TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING

REVISED AGENDA

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Monday, September 12, 2022
6:00 PM
Council Chambers
271 Sandwich Street South, Amherstburg, ON, N9V 2A5

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Pages

1. CALL TO ORDER

2. ROLL CALL

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

   (Public Council Meeting Agenda Items)

4. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

5. MOMENT OF SILENCE

5.1. Moment of Silence for Her Majesty, Queen Elizabeth II

6. REPORT OUT FROM IN-CAMERA SESSION

7. MINUTES OF PREVIOUS MEETING

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

7.1. Special In-Camera Meeting Minutes of August 8, 2022 10

7.2. Regular Council Meeting Minutes of August 8, 2022 14

8. RECOGNITIONS

8.1. Heritage Plaque Presentation for 246 King Street, Mount Beulah Church of God in Christ - Maynard and Marva Hurst

8.2. Heritage Plaque Presentation for 277 King Street, Amherstburg Freedom Museum - Cari-Lynn Ristic

8.3. Heritage Plaque Presentation for 266 King Street, Lighthouse Chapel Evangelical Baptist Church - Timothy McAllister and Terry Sims

9. DELEGATIONS

9.1. Short Term Rentals on Boblo Island - Sue Jeffrey 29

That the delegation **BE RECEIVED**.

9.2. Airbnb Problems - Mary Anne Adam 34

That the delegation **BE RECEIVED**.

10. PRESENTATIONS

10.1. 51 and 57 Sandwich Street South ZBA-11-22 - Amy Farkas, Dillon Consulting 38

11. REPORTS – CORPORATE SERVICES

11.1. 2023 Budget Directions 46

It is recommended that:

1. That Council **APPROVE** the proposed 2023 Budget Schedule.

12. REPORTS - COMMUNITY AND PROTECTIVE SERVICES

12.1. Co-An Park Redevelopment 52

It is recommended that:

1. Administration **BE DIRECTED** to proceed with Phase 1 public engagement and consultation in collaboration with the Town of Essex to identify re-development opportunities for Co-An Park;
2. An unbudgeted expenditure, not to exceed $10,000 plus applicable HST, **BE APPROVED** for Phase 1 Public Engagement and Consultation to identify redevelopment opportunities for Co-An Park; and,
3. A transfer from the Parkland Reserve Fund **BE AUTHORIZED** for the Phase 1 Public Engagement and Consultation to identify redevelopment opportunities for Co-An Park.

13. REPORTS - INFRASTRUCTURE SERVICES

13.1. 3rd Concession North Watermain Upgrade – Tender Results *58*

It is recommended that:

1. The 3rd Concession North Watermain Upgrade Tender **BE AWARDED** to Rudak Excavating Inc. for an amount not to exceed $138,900.00 plus H.S.T; and,
2. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Rudak Excavating Inc for the 3rd Concession North Watermain Upgrade.

14. REPORTS - PLANNING AND DEVELOPMENT SERVICES

14.1. Deferred Development Charges-Block 25 Livingstone Cres and Block 19 Kelly Road 67

It is recommended that:

1. The Mayor and Clerk **BE AUTHORIZED** to enter into Development Charges Agreement for Block 25 Livingstone and Block 19 Kelly Road Amherstburg, as per the Development Charges Act, Section 26.1 (2)(1);

14.2. Deferred Development Charge-515 Dalhousie Street 70

It is recommended that:

1. The Mayor and Clerk **BE AUTHORIZED** to enter into Development Charges Agreement for 515 Dalhousie St, CON 1 PT LOT 4, Amherstburg, as per the Development Charges Act, Section 26.1 (2)(1).

14.3. Zoning By-law Amendment: 131 & 135 Sandwich St S 73

It is recommended that:

1. **By-law 2022-069** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 131-135 Sandwich Street South be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same;
2. Administration **BE DIRECTED** to establish a Parking Reserve Fund restricted for use at all municipal parking lots to address current and or expanded services provided by them. This reserve fund will be funded by the in-lieu payments; and,
3. Payment in lieu of Parking in the amount of $18,000 **BE RECEIVED** from the Applicant and **BE DEPOSITED** into the Parking Reserve Fund.

14.4. Zoning By-law Amendment: 51-57 Sandwich Street South 452

It is recommended that:

1. **By-law 2022-071** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 51-57 Sandwich Street South be taken has having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

15. REPORTS - CAO's OFFICE

15.1. Short Term Rentals 909

It is recommended that:

1. The report dated July 22, 2022 regarding Short Term Rentals **BE RECEIVED for information**; and,
2. Direction **BE PROVIDED** to Administration to pursue either Option A or Option B, namely that:
   a. Administration **BE DIRECTED** to complete consultations with stakeholders and **BRING BACK** a licensing regime for Council consideration; or,
   b. Administration **BE DIRECTED** to enforce applicable By-laws already in place.

16. INFORMATION REPORTS

That the following information reports **BE RECEIVED:**

16.1. 2021 Year- End Financial Ratios and Indicators 960

16.2. Tourism and Culture Division Grants Information Report 970

16.3. Draft Plan of Subdivision – Woodland Trails: Additional Information 973

17. CONSENT CORRESPONDENCE

That the following consent correspondence **BE RECEIVED:**

17.1. Strong Mayors, Building Homes Act - Town of Wasaga Beach Resolution 977

17.2. Warming and Cooling Centre Policy - Town of Aylmer Resolution 979

18. CORRESPONDENCE

18.1. Legion Week Proclamation 981

It is recommended that September 18-24, 2022, **BE PROCLAIMED** Legion Week in the Town of Amherstburg.

18.2. Petition re. AirBnB's in Edgewater 982

That the correspondence **BE RECEIVED**.

18.3. Active School Travel Charter - Windsor-Essex County *984*

That the Town of Amherstburg **SUPPORT** and **ENDORSE** the adoption of the Active School Travel Charter for Windsor-Essex County.

19. CONSENT OTHER MINUTES

That the following minutes **BE RECEIVED:**

19.1. Committee of Adjustment Meeting Minutes- April 5, 2022 988

19.2. Committee of Adjustment Meeting Minutes- June 7, 2022 998

19.3. Committee of Adjustment Meeting Minutes- June 14, 2022 1009

20. OTHER MINUTES

20.1. Drainage Board Meeting Minutes of September 6, 2022 1012

It is recommended that:

1. The Drainage Board Meeting Minutes of September 6, 2022 **BE RECEIVED**;
2. The revised engineer's report for the Jeths Drain Improvements **BE CONSIDERED**;
3. By-law 2022-059 being a by-law to provide for the Jeths Drain Improvements based on the revised Drainage Report by M. Gerrits Consulting Inc. **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same;
4. The report from the Drainage Superintendent and Engineering Coordinator dated July 28, 2022, regarding Smale Drain and Smale Drain Extension - New Maintenance Schedule of Assessment - Engineering Appointment **BE ACCEPTED**, as recommended by the Drainage Board; and,
5. The firm of N.J. Peralta Engineering Ltd. **BE APPOINTED** to complete an engineering report to provide for New Maintenance Schedules of Assessment for the Smale Drain and Smale Drain Extension **BE APPROVED**, as recommended by the Drainage Board.

21. UNFINISHED BUSINESS 1099

22. NEW BUSINESS

23. NOTICE OF MOTION

24. BY-LAWS

24.1. By-law 2022-086 - Confirmatory By-law 1104

That By-law 2022-086 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on September 12th, 2022 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same

25. ADJOURNMENT

That Council rise and adjourn at p.m.

TOWN OF AMHERSTBURG

SPECIAL IN-CAMERA COUNCIL MEETING

Monday, August 8, 2022
4:00 PM

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

PUBLIC MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur – *present for Items A & C*
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Valerie Critchley, Chief Administrative Officer/Clerk
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 4:07 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # IC-20220808-01

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 4:08 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A - Labour Relations/Employee Negotiations Matter - Section 239(2)(d) - Labour relations or employee negotiations.

Item B - Contract Negotiations - Section 239(2)(a) - The security of the property of the municipality or local board; **Section 239(2)(i)** - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; **and, Section 239(2)(k)** - A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Item C - Update on Litigation Matter - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; **Section 239(2)(e)** - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; **and, Section 239(2)(f)** - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

Motion Carried

Council moved into an In-Camera Meeting

Item B was heard first

ITEM B - Contract Negotiations

The CAO provided an overview of the confidential report before Council and answered Council questions.

Resolution # IC-20220808-02

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the report of the CAO/Clerk BE RECEIVED and that Administration BE DIRECTED TO PROCEED on the verbal direction of Council.

The Mayor put the Motion.

Motion Carried

ITEM A - Labour Relations/Employee Negotiations Matter

Marianne Love, ML Consulting, presented the 2022 Salary Market Review to Council and answered Council questions.

Resolution # IC-20220808-03

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That the presentation BE RECEIVED and that Administration BE DIRECTED TO PROCEED on the verbal direction of Council.

The Mayor put the Motion.

Motion Carried

ITEM C - Update on Litigation Matter

The CAO/Clerk provided a verbal update to Council and advised that updates will be provided as new information becomes available.

ADJOURNMENT

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council rise and adjourn from Special In-Camera session at 5:31 p.m.

The Mayor put the Motion.

Motion Carried

_____
MAYOR – ALDO DICARLO

_____
CLERK – VALERIE CRITCHLEY

TOWN OF AMHERSTBURG

REGULAR COUNCIL MEETING

Monday, August 8, 2022
6:00 PM

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

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Valerie Critchley, Chief Administrative Officer/Clerk
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:01 p.m.

NATIONAL ANTHEM

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

Item # 11.1 and # 11.2 - Councillor McArthur noted that his former spouse and daughter live in close proximity to 51-57 Sandwich Street South and 131-135 Sandwich Street South. Councillor McArthur further advised that he has confirmed that he has no conflict of pecuniary interest with respect to the proposed Official Plan Amendments in those locations.

LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

MINUTES OF PREVIOUS MEETING

Resolution # 20220808-01

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the minutes BE ADOPTED and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

6.1 Special Council Meeting Minutes - Planning - July 11, 2022

6.2 Regular Council Meeting Minutes - July 11, 2022

6.3 Special Council Meeting Minutes with Special In-Camera Council Meeting Minutes (Public) - July 25, 2022

The Mayor put the Motion.

Motion Carried

DELEGATIONS

7.1 Inquiries into the Town of Amherstburg's Finances - Nancy Atkinson, Amherstburg Taxpayers Association

Resolution # 20220808-02

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Moved By Councillor McArthur
Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow the Frank Di Pasquale to address Council.

The Mayor put the Motion.

Motion Carried

Mr. Di Pasquale addressed Council regarding the ballerina painting in Council Chambers; and further, explained its significance.

