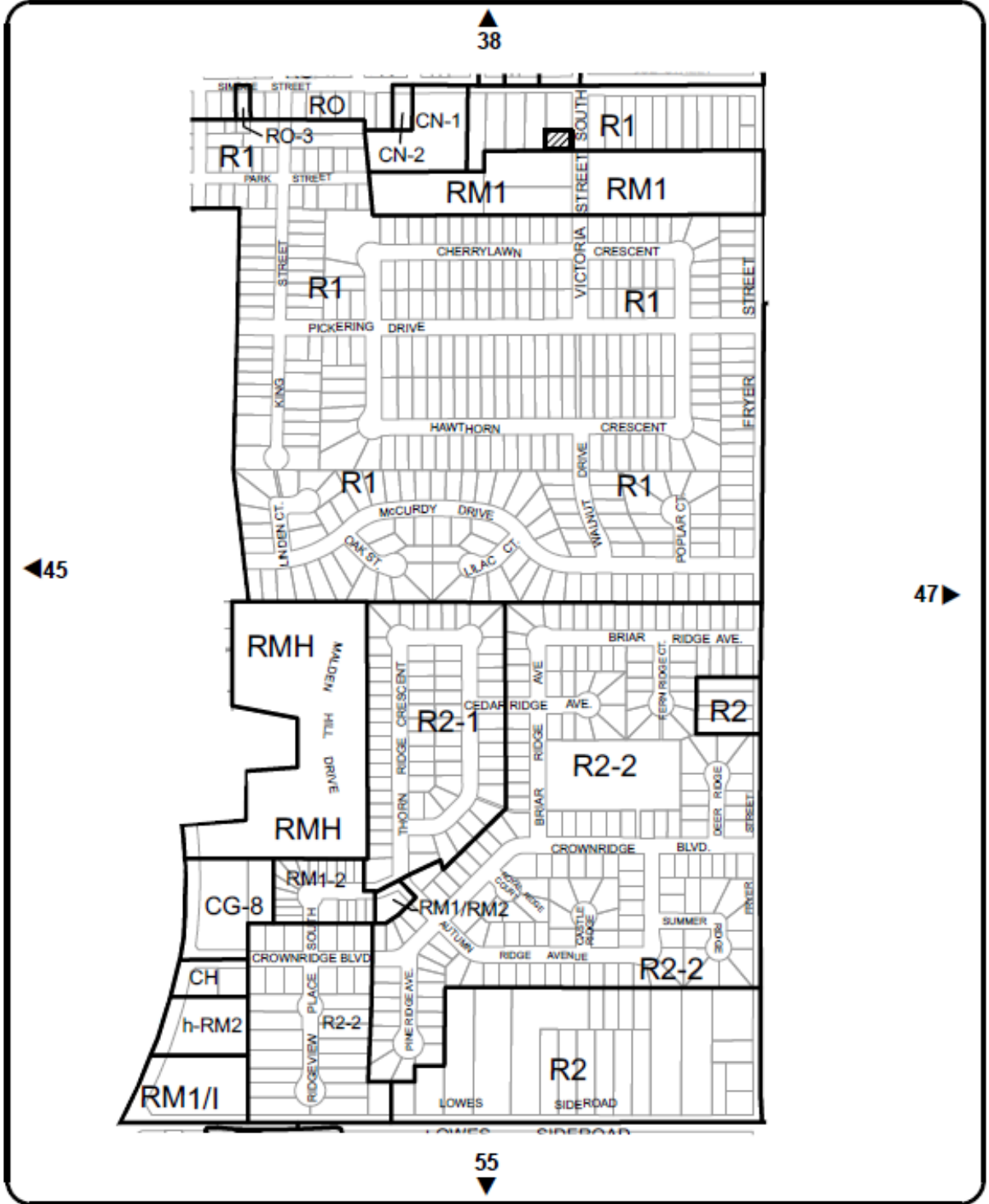
Read a first, second and third time and finally passed this 14<sup>th</sup> day of December, 2020.