REPORTS – CORPORATE SERVICES

8.1 2021 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement, Development Charge Reserve Funds Statement, and 2021 Parkland Dedication Reserve Statement

Cynthia Swift, KPMG, introduced and provided a brief overview of the 2021 Year End Statements.

Resolution # 20220808-03

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The report from the Treasurer and the Director of Corporate Services dated July 29, 2022 regarding 2021 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement and Amended Development Charge Reserve Funds Statement BE RECEIVED;**

2. **The Audited Consolidated Financial Statements for the year ended December 31, 2021 BE APPROVED;**

3. **The Audit Findings Report of KPMG for the year ended December 31, 2021 BE RECEIVED;**

4. **Administration BE AUTHORIZED to post the 2021 Consolidated Financial Statements on the Town of Amherstburg website;**

5. **The Statement of Revenue and Expenses and Accumulated Net Expense for Building Services for the year ended December 31, 2021 BE RECEIVED;**

6. **The Development Charges Reserve Funds Statement, for the year ended December 31, 2021 BE RECEIVED; and**

7. **The Parkland Dedication Reserve Statement, for the year ended December 31, 2021 BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

8.2 2022 Projected Reserve Balance Update

Resolution # 20220808-04

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That:

1. **The report for the 2022 Projected Reserve Balances BE RECEIVED; and,**

2. **Council APPROVE the 2021 list of outstanding capital projects funded from the reserve as presented.**

The Mayor put the Motion.

Motion Carried

8.3 2021 Year End (Q4) Budget to Actual Summaries and Transfers

Resolution # 20220808-05

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

1. **The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Appendix A to the 2021 Year End (Q4) Budget to Actual Summaries and Transfers Report BE AFFIRMED;**

2. **The 2022 over-expenditures and reserve transfers BE APPROVED as follows:**
   a. **$120,000 to the EV project (May 9, 2022)**
   b. **$300,000 to the Municipal share of Pike Road Drainage project (July 11, 2022) with the remainder of $205,345 to be included in the 2023 Budget**
   c. **$164,300 Fire Station Design (July 2022)**
   d. **$97,000 Gym Design (July 2022)**
   e. **$200,000 to Employee Related Reserve to be utilized for Implementation of Compensation Review (Aug 8 2022)**
   f. **$15,000 for the commitment of the 2022 Park House Grant**

3. **The Treasurer BE AUTHORIZED to transfer the taxation-supported surplus as follows:**
   a. **$395,705 to Building Reserves;**
   b. **$500,000 to the Fleet Reserve; and**
   c. **$150,000 to Tax Stabilization Reserve Fund: and**
   d. **$147,964 (remaining) to the Reserve Fund General; and,**

4. **The Treasurer BE AUTHORIZED to transfer:**
   a. **$1,237,142 to Water Reserves**
   b. **$499,631 to Wastewater Reserves**

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

There were no reports.

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

10.1 2021 Road Needs Study

Resolution #20220808-06

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the 2021 Road Needs Study BE APPROVED.

The Mayor put the Motion.

Motion Carried

10.2 Transportation & Active Transportation Masterplan – RFP Results

Resolution # 20220808-07

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

1. **The Transportation & Active Transportation Masterplan BE AWARDED to T.Y. Lin International Canada Inc. for an amount not to exceed $145,785 plus H.S.T based on the proposal submitted June 14, 2022;**

2. **A pre-commitment to the 2023 operational budget – professional fees of $23,350 BE APPROVED; and,**

3. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with T.Y. Lin International Canada Inc. to complete the Transportation & Active Transportation Masterplan.**

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

11.1 Official Plan Amendment No. 17: 51-57 Sandwich Street South

Resolution # 20220808-08

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That Official Plan Amendment No. 17, attached to this report as Appendix "A", BE ADOPTED by Council and forwarded to the County of Essex.

The Mayor put the Motion.

Motion Carried

11.2 Official Plan Amendment No. 16: 131-135 Sandwich Street South

Resolution #20220808-09

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That Official Plan Amendment No. 16, attached to this report as Appendix "A", BE ADOPTED by Council and forwarded to the County of Essex.

The Mayor put the Motion.

Motion Carried

11.3 Consider the Need for a Secondary Plan – Howard Industrial Park District

Resolution #20220808-10

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That:

1. **A Secondary Plan BE PREPARED for the area bounded by County Road 9, North Side Road, 8th Concession Road and County Road 8 (Townline Road) also known as the Howard Industrial Park District;**

2. **Council APPROVE a transfer of $50,000 from Plans and Studies Reserve account; and,**

3. **All property and business owners within a 1 km radius of the proposed area BE NOTIFIED when the Secondary Plan is before Council for consideration.**

The Mayor put the Motion.

Motion Carried

11.4 Riverview Subdivision- Subdivision Agreement File No. 37-T-22003

Resolution # 20220808-11

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The Corporation of the Town of Amherstburg ENTER INTO a Subdivision Agreement with 1583954 Ontario Limited and 2865522 Ontario Limited for Riverview Subdivision; and,**

2. **By-law 2022-082 being a By-law to authorize the signing of a Subdivision Agreement for Riverview Subdivision be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2022 Special Events Approval - Part V

Resolution # 20220808-12

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The following events BE APPROVED:**

    - **Amherstburg Uncommon: September 16, 17 & 18, 2022**
    - **River Lights Opening Night– November 19, 2022**

2. **An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music BE GRANTED for the following events:**

    - **Amherstburg Uncommon**
    - **River Lights Opening Night**

3. **The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:**

    - **River Lights Opening Night**

4. **The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to issuing an event permit.**

The Mayor put the Motion.

Motion Carried

12.2 Delegated Authority During Lame Duck Period

Resolution # 20220808-13

Moved By Councillor Prue
Seconded By Councillor Simone

That:

1. **Authority BE DELEGATED to the Chief Administrative Officer or delegate for the 2022 period during which a "lame duck" Council is in effect, pursuant to section 275 of the Municipal Act, 2001, S.O. 2001, c.25, to address matters as follows:**

    a. **The disposition of any real or personal property of the municipality which has a value exceeding $50,000 at the time of disposal; and,**

    b. **Making any unbudgeted expenditures or incurring any other liability which exceeds $50,000.**

2. **The Chief Administrative Officer or delegate CONSULT with legal counsel and the Treasurer, where appropriate, prior to exercising that delegated authority;**

3. **The Chief Administrative Officer or delegate BE DIRECTED TO ADVISE Council in writing prior to exercising the delegated authority; and,**

4. **By-law 2022-081 being a by-law to authorize the delegated authority for restricted acts during the "lame duck" period be taken as having been read three time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20220808-14

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following information reports BE RECEIVED:

13.1 Deloitte Report Update

13.2 Building Activity Report for April to June 2022

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20220808-15

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following consent correspondence BE RECEIVED:

14.1 Ontario Ombudsman Report, July 2022 - Investigation into Amherstburg Closed Meetings - Ombudsman of Ontario

14.2 Climate Emergency Declaration - Township of Mulmur Resolution

14.3 Removal of Municipal Councillors Under Prescribed Circumstances - City of Owen Sound Resolution

14.4 Seeking Prosperity and Partnership with Indigenous Nations - City of Brantford Resolution

The Mayor put the Motion.

Motion Carried

Resolution # 20220808-16

Moved By Councillor Prue
Seconded By Councillor Simone

That correspondence BE SENT in support of the Land Transfer Tax portion of the City of Brantford's resolution regarding Seeking Prosperity and Partnership with Indigenous Nations.

The Mayor put the Motion.

Motion Carried

Resolution # 20220808-17

Moved By Councillor McArthur
Seconded By Councillor Courtney

That Administration BE DIRECTED to implement the recommendations of the Ombudsman, where appropriate, and that recorded votes BE TAKEN in open session on items discussed in closed session.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

15.1 Fight Like Mason Childhood Cancer Awareness Month - September 2022

Resolution # 20220808-18

Moved By Councillor Simone
Seconded By Councillor Prue

That:

1. **The Proclamation request from the Fight Like Mason Foundation regarding Childhood Cancer Awareness Month BE RECEIVED;**

2. **September 2022 BE PROCLAIMED as Childhood Cancer Awareness Month in the Town of Amherstburg; and,**

3. **The Fight Like Mason flag BE RAISED in September, date to be determined.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20220808-19

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the following minutes BE RECEIVED:

16.1 Parks and Recreation Advisory Committee Meeting Minutes of May 11, 2022

16.2 Co-An Park Committee Meeting Minutes of June 8, 2022

16.3 Economic Development Advisory Committee Meeting Minutes of June 9, 2022

16.4 Heritage Committee Meeting Minutes of June 16, 2022

16.5 Amherstburg Accessibility Advisory Committee Meeting Minutes of June 23, 2022

16.6 Amherstburg Accessibility Advisory Committee Meeting Minutes of July 28, 2022

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

17.1 Amherstburg Environmental Advisory Committee Meeting Minutes of June 15, 2022

Resolution #20220808-20

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The Amherstburg Environmental Advisory Committee Meeting Minutes of June 15, 2022 BE RECEIVED;**

2. **Consideration of a budget request to plant 100 trees on or about Earth Day, in partnership with ERCA, as well as funds necessary for an Earth Day Tree Planting Event BE REFERRED to 2023 budget deliberations; and,**

3. **Administrative assistance in the organization of the Earth Day Tree Planting Event as a Town event BE CONTINGENT on the event's 2023 budget allocation.**

The Mayor put the Motion.

Motion Carried

17.2 Heritage Committee Meeting Minutes of July 14, 2022

Resolution # 20220808-21

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The Heritage Committee Meeting Minutes of July 14, 2022 BE RECEIVED;**

2. **Administration BE DIRECTED to bring a report back to the Heritage Committee on consideration of addition of the Boblo Blockhouse to the Town's Heritage Register.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Prue asked if the outstanding Unfinished Business List (UFB) can be sent to the new term of Council.

The Chief Administrative Officer advised that Council can direct that the UFB list be forwarded to the new term of Council for consideration of any outstanding items.

2. Councillor Courtney asked for an update with respect to the report for Air B&B's.

The Chief Administrative Officer advised that the report is drafted and will be before Council for consideration at a Regular Council Meeting in September.

NEW BUSINESS

1. Councillor Renaud asked for an update with respect to the current road repairs on McLeod Street and also the tie-ins for possible future development near McLeod Street.

The Director of Engineering and Infrastructure Services advised that the project is going very well and the paving will be completed very soon. With respect t the tie-ins, the Director advised that there were concerns with the tie-ins, more specifically, concerns with a vacant lot in the area. She further advised that Administration opted to place the infrastructure in the right-of-way in the event there is future development in the area and that infrastructure is not connected to the Town's services at this time.

Councillor Prue asked if there was any snake fencing placed in the area for the project.

The Director of Engineering and Infrastructure Service advised that the Town is currently working within the right-of-way only and, as a result, the Town is not required to place snake fencing until services are being provided on the property.

Councillor Courtney asked if the ditches in the area have been clear for proper drainage.

The Director of Engineering and Infrastructure Services advised that she would have to check if that work has been completed yet and if it hasn't, it will be completed.

2.. Resolution # 20220808-22

Moved By Councillor Prue
Seconded By Councillor Simone

That:

1. **The overgrown brush at the Visitor's Centre BE REMOVED; and,**
2. **Administration provide Council with information regarding the cost of buying equipment to complete the work rather than contract the work out.**

The Mayor put the Motion.

Motion Carried

5. Deputy Mayor Meloche inquired about the maintenance program for the bridges and the overgrown tree branches on the ERCA trail.

Councillor Courtney advised that he will bring up the inquiry at the next ERCA Board meeting.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2022-083 - Confirmatory By-law

Resolution # 20220808-23

Moved By Councillor Simone
Seconded By Councillor Renaud

That By-law 2022-083 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on July 25th and August 8th, 2022 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 8:05 p.m.

The Mayor put the Motion.

Motion Carried

_____
MAYOR – ALDO DICARLO

_____
CLERK – VALERIE CRITCHLEY

Delegation Request Form

I wish to appear before *

- [x] Council
- [ ] Advisory Committee of Council

Date of Meeting *

9/12/2022

Name of Delegate(s) *

Sue Jeffrey

Address *

[redacted]

Phone *

[redacted]

Email *

[redacted]

Capacity in which you will be attending *

- [ ] Attending as an Individual
- [x] Representing a Group / Organization

Name of Group / Organization / Business *

Bois Blanc Island residents

Have you contacted Administration regarding this matter? *

(•) Yes ( ) No

Who from Town Administration have you contacted? *

Council members, Bill Tetler, Tammy Fowkes, and Kevin Fox

Reason(s) for Delegation Request (subject matter to be discussed). If the request is in response to an item on the agenda, please specify the item's agenda # *

Opposition to an AirBnB operating on Bois Blanc Island and interest in having a bylaw passed that will prohibit short-term rentals (AirBnb, Verbo, etc.) on the island.

If your request is in response to an agenda item, are you in favour of the recommendation? If not, please provide your reasoning below

Bill Tetler's report (Has it been made public?)

Will a powerpoint presentation be made? *

- ○ Yes
- ◉ No

Note: An electronic copy of the PowerPoint presentation is required to be submitted to delegations@amherstburg.ca no later than 12:00 noon on the Friday before the meeting.

Please upload speaking notes and/or presentation materials - 4 Attachments Max (10MB Each) (pdf, docx, xlsx, jpg, jpeg, gif, png, tif) *

File Name
My name is Sue Jeffrey and my husband and I live at [redacted].pdf 20.7 KB

Personal information contained on this form is authorized under Section 5 of the Town of Amherstburg's Procedure By-law, for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Council or an Advisory Committee of Council. The Delegation Request Form may be published in its entirety with the public agenda which is also posted on the Town's website. The Procedure By-law is a requirement of Section 238(2) of the Municipal Act, 2001.

Please note that all meetings are open to the public except where permitted to be closed to the public under legislated authority. Questions regarding collection of the information on this form or additional accessibility requirements may be directed to the Municipal Clerk, 271 Sandwich Street South, Amherstburg, ON
N9V 2A5, 519.736.0012.

Delegate Guidelines

In accordance with the Town's Procedure By-law, a by-law governing the proceedings of Council, the conduct of its members and the calling of meeting for the Town of Amherstburg:

- Delegations may address Council or Committee for the purpose of bringing a specific matter before Council. In this instance, the request form must be received prior to the preparation of the agenda, no later than 12: 00 noon on the Wednesday prior to the Monday meeting.

- Delegations may address Council or Committee with respect to an item on the agenda, to which the individual/group has a bona fide interest and verbally present information on matters of fact. In this instance, the request form must be received by 12:00 noon on the Friday preceding the Council meeting.

- There is a strict time limit for delegations at meetings. Delegations will have 5 minutes to speak, not inclusive of questions from Council or the Committee. No more than 4 delegations will be heard per item of discussion by Council.

- Delegation requests received after the deadline will not be added to the public agenda. In the event registration with the Clerk is not made by 12:00 noon on the Friday preceding the meeting, but prior to 4:00 pm on the date of the meeting, the Clerk will bring the request to the attention of Council. Council, on a majority vote, may decide to hear the delegation.

- PowerPoint presentations are permitted provided that an electronic copy of the presentation is submitted to the Town Clerk no later than 12:00 noon on the Friday before the meeting. A copy of the presentation will be distributed to Council or Committee, as the case may be, as part of the delegation submission.

- A copy of the delegations speaking notes/presentation material must be submitted with the delegation request form to comply with Section 5.11 of the Procedure By-law.

Thank You

Submission Successful

My name is Sue Jeffrey and my husband and I live at [redacted]. in Amherstburg. Thank you for this opportunity to voice our community concerns about the current operation of an AirBnB on Bois Blanc Island.

Our island is a unique, vibrant residential community modelled and marketed with distinct private community qualities. As a gated community, the ferry controls our vehicle, pedestrian, and visitor traffic. Privacy, safety, and security, key reasons for living on Bois Blanc Island, are now compromised with short-term rentals. The turnover and unpredictability of new people coming and going has put our quiet peaceful neighbourhood at risk. With numerous real estate listings presently on Bois Blanc Island, it's felt that our island could potentially be inundated with AirBnBs and/or other short-term rentals.

A Public Petition with over one hundred signatures from residents is currently being circulated on the island.

London, Toronto, Goderich, and Ottawa have passed stringent Zoning By-Laws regarding short-term rentals. We strongly urge our Amherstburg Town Council to pass a By-Law specific to Bois Blanc Island prohibiting AirBnBs or any short-term rentals operating on our island. At this point we'd like a temporary ban considered on short-term rentals until our Town Council has a resolution.

Delegation Request Form

I wish to appear before *

- [x] Council
- [ ] Advisory Committee of Council

Date of Meeting *

9/12/2022

Name of Delegate(s) *

Mary Anne Adam

Address *

[redacted]

Phone *

[redacted]

Email *

[redacted]

Capacity in which you will be attending *

- [x] Attending as an Individual
- [ ] Representing a Group / Organization

Have you contacted Administration regarding this matter? *

(•) Yes ( ) No

Who from Town Administration have you contacted? *

The Clerk's Office

Reason(s) for Delegation Request (subject matter to be discussed). If the request is in response to an item on the agenda, please specify the item's agenda # *

Issues with Air BnBs in the Edgewater area

If your request is in response to an agenda item, are you in favour of the recommendation? If not, please provide your reasoning below

Yes.

Will a powerpoint presentation be made? *

- ○ Yes
- ◉ No

Note: An electronic copy of the PowerPoint presentation is required to be submitted to delegations@amherstburg.ca no later than 12:00 noon on the Friday before the meeting.

Please upload speaking notes and/or presentation materials - 4 Attachments Max (10MB Each) (pdf, docx, xlsx, jpg, jpeg, gif, png, tif) *

File Name
Air bnb problems.docx 17.6 KB

Personal information contained on this form is authorized under Section 5 of the Town of Amherstburg's Procedure By-law, for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Council or an Advisory Committee of Council. The Delegation Request Form may be published in its entirety with the public agenda which is also posted on the Town's website. The Procedure By-law is a requirement of Section 238(2) of the Municipal Act, 2001.

Please note that all meetings are open to the public except where permitted to be closed to the public under legislated authority. Questions regarding collection of the information on this form or additional accessibility requirements may be directed to the Municipal Clerk, 271 Sandwich Street South, Amherstburg, ON
N9V 2A5, 519.736.0012.

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- A copy of the delegations speaking notes/presentation material must be submitted with the delegation request form to comply with Section 5.11 of the Procedure By-law.

Thank You

Submission Successful

51 & 57 Sandwich Street South

Town of Amherstburg Council Meeting: ZBA-11-22

September 12, 2022

DILLON CONSULTING

Project Overview

DILLON CONSULTING

Background Studies and Reports

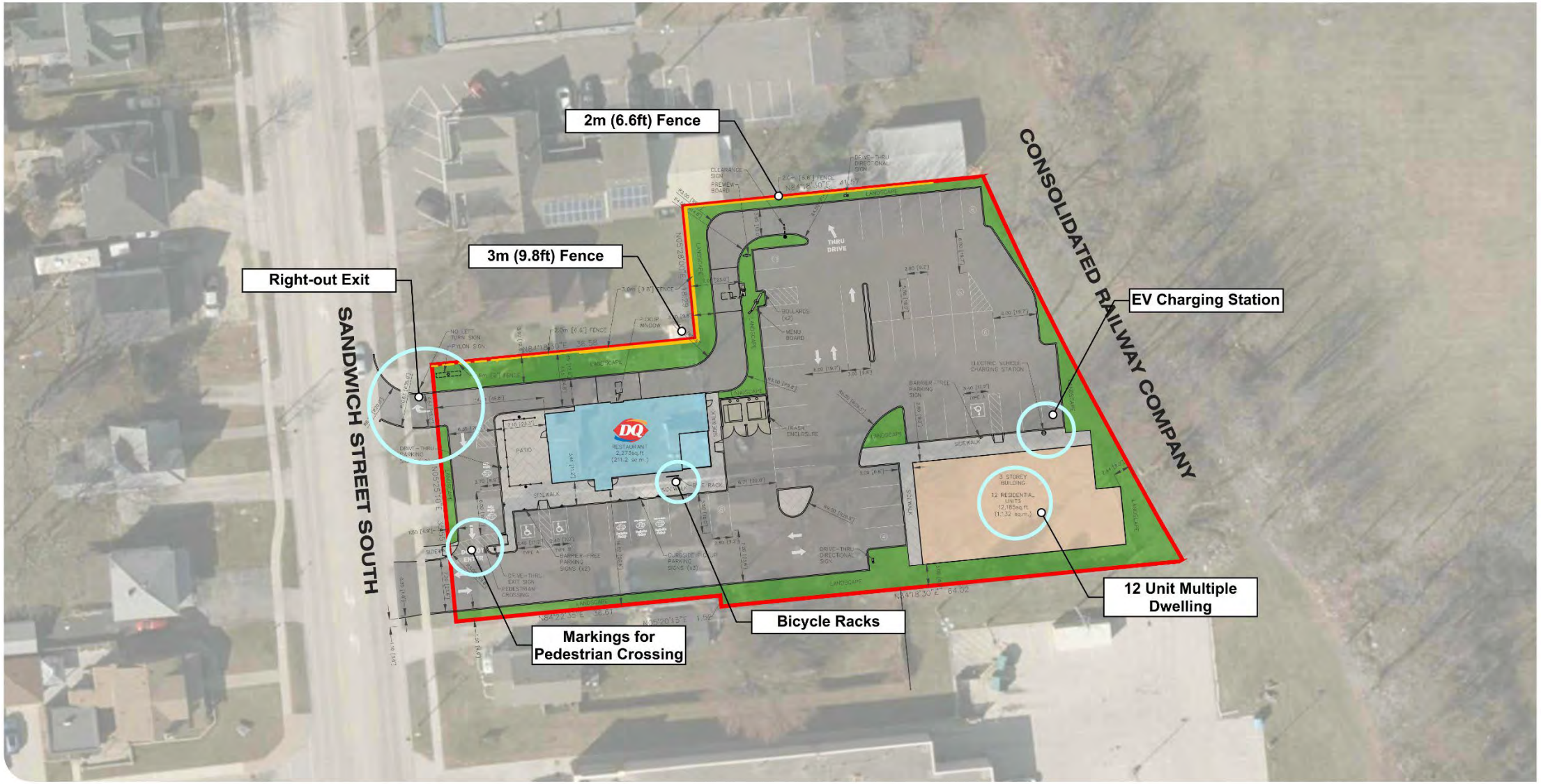
June 2022

- Planning Justification Report (PJR)
- Stormwater Management (SWM) Brief
- Transportation Impact Study (TIS) & Addendum