\_\_\_\_\_  
MAYOR- ALDO DICARLO


\_\_\_\_\_  
CLERK- PAULA PARKER

**TOWN OF AMHERSTBURG**

SCHEDULE "A" TO BY-LAW No. 2020-064  
 A BY-LAW TO AMEND BY-LAW No. 1999-52



**SCHEDULE 'A'**  
**MAP 46**  
 ZONING BY-LAW NO. 1999-52

R1 to R2-7 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

Municipal Fee Received:	2200.00
Municipal Deposit Received:	N/A
ERCA Fee Received:	200.00

Application No. ZBA/08/20

**FORM 1  
PLANNING ACT  
APPLICATION FOR ZONING BY-LAW AMENDMENT  
TOWN OF AMHERSTBURG**

- Name of approval authority Town of Amherstburg
- Date application received by municipality Oct. 9, 2020
- Date application deemed complete by municipality Oct. 22, 2020
- Name of registered owner \_\_\_\_\_  
Telephone number \_\_\_\_\_  
Address \_\_\_\_\_  
Email \_\_\_\_\_  
Name of registered owner's solicitor or authorized agent (if any) \_\_\_\_\_  
Telephone number \_\_\_\_\_  
Address \_\_\_\_\_  
Email \_\_\_\_\_

Please specify to whom all communications should be sent:

- registered owner       solicitor       agent

- Name and address of any mortgages, charges or other encumbrances in respect of the subject land:  
N/A

- Location and description of subject land:

Concession No. 1 Lot(s) No. PL L 3  
Registered Plan No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_  
Reference Plan No. 12R20316 Part(s) No. 2  
Street Address W/S Victoria Sts Assessment Roll No. Pt of 080-02600

- Size of subject parcel:

Frontage 88.52' Depth 106.45' Area 9393 SF

- Access to subject parcel:

- Municipal Road       County Road       Provincial Highway  
 Private Road       Water

If access to the subject land is by water only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road  
\_\_\_\_\_

- (a) Current Official Plan Land Use designation of subject land Low Density Residential  
(b) Explanation of how application conforms to the Official Plan Low Density



Residential permits semi-detached dwellings

(c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

Yes  No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

\_\_\_\_\_

- 10. Current Zoning of subject land Residential First Density (R1) Zone
- 11. Nature and extent of rezoning requested site specific zoning to permit a semi-detached dwelling with 45% lot coverage
- 12. Reasons why rezoning is requested to permit the construction of a semi-detached dwelling
- 13. Current use of subject land VACANT LAND
- 14. Length of time current use of subject land has continued \_\_\_\_\_
- 15. Is the subject land within an area where the municipality has pre-determined:
  - (a) minimum and maximum density requirements
    - Yes  No
  - (b) minimum and maximum height requirements
    - Yes  No

If yes, state the requirements \_\_\_\_\_
- 16. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
 

N/A
- 17. Date of construction of existing buildings and structures on the subject land:
 

N/A
- 18. Date subject land acquired by current registered owner 2019
- 19. Proposed use of subject land SEMI DETACHED (SINGLE FAMILY)

20. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

FRONT + REAR - 25', SIDES 5'  
 HEIGHT  $\Delta$  18-20'  
 AREA  $\Delta$  1800 SF PER UNIT (SEM)

21. Type of water supply:

municipally owned and operated piped water supply  
 well  
 Other (specify) \_\_\_\_\_

22. Type of sanitary sewage disposal:

municipally owned and operated sanitary sewers  
 septic system  
 Other (specify) \_\_\_\_\_

If the requested amendment permits development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent will be produced per day as a result of the development being completed the applicant is required to submit a:

- (i) servicing options report, and  
 (ii) a hydrogeological report

23. Type of storm drainage:

sewers  
 ditches  
 swales  
 Other (specify) \_\_\_\_\_

24. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

consent to sever       approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

25. If known, indicate if the subject land has ever been the subject of an application for rezoning under Section 34 of the Planning Act:

If known, indicate whether the subject land has ever been the subject of a Minister's Zoning Order and, if known, the Ontario Regulation number of that order.

26. Does the requested amendment remove the subject land from an area of employment in the official plan?

Yes       No

If yes, state the current official plan policies, if any, dealing with the removal of land from an area of employment.

27. Is the subject land within an area where zoning with conditions may apply?

Yes  No

If yes, how does this application conform to the official plan policies relating to zoning with conditions?

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28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

Yes  No

Comments \_\_\_\_\_

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29. Is the subject land within an area of land designated under any provincial plan or plans?

Yes  No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

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30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

Yes  No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

31. Will the proposed project include the addition of permanent above ground fuel storage?

Yes  No

Dated at the TOWN of Amherstburg this 9<sup>th</sup> day of OCT., 2020

  
(signature of applicant, solicitor or authorized agent)