August 2022

- Revised Planning Justification Report (PJR)
- Noise Assessment
- Landscaping Plan and Details
- Photometrics Plan and Lighting Memo
- Revised Elevations, including materials

Conceptual Development Plan



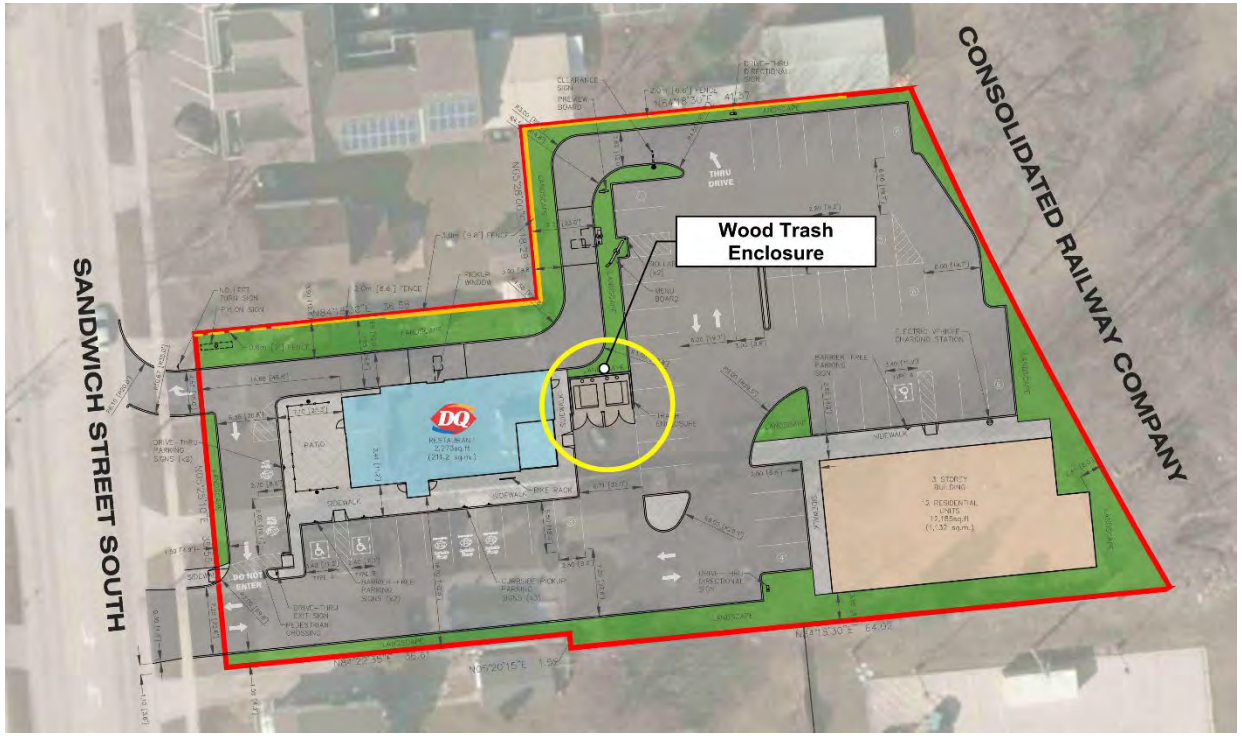
DILLON CONSULTING

Proposed Dairy Queen

A HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7586 - STOLEN KISS	D FACE BRICK VENEER TO MATCH SHERWIN WILLIAMS SW 7024 - FUNCTIONAL GRAY	G CHARCOAL ALUMINUM CAP	J DARK BRONZE ALUMINUM WINDOW FRAMES WITH CLEAR GLAZING
B HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7047 - PORPOISE	E HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7531 - CANVAS TAN	H RED ALUMINUM CAP TO MATCH HARDIE PANEL "A"	
C FACE BRICK VENEER TO MATCH HARDIE PANEL "B"	F STONE SILL	I BLACK ALUMINUM ACCENT PANEL DETAIL	

architectural design associates inc. architect
1670 Mercer St.
Windsor | Ontario
N8X 3P7
Tel 519.254.3430
ada-architect.ca

Proposed Dairy Queen



Dairy Queen, 1774 Division Rd N, Kingsville

DILLON CONSULTING

Proposed Residential Building

SCHEMATIC RESIDENTIAL BUILDING AESTHETIC.

DILLON CONSULTING

Thank you

Amy Farkas, MCIP RPP
Dillon Consulting Limited
afarkas@dillon.ca

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF CORPORATE 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: Tracy Prince	**Report Date: August 9, 2022**
Author's Phone: 519 736-0012 ext. 2254	**Date to Council: August 15, 2022**
Author's E-mail: tprince@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **2023 Budget Directions**

---

1. RECOMMENDATION:

It is recommended that:

1. That Council **APPROVE** the proposed 2023 Budget Schedule.

2. BACKGROUND:

The Town of Amherstburg prepares an annual budget that is approved by Council and includes all projected operational and capital expenditures for all municipal service areas. Each annual budget is made up of the following components:

- **Operating** - The income in this budget is primarily derived from property taxes and user fees. The budget covers the day-to-day expenses of the town for municipal services and programs. Some examples are road maintenance and repairs, snow removal, the provision of recreational programs, by-law enforcement, and fire and police services.
- **Capital** - The income in this budget can be from property taxes, reserves, development charges, issued debt, grants, and co-share with others, such as the county or developers. The budget covers municipal projects related to new assets or rehabilitation of existing ones, including roads, sewers, water mains, bridges, fleet replacements, and more.

  The budgeting process is important in reflecting long-term goals for growth and development of the Town of Amherstburg and is intended to:

  - Ensure financial sustainability through long-term financial planning and maintenance of adequate reserves;

- Improve, develop and maintain the existing and new infrastructure that supports a sustainable community; and

- Promote the Town's reputation as an attractive place to live and where residents can experience a high quality of life.

3. DISCUSSION:

2023 Budget Timeline
A budget timeline has been developed by staff for the 2023 budget process. Please refer to Attachment A to this report. The objectives of the proposed schedule are to:

a) Provide members of Council opportunities early in the process to provide overall direction on the budget as a whole as well as key impact areas;
b) Allow for sufficient public consultation;
c) Allow the new Council time to become familiar with the operations of the Town and the budget process so that final budget approval from Council can be sought before the end of February 2023; and
d) Allow the procurement process for 2023 budget items to begin in March so that projects can proceed in a timely and cost effective manner.

Key aspects of the proposed schedule:

Present & Table Budget	January 9, 2023
Public Engagement(website)	January 12-22, 2023
Council Deliberations	February 2023
Council Adoption of Budget	February 2023

Public input through an online survey will be utilized for the 2023 Budget through advertisement on the Town's website and *Talk the Burg*, after the Budget is tabled on January 9th, 2023. The purpose is to seek public input on key areas within the 2023 Budget.

Budget Deliberations (February 2023). Budget deliberations are proposed for the Council meeting to be held in February for the

Operating Budgets:
February 6th, 2023 *(6pm – 10pm)*
February 7th, 2023 *(9am – 5:30pm)*
February 8th, 2023 *(1pm –7pm, if required)*

Capital Budget:
February 13th, 2023 *(6pm – 10pm)*
February 14th, 2023 *(9am – 5:30pm)*
February 15th, 2023 *(1 pm –7 pm, if required)*

In addition to the budget process timelines, the budget document utilized for the 2022 Budget is planned for the 2023 Budget presentation, which presents each budget centre from a high-level perspective, allowing Council to focus on the programs and services provided from a strategic point of view. This allows Administration to deliver the services based on the service levels proposed and program funding approved.

Administration's intent is to bring forward a recommended budget that maintains the Town's existing level of service. Any budget enhancements will be identified for Council's consideration and would add to the recommended tax levy proposed to maintain the existing service levels.

4. RISK ANALYSIS:

Adoption of a budget after the commencement of the fiscal year should not delay the tracking and analysis of spending in 2023. When the budget is presented in early January, actuals for the entire 2022 year will not yet be finalized. However, this risk will be mitigated by having the most available year-to-date spending estimates available, including year-end projections presented by department heads.

The proposed timeline is not unlike the budget process timeline many municipalities undertake during an election year, as a new Council is typically not sworn in until December to begin their term. As a result, most budget processes are finalized in January or February under those circumstances.

5. FINANCIAL MATTERS:

There is no direct financial implication to the Towns as a result of this report. Confirmation of council budget direction and timelines will ensure an effective budget review process for both the staff and Council.

6. CONSULTATIONS:

Senior Management Team

7. CONCLUSION:

That Council approves the proposed 2023 Budget Timeline, the goal of Administration is to provide Council with a proposed budget, that maintains the Town's existing level of service. Any budget enhancements will be identified for Council's consideration and would add to the recommended tax levy proposed to maintain the existing service levels.

The Proposed Timelines for the 2023 budget allow the new council time to orient in their roles prior to adoption in February 2023.