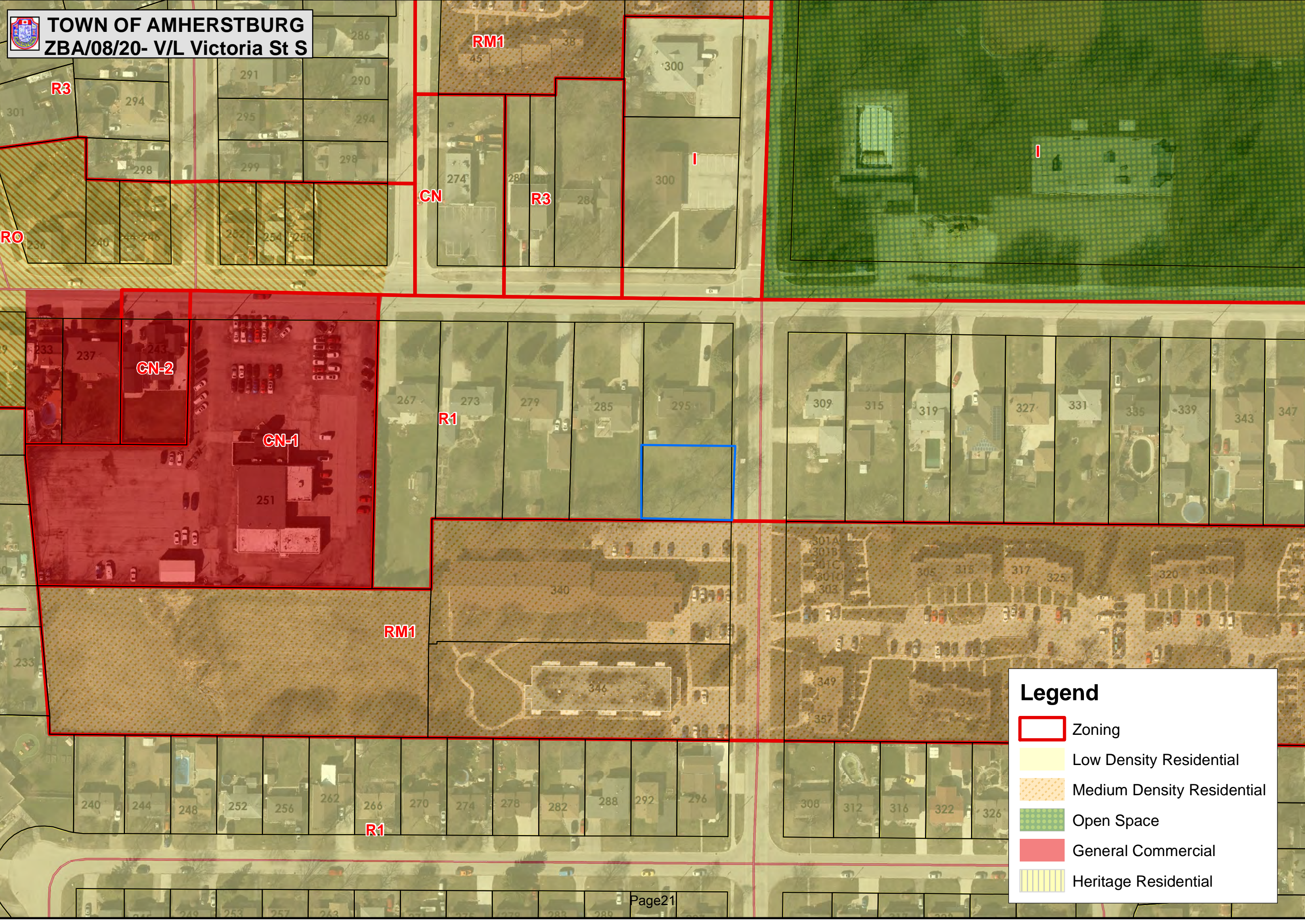
I, DREW COULSON of the TOWN OF AMHERSTBURG  
in the County/District/Regional Municipality of ESSEX solemnly declare that  
all the statements contained in this application are true, and I make this solemn declaration  
conscientiously believing it to be true, and knowing that it is of the same force and effect as  
if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the TOWN of Amherstburg in the COUNTY OF ~~ESSEX~~  
of ESSEX this 9<sup>th</sup> day of OCTOBER, 2020.