Tracy Prince
Director of Corporate Services/CFO

Report Approval Details

Document Title:	2023 Budget Directions.docx
Attachments:	- 2023 Budget DRAFT Timelines Apdx A.docx
Final Approval Date:	Sep 2, 2022

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

Valerie Critchley

Town of Amherstburg

Budget Timelines – 2023 Budget Process

Item	Action by	Deadline
2023 Budget		
Dept. Budget Prep - All Budget Centres • (update estimates, review YTD operating and capital, review/update budget comments/notes and budget book information, etc.)	SMT	August 2022
Budget templates distributed to SMT	Corp. Services - Finance	September 7th, 2022
SMT **submit** draft **budget requests** to Finance	SMT	October 6th, 2022
Dept. Meetings - Review Requests	CAO, DCS, Deputy Treasurer and Dept. Director	Week of October 16th, 2022
Second Review with CAO, and SMT if necessary, for any changes	CAO, DCS, Deputy Treasurer; (Dept Directors if necessary)	Week of Nov. 7th, 2022
Budget documents – production • Rough Draft • Final Draft – Recommended Budget	Corp. Services - Finance	Week of Nov. 14th, 2022 Week of Nov 21stth, 2022
Budget documents – distribution to Council and SMT	Clerk's Office	Nov 25th, 2022
Council meetings - Budget Deliberations		
• ***Table Budget/Presentation** - Special Meeting		January 9th, 2023
• ***Public Survey -**		January 12th to 22nd 2023
• ***Deliberations** - evening session XXXXXX community grant requests/delegations.	2023 Operating Budget	1. February 6th, 2023 *(6pm – 10pm)* 2. February 7th, 2023 *(9am – 5:30pm)* 3. February 8th, 2023 *(1pm –7pm, if required)*

	2023 5-year Capital Budget	1. February 13th, 2023 *(6pm – 10pm)* 2. February 14th, 2023 *(9am – 5:30pm)* 3. February 15th, 2023 *(1pm –7pm, if required)*

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES, RECREATION & CULTURE

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: Heidi Baillargeon	**Report Date: August 29, 2022**
Author's Phone: 519 736-5712 ext. 2128	**Date to Council: September 12, 2022**
Author's E-mail: hbaillargeon@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Co-An Park Redevelopment**

---

1. RECOMMENDATION:

It is recommended that:

1. Administration **BE DIRECTED** to proceed with Phase 1 public engagement and consultation in collaboration with the Town of Essex to identify re-development opportunities for Co-An Park;
2. An unbudgeted expenditure, not to exceed $10,000 plus applicable HST, **BE APPROVED** for Phase 1 Public Engagement and Consultation to identify redevelopment opportunities for Co-An Park; and,
3. A transfer from the Parkland Reserve Fund **BE AUTHORIZED** for the Phase 1 Public Engagement and Consultation to identify redevelopment opportunities for Co-An Park.

2. BACKGROUND:

Co-An Park is a 15.9 ha Athletic park located in The Town of Essex and was founded in 1977 by the Townships of Anderdon and Colchester North to provide municipal parkland and recreational services to the community.

The park consists of the following amenities:

- Six Baseball diamonds
- Three Soccer fields
- Two Tennis courts
- Playground equipment
- Washrooms
- Pavilion and canteen with site furnishings

- Maintenance, storage building
- Walking Paths
- Parking lot with lighting
- Essex County Steam and Gas Engine Museum Inc.

Although Co-An Park is located in McGregor (Essex) it is jointly owned 50/50 by the Town of Amherstburg and the Town of Essex. There are several by-laws and agreements dating back to the early 1970's that govern the use, maintenance and operation of the park which is run by a Board.

The Board, consists of members of Council and residents from each municipality that is responsible for the operation, maintenance and recreational programming and activities for the park. Decisions regarding capital investments in the park are currently made by the Board and costs are jointly shared on a 50% basis between the Town of Amherstburg and the Town of Essex.

The Board holds regular monthly meetings and submits to Council an annual report of its activities and operational costs as well as other reports that are required from time to time. In September of each calendar year the Board submits to Council a detailed estimate of its operating and capital budget requests for consideration for the following years budget.

The Essex County Steam and Gas Engine Museum Inc. is also located in the park and is owned and operated by a third party since 1997. This building has a twenty (20) year lease with the Town of Essex in the amount of $1.00 per year. The lease term began July 2008 and expires June 30, 2028 with the right to renew the operating agreement for a second term. The Museum is responsible for:

- all utility and insurance costs
- repair and maintenance of the property including buildings, driveways, sidewalks, parking areas and grass areas.

3. DISCUSSION

The agreements and by-laws that govern the use, maintenance and recreational operation of Co-An Park need to be updated and or amended to meet the changing needs of the community. The Parks Master plan speaks to this under Recommendation number 74:

"Examine all options relative to the Town's ongoing management and financial commitments to Co-An Park. Re-negotiation of the terms and municipal commitment is anticipated."

The Town of Essex has reached out to the Town of Amherstburg Administration and members of Council requesting that the process begin to investigate potential re-development opportunities for the park that would benefit both communities.

This request is timely in that it coincides with planning initiatives currently underway within the Town of Amherstburg as it relates to both the Woodland Trails Subdivision and the Canard Valley Estates Phase two. These two subdivisions are within close proximity to Co-An Park and the Park could offer residents a number of recreational

opportunities. The 2021 population in this area was 712 people with approx. 277 dwellings which equates to 2.57 persons per dwelling. A total of 143 new dwellings are proposed as part of Woodland Trails Ph 1 and Canard Valley Estates Phase 2. With this information we can assume that the catchment area for Co-An Park will be:

Population: 712 + 2.57 persons per dwelling * 143 new dwellings = 1,080
Dwellings: 420

The subdivisions are located approx.1km away from Co-An Park heading east on Middle Side Road (**See Appendix A)**. In addition, there is a proposed trail connection that would link both subdivisions to Co-An Park that was recently updated in the 2020 CWATS Master Plan. Should these subdivisions move forward, Administration would recommend that Council make a request to the County to fund and expedite the construction of this portion of trail as a priority. This connection is extremely important in providing healthy active living and access to recreational amenities for the residents of the area.

The Town of Essex has made a formal request to Administration to begin the process to investigate potential opportunities for Co-An Park including how both municipalities could benefit and continue to support the park. In order to move forward on a redevelopment plan for Co-An Park, a coordinated public engagement meeting is required by both municipalities.

The recommended method for public engagement is through a joint public information session with the Town of Essex. The public engagement process will include:

- In-person public information session (location to be identified) to:
    - Inform residents about the park current amenities and how it is managed
    - Collect feedback from both municipalities and residents on the needs and requests regarding recreational amenities
    - Answer questions and provide information

Once this process is undertaken the information collected will be used to develop a master plan for the park that will guide all future development and capital expenditures. The end goal in the re-development process is to create a Master Plan for Co-An Park that is agreed to by both the Town of Amherstburg and the Town of Essex with identified phases, timelines and projected costs that support the recreational needs of residents of both communities.

4. <u>RISK ANALYSIS:</u>

The agreements and by-laws that govern the operation, maintenance, capital expenditures and recreational use of Co-An Park need to be updated to coincide with current policies and procedures as well as new planning initiatives for both municipalities. Updating these documents will ensure compliance with current Town standards, policies, procedures and regulations thereby helping to reduce and mitigate risk, liability and exposure to the Town associated with long term capital and operational investments of the park.

5. FINANCIAL MATTERS:

The Town of Amherstburg annually commits $20,000 (2022) towards operations and entertains requests for capital expenditures related to the park, as requested.

Administration requests funding in the amount of $10,000 from the Parkland Reserve Fund to undertake phase one of the public engagement/consultation process for the park.

6. CONSULTATIONS:

Town of Essex
Director of Development Services, Deputy CAO
Manager Planning Services
Manager of Parks
Manager of Facilities

7. CONCLUSION:

In conclusion, the Town of Essex has reached out to the Town of Amherstburg Administration and members of Council requesting the process begin to investigate re-development opportunities for Co-An Park that would benefit both communities. In light of the fact that the agreements and by-laws that govern this park need to be updated and there are two potential proposed subdivision developments on the horizon, this presents a great opportunity for both communities to come together and establish strategic goals and objectives for the park. It presents an opportunity for further cost sharing between the communities while helping to continue to deliver high quality recreational services to the residents.

_____
Heidi Baillargeon
Director of Parks, Facilities, Recreation and Culture

RC

Report Approval Details

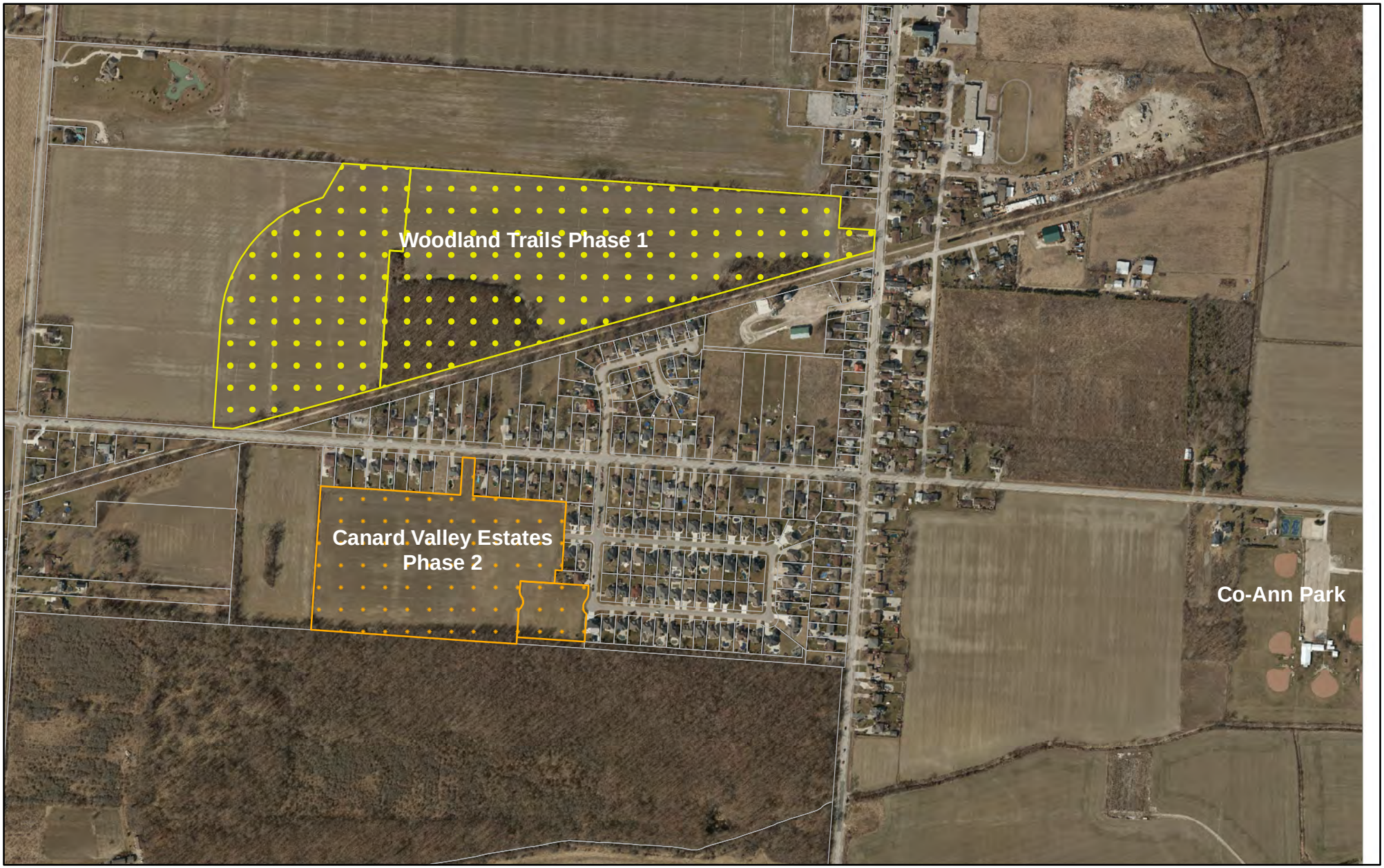
Document Title:	Co-An Park Redevelopment.docx
Attachments:	- Appendix A McGregor Development and trail connection to Co-An.pdf
Final Approval Date:	Sep 1, 2022

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

Tracy Prince

Valerie Critchley

Appendix "A"


Woodland Trails Phase 1
Canard Valley Estates
Phase 2
Co-Ann Park

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING & INFRASTRUCTURE 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: Todd Hewitt	**Report Date: August 29, 2022**
Author's Phone: 519 736-3664 ext. 2313	**Date to Council: September 12, 2022**
Author's E-mail: thewitt@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **3rd Concession North Watermain Upgrade – Tender Results**

---

1. RECOMMENDATION:

It is recommended that:

1. The 3rd Concession North Watermain Upgrade Tender **BE AWARDED** to Rudak Excavating Inc. for an amount not to exceed $138,900.00 plus H.S.T; and,
2. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Rudak Excavating Inc for the 3rd Concession North Watermain Upgrade.

2. BACKGROUND:

The Town advertised a Request for Tender (RFT) online for the 3rd Concession North Watermain Extension on July 20, 2022 via Bids and Tenders and on the Town's website. The RFT includes the upgrade the watermain on the 3rd Concession North from Alma Street northerly from a 50mm to a 150mm watermain to suit the requirements of a severance application.

3. DISCUSSION:

Tenders closed for this project at 11:00 a.m. on August 4th, 2022. The Town received 5 tender submissions that were processed electronically via the Bids and Tenders system.

The tenders were reviewed electronically to ensure there were no mathematical errors or omissions. The tender results are:

	Bidder	Tender Amount (excluding HST)
1.	Rudak Excavating Inc.	$ 138,900.00
2.	Shearock Construction Group Inc.	$ 175,000.00

3. D'Amore Construction (2000) Ltd. $ 240,000.00
4. Major Construction (2010) Ltd. $ 268,485.00
3. Master Utility Division Inc. $ 284,250.00

RC Spencer Associates Inc. is the consulting engineer that completed the design engineering for this project. They have completed the review of the tender submissions and have recommended that the tender be awarded to the lowest bidder, Rudak Excavating Inc. Administration concurs with this recommendation.

This project is being funded both by the landowner (1473490 Ontario Limited) who has applied for the severances as well as a small portion that is being funded by the Town to extend the watermain an additional 55m. This funding arrangement and agreement was approved by Council on June 27, 2022.

4. RISK ANALYSIS:

Not awarding the tender at this point would jeopardize the ability of 1473490 Ontario Limited to complete their severances. There is also a risk of litigation if Council opts to not award a tender that meets all criteria with respect to policy and budget.

5. FINANCIAL MATTERS:

On June 27th, 2022 Council approved $40,000 to fund the Town's portion of the project.

Based on the recommended award of tender, the financial impact is estimated as follows:

3rd Concession Watermain Upgrade	Actual (incl. net HST)
Cost:	
Construction Tender	$141,345
Total Project Cost	**$141,345**
Funding:	
1473490 Ontario Limited	$109,045
Town Portion (water reserve)	$32,300
Total Project Funding	**$141,345**

As per the financing agreement with the developer once the work has been completed, the Town will invoice 1473490 Ontario Limited its share of the cost of the works and the town portion will be funded from the water reserve.

6. CONSULTATIONS:

RC Spencer Associates Inc.

7. CONCLUSION:

Administration recommends that Council award the 3rd Concession North Watermain Upgrade to Rudak Excavating Inc.

Todd Hewitt
Manager of Engineering

DEPARTMENTS/OTHERS CONSULTED:
Name:
Phone #: 519 ext.

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX

Report Approval Details

Document Title:	2022 09 12 - 3rd Concession North Watermain Upgrade - Tender Results.docx
Attachments:	- RC Spencer - 3rd Conc N Watermain - Tender Results.pdf - 2022 06 27 - 3rd Concession Watermain Agreement.pdf
Final Approval Date:	Sep 2, 2022

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

Antonietta Giofu

Tracy Prince

Valerie Critchley

RC SPENCER ASSOCIATES INC.
Consulting Engineers

9 August 2022
File No. 21-1176

The Corporation of the Town of Amherstburg
512 Sandwich St. South
Amherstburg, Ontario N9V 3R2

Attention: **Mr. Todd Hewitt**
Manager of Engineering and Operations

Re: **3rd Concession North Watermain Extension**
Tender Results

Dear Todd:

Tenders for the 3rd Concession north Watermain Extension were received on 4 August 2022. The results are listed below in ascending order:

	Contractor	**Bid** (including H.S.T.)
1.	Rudak Excavating Inc.	$ 156,957.00
2.	SheaRock Construction Group Inc.	$ 197,750.00
3.	D'Amore Construction (2000) Ltd.	$ 271,200.00
4.	Major Construction (2010) Ltd.	$ 303,388.05
5.	Master Utility Division Inc.	$ 321,202.50

We have checked the Tender submissions and determined that there were no mathematical errors made.

We therefore recommend that the Town accept the low tender submitted by Rudak Excavating Inc., in the amount of $138,900.00 plus $18,057.00 (13% HST) for a total of **$156,957.00**.

Yours Truly,
RC Spencer Associates Inc.

Shane Lafontaine, M.Eng., P.Eng.
Project Engineer

Windsor: 800 University Ave. W. – Windsor, ON N9A 5R9
Leamington: 18 Talbot St. W. – Leamington, ON N8H 1M4
Chatham-Kent: 49 Raleigh St. – Chatham, ON N7M 2M6

Professional Engineers
Ontario

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING & INFRASTRUCTURE 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: Todd Hewitt	**Report Date: June 9, 2022**
Author's Phone: 519 736-3664 ext. 2313	**Date to Council: June 27, 2022**
Author's E-mail: thewitt@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **3rd Concession North Watermain – Funding Model and Agreement**

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1. RECOMMENDATION:

It is recommended that:

1. The CAO **BE AUTHORIZED** to sign the reimbursement agreement with 1473490 Ontario Limited for associated costs related to the upgrade of the watermain on the 3rd Concession North; and,

2. The Treasurer **BE DIRECTED** to fund $40,000, being the Town's portion of the upgrade, from the water reserve.

2. BACKGROUND:

1473490 Ontario Limited is the owner of the vacant lot on the north-west corner of Alma and the 3rd Concession North. In April 2021 the owner applied to the Committee of Adjustment to sever the vacant land into 3 parcels. A condition of the severances was - *"That the Concession 3 North water main be upgraded to the satisfaction of the Engineering and Public Works Department prior to the stamping of the deeds, at the applicants' expense. The applicant must demonstrate that the water main has been upgraded prior to the stamping of the deeds."*. This upgrade is required to ensure that these lots (zoned industrial) have appropriate water capacity and fire protection.

3. DISCUSSION:

After the developer received the conditions from the Committee of Adjustment the owner of the vacant lands contracted RC Spencer Associates Inc. to design the watermain upgrade. All costs associated with installing the watermain along the front of the property

to be severed are the responsibility of the owner. Upon review on the project drawing, Administration is recommending that the watermain be extended an additional 55m to include the home directly north of the vacant lands. The cost of this portion of the watermain would be borne by the Town.

Agreement to Fund

Typically, the Town would allow the developer to tender and complete these projects directly after providing the appropriate securities. As the Town would now be paying for a portion of the project, we are required to meet the requirements of the procurement policy, including the tendering of the project. A funding agreement was required between the Town and 1473490 Ontario Limited to ensure the Town is reimbursed for all funds attributed to the landowner. The Department of Legislative Services created an agreement that has been agreed to with the owner.

Once the work has been completed, the Town will invoice the owner its cost of the works and the town portion will be funded from the water reserve.

4. RISK ANALYSIS:

If Council does not agree to the funding agreement or the additional funding the landowner will be responsible to complete the work himself and the additional 55m recommended by the Town will not be completed. The additional 55m would then need to be completed when the Town connects the two sections of watermain on this portion of the 3rd Concession.

5. FINANCIAL MATTERS:

It is estimated that the total project cost will be $165,000 excluding HST with $40,000 to be funded by the Town to extend the watermain an additional 55m. The developer's cost will be invoiced immediately after conclusion of the works.

A future report will be brought to Council to award the tender. At that time, final numbers will be provided.

6. CONSULTATIONS:

Director of Legislative Services

7. CONCLUSION:

The approval of the funding agreement will allow the developer to complete the conditions of his severance and allow the development to proceed.

Todd Hewitt
Manager of Engineering

Report Approval Details

Document Title:	2022 06 27 - 3rd Concession Watermain Agreement.docx
Attachments:	- Shaw Agreement - Concession 3 N Water Main.pdf - Shaw Property - Aerial.pdf
Final Approval Date:	Jun 21, 2022

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

Antonietta Giofu

Tracy Prince

Valerie Critchley

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Angelo Avolio	**Report Date: August 9, 2022**
Author's Phone: 519-736-5408 ext. 2163	**Date to Council: September 12, 2022**
Author's E-mail: aavolio@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Deferred Development Charges-Block 25 Livingstone Cres and Block 19 Kelly Road**

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1. RECOMMENDATION:

It is recommended that:

1. The Mayor and Clerk **BE AUTHORIZED** to enter into Development Charges Agreement for Block 25 Livingstone and Block 19 Kelly Road Amherstburg, as per the Development Charges Act, Section 26.1 (2)(1);

2. BACKGROUND:

On June 6, 2019 the *More Homes More Choice Act*, 2019 Bill 108 received Royal Assent. The Act amends the *Development Charges Act*, 1997 to include section 26.1 which states

Certain types of development, when charging payable

26.1 (1) Despite section 26, a development charge in respect of any part of a development that consists of a type of development set out in subsection (2) is payable in accordance with this section. 2019, c. 9, Sched. 3, s. 8 (1).