  
Applicant, Solicitor or Authorized Agent

S. Sinasac (French)  
A Commissioner, etc.

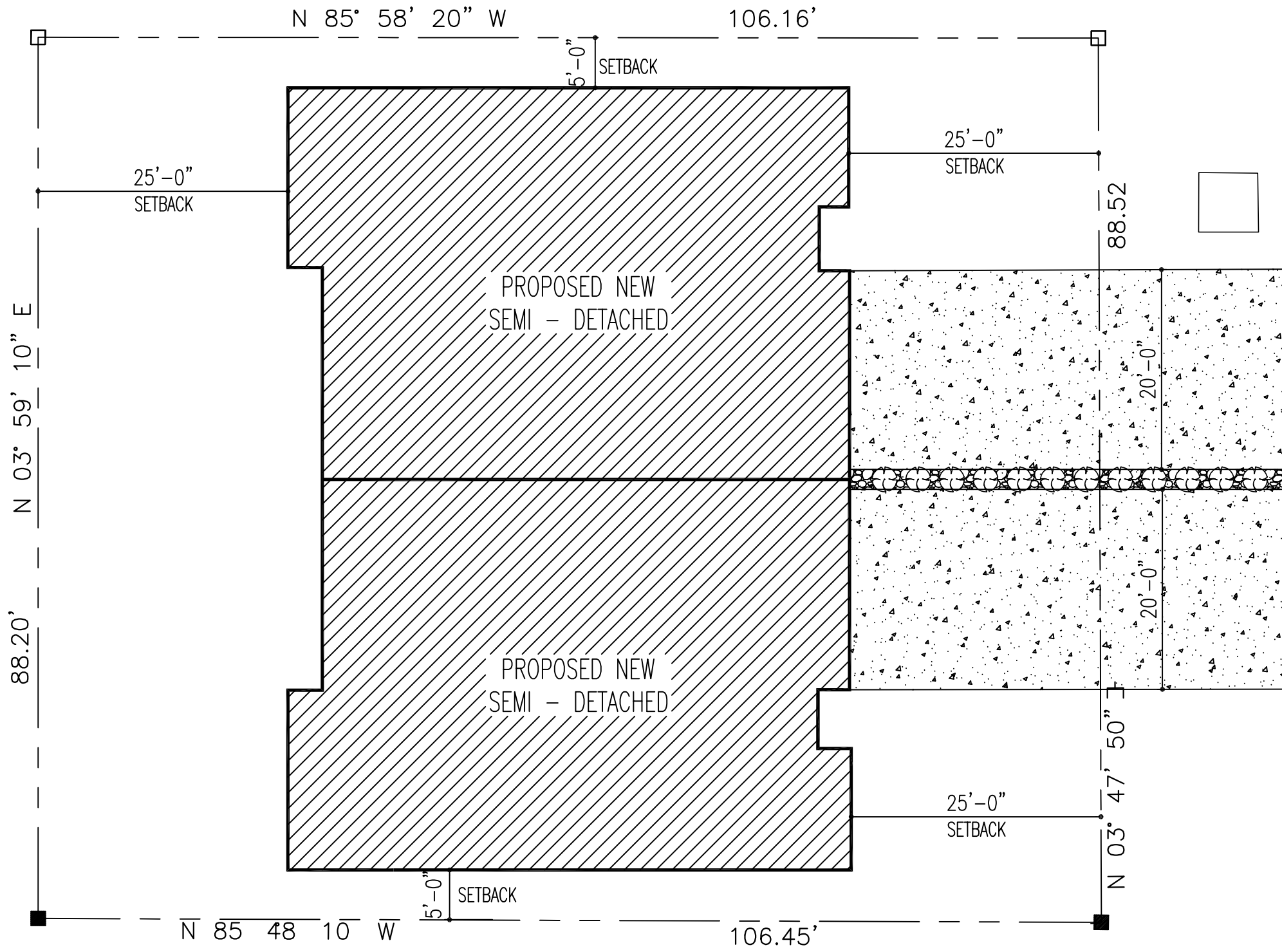
**Sarah Elizabeth Sinasac, a Commissioner, etc.,**  
Province of Ontario, for the  
Corporation of the Town of Amherstburg.  
Expires October 16, 2021.



**Legend**

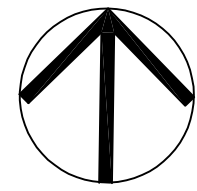
-  Zoning
-  Low Density Residential
-  Medium Density Residential
-  Open Space
-  General Commercial
-  Heritage Residential

LOT AREA = 9388 SQ. FT  
PROPOSED BUILDING COVERAGE  
AREA = 4200 SQ. FT  
PERCENTAGE OF COVERAGE AREA = 45%



VICTORIA STREET SOUTH

# SITE PLAN





planning@erca.org  
P.519.776.5209  
F.519.776.8688  
360 Fairview Avenue West  
Suite 311, Essex, ON N8M 1Y6

October 30, 2020

Mr. Frank Garardo  
Manager of Planning Services  
3925 Meloche Road  
Amherstburg, ON N9V 2Y8

Dear Mr. Garardo:

RE: Zoning By-Law Amendment (ZBA-08-20)  
295 SIMCOE ST  
ARN 372908000009600; PIN: 705650189  
Applicant: Coulson Design-Build Inc

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-08-20 to amend Zoning By-law No.1999-52 to change the zoning of the subject site from "Residential First Density (R1) Zone" to "Special Provision Residential Density (R2-7) Zone" to permit the development of a semi-detached dwelling with attached garage and covered patio.