(2) The types of developments referred to in subsection (1) are the following:

1. Rental housing development that is not non-profit housing development referred to in paragraph 3.
2. Institutional development.
3. Non-profit housing development.

This amendment allows for the deferral of development charges for the types of developments listed above in 6 equal payments over a 5 year period.

Section 11.1(1) states "For the purposes of subsection 26.1(2) of the Act, rental housing developments means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises."

3. DISCUSSION:

2832765 Ontario Inc. has requested the deferral of development charges for (Block 25) 263, 265, 267, 269 Livingstone Cres and (Block 19) 300, 302, 304, 306 Kelly Road. The development charges for Block 25 total $42,632.00 and Block 19 total $42,632.00. These are the amounts requested for deferral over a 5-year period.

Development Charge Agreements will allow for payments to begin on the first day of occupancy and for five consecutive anniversaries thereafter.

4. RISK ANALYSIS:

The Province requires municipalities to undertake such agreement for the deferral of development charges for rental housing developments that is not non-profit. Block 25 Livingstone Cres and Block 19 Kelly Road both qualify as rental development that is not non-profit. Failure to allow deferral of development charges as required by the Act, would make the Town non-compliant with legislation.

In order to properly protect the Town in these circumstances, Administration, with the assistance of legal counsel, has prepared an agreement to ensure that the Town's interests are protected and will be used as a tool to register the interest on title of each property. If an applicant defaults on the arrangement as set out in the agreement, development charges become due and payable in full by the applicant. The Town has protection built into the agreement to collect on outstanding charges if necessary.

5. FINANCIAL MATTERS:

All costs are to be borne by the applicant, this is a deferral agreement and will have an impact on the Town's cash flow. This information will be put on the tax roll and the payment will be made directly through the Financial Services Division. The deferral of development charges will be paid on the anniversary of the occupancy date of each unit for a period of 5 years. As approved by council the deferred development charges will have a calculated interest rate of prime + 3% to reflect the cost of managing the agreement and its impact on cash flows.

6. CONSULTATIONS:

The Director of Development Services and Legal Counsel were consulted to ensure that the agreement is in keeping with legislation.

7. CONCLUSION:

2832765 Ontario Inc. has requested deferral of development charges for Block 25 Livingstone Cres and Block 19 Kelly Road. Accordingly, Council is requested to authorize the Mayor and Clerk to execute the necessary development charge agreements for these requests as per section 26.1 of the Development Charges Act. Once executed, these agreements will be registered on title for each property to protect the interests of the Town.

Angelo Avolio
Chief Building Official

Report Approval Details

Document Title:	Deferred Development Charges Block 25 Livingstone and Block 19 Kelly Road.docx
Attachments:	
Final Approval Date:	Sep 2, 2022

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

Melissa Osborne

Tracy Prince

Valerie Critchley

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Angelo Avolio	**Report Date: August 29, 2022**
Author's Phone: 519 734-5408 ext. 2136	**Date to Council: September 12, 2022**
Author's E-mail: aavolio@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Deferred Development Charge-515 Dalhousie Street**

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1. RECOMMENDATION:

It is recommended that:

1. The Mayor and Clerk **BE AUTHORIZED** to enter into Development Charges Agreement for 515 Dalhousie St, CON 1 PT LOT 4, Amherstburg, as per the Development Charges Act, Section 26.1 (2)(1).

2. BACKGROUND:

On June 6, 2019 the *More Homes More Choice Act*, 2019 Bill 108 received Royal Assent. The Act amends the *Development Charges Act*, 1997 to include section 26.1 which states

Certain types of development, when charging payable

26.1 (1) Despite section 26, a development charge in respect of any part of a development that consists of a type of development set out in subsection (2) is payable in accordance with this section. 2019, c. 9, Sched. 3, s. 8 (1).

(2) The types of developments referred to in subsection (1) are the following:

1. Rental housing development that is not non-profit housing development referred to in paragraph 3.
2. Institutional development.
3. Non-profit housing development.

This amendment allows for the deferral of development charges for the types of developments listed above in 6 equal payments over a 5 year period.

Section 11.1(1) states "For the purposes of subsection 26.1(2) of the Act, rental housing developments means development of a building or structure with four of more dwelling units all of which are intended for use as rented residential premises."

3. DISCUSSION:

Shev Corp. has requested the deferral of development charges for the residential addition to the existing apartment building. The development charges total $63,948.00. This is the amount requested for deferral over a 5-year period.

Development Charge Agreements will allow for payments to begin on the first day of occupancy and for five consecutive anniversaries thereafter.

4. RISK ANALYSIS:

The Province requires municipalities to undertake such agreement for the deferral of development charges for rental housing developments that is not non-profit. The addition at 515 Dalhousie Street qualify as rental development that is not non-profit. Failure to allow deferral of development charges as required by the Act, would make the Town non-compliant with legislation.

In order to properly protect the Town in these circumstances, Administration, with the assistance of legal counsel, has prepared an agreement to ensure that the Town's interests are protected and will be used as a tool to register the interest on title of each property. If an applicant defaults on the arrangement as set out in the agreement, development charges become due and payable in full by the applicant. The Town has protection built into the agreement to collect on outstanding charges if necessary.

5. FINANCIAL MATTERS:

All costs are to be borne by the applicant and will have an impact on the Town's cash flow. This information will be placed on the tax roll and the payment will be made directly through the Finance Department. The deferral of development charges will be paid on the anniversary of the occupancy date of each unit for a period of 5 years. As approved by council the deferred development charges will have a calculated interest rate of prime + 3% to reflect the cost of managing the agreement and its impact on cash flow.

6. CONSULTATIONS:

The Director of Development Services and Legal Counsel were consulted to ensure that the agreement is in keeping with legislation.

7. CONCLUSION:

Shev Corp. has requested deferral of development charges for 515 Dalhousie Street. Accordingly, Council is requested to authorize the Mayor and Clerk to execute the necessary development charge agreements for this request as per section 26.1 of the Development Charges Act. Once executed, the agreement will be registered on title for the property to protect the interests of the Town.

Angelo Avolio
Chief Building Official

Report Approval Details

Document Title:	Deferred Development Charges-515 Dalhousie Street.docx
Attachments:	
Final Approval Date:	Sep 2, 2022

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

Melissa Osborne

Tracy Prince

Valerie Critchley

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Christopher Aspila	**Report Date: August 10, 2022**
Author's Phone: 519 736-5408 ext. 2124	**Date to Council: September 12, 2022**
Author's E-mail: caspila@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Zoning By-law Amendment: 131-135 Sandwich St S**

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1. RECOMMENDATION:

It is recommended that:

1. **By-law 2022-069** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 131-135 Sandwich Street South be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and

2. Administration be **DIRECTED** to establish a Parking Reserve Fund restricted for use at all municipal parking lots to address current and or expanded services provided by them. This reserve fund will be funded by the in-lieu payments.

3. Payment in lieu of Parking in the amount of $18,000 **BE RECEIVED** from the Applicant and **DEPOSITED** into the Parking Reserve Fund.

2. BACKGROUND:

The Town received an Official Plan Amendment and Zoning By-law Amendment from Daei Foods Inc., for approximately 0.2 hectares of land (municipally known as 131 and 135 Sandwich Street South) located on the east side of Sandwich Street South between Fort Street and Richmond Street. If approved, the Official Plan will be amended on a site-specific basis using a Special Policy Area to permit a drive through restaurant on the subject lands with an additional commercial unit having a total gross floor area of approximately 390 m^2. The Zoning By-law amendment, if approved, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

A Statutory Public Meeting under the Planning Act was held on June 13, 2022, at which comments were received from members of the community and Council. Following the June 13, 2022 meeting, Administration worked with the applicant and their agents (MHBC Planning) to address the comments and bring forward this report for Council's consideration.

Official Plan Amendment No. 16 was adopted by Town Council on August 8, 2022 (By-law 2022-068) and at time of writing this report is in the appeal period pending approval by the County of Essex.

The subject property is designated General Commercial with a Special Policy Area added by Official Plan Amendment No. 16. The subject property is zoned Commercial General in the Town of Amherstburg Zoning By-law 1999-52.

3. DISCUSSION:

Provincial Policy Statement

The Provincial Policy Statement was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

When reviewing a planning application to determine if the requested Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) make sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS).

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS recognizes that the wise management of development may involve directing, promoting, or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns.

The following policy excerpts from the PPS are particularly applicable to the subject applications:

1.1 **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

1.1.1 Healthy, liveable, and safe communities are sustained by:

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.
c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
d) Avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*.
e) Promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification*, and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
g) Ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and project needs.
h) Promoting development and land use patterns that conserve biodiversity; and
i) Preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area. Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*. Nothing in policy 1.1.2 limits the planning for *infrastructure, public service facilities* and *employment areas* beyond a 25-year time horizon.

<u>County of Essex Official Plan</u>

County of Essex Official Plan

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Official Plan Amendment include:

Section 1.5 Goals for a Healthy County outline the following:

- To direct the majority of growth (including *intensification* and *affordable housing*), and investment (*infrastructure* and community services and facilities) to the County's *Primary Settlement Areas*. These *Primary Settlement Areas* will serve as focal points for civic, commercial, entertainment and cultural activities.

- To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and *transportation systems* that create more *sustainable*, efficient, healthy, and liveable communities.

- To create more mixed use, compact, pedestrian-oriented *development* within designated and fully serviced urban *settlement areas.*

- To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

- To prohibit urban forms of *development* outside of designated "*Settlement Areas"* and discourage urban *development* in areas with partial municipal services.

Section 2.2 Growth Management note the following:

The health of the County requires that long-range land use planning and *infrastructure* investment are properly managed in a way that will:

- Direct non-resource related growth and *development* to settlements where it can be serviced, with a particular emphasis on *Primary Settlement Areas*.

- It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing *infrastructure.*

Section 2.8.1 Roads set out the following policies:

This Plan acknowledges the strong relationship between roads, their function, land use and *development*. Schedule "D1" of this Plan identifies Provincial Highways and County Roads.

Provincial Highways are under the jurisdiction of the Ministry of Transportation and are subject to permit control and approval under the Public Transportation and Highway Improvement Act. In addition to all municipal requirements under the Planning Act, Ministry of Transportation permits are required for access to Provincial Highways where permitted and for the construction of buildings, structures and signs in proximity to the Provincial Highways. All applicants proposing new *development* or changes to existing development on lands adjacent to a Provincial Highway are advised to consult with the Ministry of Transportation prior to making formal applications under the Planning Act.