## **DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT**

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

## **WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

## **SECTION 1.6.6.7 Stormwater Management (PPS, 2020)**

Our office has reviewed the proposal and has no concerns relating to stormwater management.

Mr. Garardo  
October 30, 2020

**PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

**FINAL RECOMMENDATION**

With the review of background information and aerial photograph, ERCA has no concerns in relation to Natural Hazards, Stormwater Management and Natural Heritage. Therefore, ERCA has no objection to this application for Zoning-By-Law Amendment.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Vitra Vimalananthan  
*Resource Planner*  
/vv





**From:** [Shane McVitty](#)  
**To:** [Janine Mastronardi](#)  
**Cc:** [Frank Garardo](#); [Todd Hewitt](#)  
**Subject:** RE: Notice of Public Meeting- Zoning By-law Amendment Nov. 23  
**Date:** October 28, 2020 2:41:30 PM

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Good Afternoon Janine,

Although EPW does not have any issues with the Zoning Bylaw Amendment, we will reiterate comments that were provided to the Committee of Adjustment when the lot was being considered for severance:

- Individual water service connection(s) required for new lot
- Individual sanitary service connection(s) required for new lot
- The existing sanitary sewer does not extend to the proposed new lot. In order to service the new lot, the developer will be responsible for extending the sanitary sewer southerly along Victoria. Design from a licensed professional engineer will be required. All associated costs with sanitary servicing, including engineering fees, will be borne by the developer.
- Driveway access from Victoria will be required.
  - The developer should be made aware of existing structures along Victoria that may impede or affect the installation of a new driveway access. These include a Town tree, Town street light, and a large utility structure. With relation to adjustments or relocation of these:
    - Streetlight – relocation will be at the cost of the developer and must not negatively affect the existing level of service that the street light provides. Demonstration of this may be requested of the developer by EPW
    - Tree – removal of the existing tree must follow the provisions listed in the Town Tree By-law 2016-94, which may require approval from the CAO and monetary compensation for the removal of the tree.
    - Concrete Utility Structure – the developer may be required to deal directly with the owner of the utility structure and may be responsible for costs associated with its relocation as needed. EPW cannot be more specific in this respect at this time.

When the time comes, the developers Site Plan will be evaluated against the conditions and requirements listed above

Thanks,  
Shane

**Shane McVitty**

*Drainage Superintendent / Engineering Coordinator*

Town of Amherstburg

512 Sandwich St. South, Amherstburg, ON, N9V 3R2

Tel: 519-736-3664 x2318 Fax: 519-736-7080 TTY: 519-736-9860

**From:** [Horrobin, Barry](#)  
**To:** [Janine Mastronardi](#)  
**Cc:** [Frank Garardo](#)  
**Subject:** Windsor Police comments: Notice of Public Meeting- Zoning By-law Amendment Nov. 23  
**Date:** November 5, 2020 1:15:21 PM

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Janine:

I have reviewed the particulars for the Zoning By-Law amendment application for this property and would advise as follows:

- The Windsor Police Service has no concerns or objections with the application to permit construction of a semi-detached dwelling on the property
- The development represents a reasonable use for this site that is unlikely to create any public safety consequences
- If site plan control is not applicable in this situation, we would request the following as it relates to public safety:
  - The building have a street address number that is at least 5” high, with numerals mounted on a background that has a contrasting colour such that the address number can be easily seen and identified from the abutting roadway (Victoria Street) by police responders
  - Each dwelling unit should have a porch light that offers increased visibility at night for responding officers
  - A security alarm system is recommended for each dwelling unit (but certainly not mandatory) to provide enhanced protection against unlawful entry

Respectfully,

**Barry Horrobin, B.A., M.A., CLEP, CMM-III**  
**Director of Planning & Physical Resources**  
**WINDSOR POLICE SERVICE**



**Advanced Certified Law Enforcement Planner**



**From:** [DESANDO, Bruno](#)  
**To:** [Janine Mastronardi](#)  
**Subject:** RE: Notice of Public Meeting- Zoning By-law Amendment Nov. 23  
**Date:** October 29, 2020 9:47:11 AM

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**[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.**

Hello Janine,

Canada Post has no comments for the attached application.

Regards,

Bruno

Bruno DeSando  
CANADA POST CORPORATION  
Delivery Planning

[REDACTED]

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[REDACTED]