In December 2004, the draft Essex-Windsor Regional Transportation Master Plan was completed. The Plan was prepared using the Master Planning Process from the "Municipal Class Environmental Assessment Process" and was intended to provide a comprehensive regional transportation master plan with policies and implementation

strategies that would serve the needs of the region for 20 years. The Plan identified roadway capacity enhancements, evaluated the levels of service, and recommended a new roadway classification system. Unfortunately, the Plan was prepared based on population projections that have not been achieved. As a result, the recommendations contained in the Plan require review and the County intends on updating the Transportation Master Plan, and implementing it by way of a future amendment to this Plan.

When considering matters of land use planning, the County shall:

- Identify measures to reduce transportation needs such as managing the appropriate type and scale of growth, the use of alternative transportation choices, and the development of an *active transportation* system.

- Strive to minimize conflict between local and non-local traffic by protecting the County Road system depicted on Schedule "D1". The County shall discourage new *development* that would adversely impact traffic movement along the County Road system unless road improvements can be undertaken to eliminate the adverse impact. New *development* proposing access onto County Roads outside of "Settlement Areas" shall be managed according to the County's access policies.

- Encourage safe, convenient and visually appealing pedestrian facilities, where appropriate, along the Provincial and County Road systems.

- Ensure that *development* proposals that are likely to generate *significant* traffic are accompanied by a traffic impact study addressing the potential impact on the Provincial and County Road systems and the surrounding land uses and how to minimize any identified negative impact.

Section 2.12 Noise, Vibration and Safety set out the following policies:

Prior to permitting *development* that may be affected by noise, vibration and/or safety, a study may be required to assess the impact of the noise, vibration and safety on proposed residential or other *sensitive land uses*. Noise, vibration and/or safety attenuation measures will be implemented to reduce the impact to levels recommended by the Ministry of the Environment. Local Official Plans are also encouraged to include specific policies to address requirements where *development* of a *sensitive land use* is proposed in proximity to rail lines and other sources of noise, vibration and/or safety, and those policies shall include:

- Prior to the approval of any applications for Official Plan amendments, Zoning By-law amendments, plans of subdivision or condominium, land division, committee of adjustment approval or any *development* that is subject to site plan control on lands that are within 100 metres of a railway line right-of-way, Provincial Highway, or stationary sources of noise, a noise feasibility study shall be completed and submitted to the appropriate agencies and appropriate railway companies for review and comment. Appropriate measures to mitigate any adverse impacts from noise and or vibration that were identified shall be undertaken.

Section 3.2.2 Goals set out the following policies:

- Support and promote public and private re-investment in the *Primary Settlement Areas.*

- To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

- To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

- To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place.

Section 3.2.6 General Settlement Area Policies include the following:

- Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing to accommodate growth projected for a time horizon of up to 20 years. Residential growth projections *local municipalities* are to be in accordance with the population projections contained in this Plan.

- Local Official Plans are encouraged to provide opportunities for *redevelopment*, *intensification* and revitalization in areas that have sufficient existing or planned *infrastructure*.

- It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:

    - Maintain the well-being of downtowns and main streets.

<u>Town of Amherstburg Official Plan</u>

The Official Plan currently designates the subject lands General Commercial (refer to Figure 2). Section 4.4.2 of the Plan set out the following policies:

GENERAL COMMERCIAL LAND USE DESIGNATION

The uses permitted in the General Commercial shall include those commercial establishments offering goods and services which primarily serve the whole of the municipality's market area and shall include such uses as retail commercial establishments, places of entertainment, assembly halls, eating establishments,

hotels, motels, community facilities, public uses, recreational uses, convenience stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential uses above the first floor.

Recreational uses, automobile service stations and automobile sales and service agencies, car washes, agencies for recreational vehicles, motels, drive-through restaurants or other drive through establishments shall be restricted to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street.

Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas and such buffer planning may include provisions for grass strips, berms, screening and appropriate planting of trees shrubs, or distance, and all development will be subject to Site Plan Control and any lighting or signs shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P. 13, provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning By-law. Section 40 allows the Town to collect money which can then be used to provide municipal parking within the area. Under such a policy the Town may exempt part or all of the parking space requirement of the Zoning By-law in return for a cash payment. The amount of the payment will change over time as it is to be based on land costs in the vicinity of the development site. This policy of payment in lieu does not guarantee that parking will be provided near the given development to be exempt from their parking requirements. Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied. See Subsection 6.2.5 for additional policies regarding downtown revitalization for a portion of the General Commercial designation.

When applying the payment in lieu option the Town Council shall enter into an agreement exempting the owner or occupant, to whatever extent deemed appropriate, from the requirement of the Zoning By-law to provide parking. Money received should be placed into a special account and the agreement registered against the land. Payment in lieu will only be considered within the General Commercial land use category. New residential developments should attempt to include all required tenant parking on site, however, the residential standards of the Zoning By-law may be significantly reduced within the zones applied to the General Commercial area to encourage intensification and redevelopment that is deemed to have a positive impact on the downtown area. Some minor adjustments may be considered for conversion to residential of upper floors of existing commercial buildings. Caution will be used in considering payment in lieu for high traffic generators such as medical buildings, clinics, restaurants, convenience stores, banks and taverns.

Evaluation of a site as suitable for payment in lieu must carefully assess the effect the number of spaces required will have on the feasibility of the development, the availability of parking in the area, the opportunity or viability of ever providing parking in the area and the resulting cumulative effect of applying the payment in lieu policy and whether or not the opportunity to achieve a desirable development can occur without creating a significant parking deficiency. A parking fund shall be established from cash-in-lieu of parking spaces received from Commercial development in the General Commercial Area.

Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern.

The general location of the General Commercial areas shall be in accordance with Schedules “A” and “B” [of the Official Plan].

Any public works or private redevelopment within the area should take into account the Heritage Policies and Downtown Revitalization Policies of this Plan and should implement any applicable portion.

The General Commercial lands may be placed in separate zoning classifications in the implementing Zoning By-law.

The General Commercial designation does not provide for the development of drive-through restaurant development at the proposed location. To this end, the applicant has submitted and application to amend the Official Plan to change the designation of the subject lands from “General Commercial” to a site-specific Special Policy Area within the General Commercial designation.

4.4.3 (2) Gateway to Amherstburg

In order to ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg and a portion of this area is within the Town’s Downtown Tourist District, additional policies will apply to commercial development established along Sandwich Street between Texas Road and Fort Street and for the area along Sandwich Street South to Lowes Side Road. This policy will allow for, within this area, additional landscaping requirements at the time of site plan approval and special attention will be given to lighting, fencing, and location of garbage disposal. This policy will also allow Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law. Council will seek the advice of Amherstburg’s Heritage Committee when dealing with development in this area on such matters as roof line, height, building material, and window placement in order to maintain the historic small town appearance. Site Plans associated with any Zoning By-law amendments to a General Commercial Zone shall be subject to public consultation.

Within this area, Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. Council may also require an enhanced landscaping plan as part of the site plan approval that requires that deciduous trees be planted in the boulevard having 2.0 metres clear stem and head room for pedestrians and cyclists. In addition Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street and that 20% of the landscaping be woody plant material that is capable of providing interest in all seasons. Fencing or dense hedge material shall be required to obscure the parking area if front yard parking is proposed. Chain link fences or wood construction fencing shall not be permitted unless they are fully screened from public view.

The proposed Official Plan Amendment is considered to be consistent with the 2020 PPS, in conformity with the County Official Plan and consistent with the policy direction as set out in the Town's Official Plan.

Town of Amherstburg Zoning By-law 1999-52

Restaurant, Drive-Through Restaurant and Fast Food Restaurant are defined as follows:

(289) "RESTAURANT" means a building or part thereof where food and beverage is prepared and offered for retail sale to the public for immediate consumption on the premises, including a dining room, but does not include a refreshment room or any building or part thereof where pre-packed foods or beverages requiring no further preparation before consumption are offered for sale.

(a) "DRIVE-THROUGH RESTAURANT" means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking-up food from a vehicle. (By-law 2006-61)

(b) "FAST FOOD RESTAURANT" means an establishment primarily engaged in preparing specialty foods in bulk and in providing customers with a takeout and/or delivery service which may or may not be consumed on or off the premises.

The Commercial General (CG) Zone provides for the following:

(1) SCOPE
The provisions of this Section shall apply in all Commercial General (CG) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED
No person shall within any CG Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CG uses, namely:

(i) amusement game establishment;
(ii) animal hospital;
(iii) art gallery;

(iv) assembly hall;
(v) bakery shop;
(vi) catalogue store;
(vii) cinema;
(viii) clinic;
(ix) commercial recreation establishment;
(x) commercial school;
(xi) continuum of care facility;
(xii) data processing establishment;
(xiii) day care;
(xiv) department store;
(xv) *drive through facility; (By-law No. 2012-65)*
(xvi) dry cleaning or laundry establishment or distribution centre;
(xvii) dwelling units restricted to above the first floor;
(xviii) existing place of worship;
(xix) financial establishment;
(xx) florist shop;
(xxi) food store;
(xxii) funeral home;
(xxiii) hardware store;
(xxiv) home and auto supply store;
(xxv) home appliance store;
(xxvi) home decorating store;
(xxvii) home for the aged;
(xxviii) home furnishing store;
(xxix) home improvement store;
(xxx) hotel or motel;
(xxxi) institutional use;
(xxxii) laboratory;
(xxxiii) laundromat;
(xxxiv) library;
(xxxv) medical/dental office;
(xxxvi) merchandise service shop;
(xxxvii) marina;
(xxxviii) nursing home;
(xxxix) office;
(xl) parking lot;
(xli) personal service shop;
(xlii) pharmacy;
(xliii) place of entertainment;
(xliv) printing shop;
(xlv) public use;
(xlvi) recreational establishment;
(xlvii) repair and rental establishment;
(xlviii) restaurant;
(xlix) restaurant, fast-food;
(l) retail store;
(li) retirement lodge;
(lii) studio
(liii) supermarket;
(liv) tavern;

(lv) theatre;
(lvi) taxi establishment;
(lvii) vehicle repair shop;
(lviii) veterinarian clinic;
(lix) video rental establishment;
(lx) wholesale use accessory to a permitted CG use;
(lxi) any existing automotive use.

(3) ZONE REQUIREMENTS
No person shall within any CG Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Lot Area (Minimum)	No minimum
(b) Lot Frontage (Minimum)	No minimum
(c) Front Yard Depth (Minimum)	No Minimum except as provided in Section 3(23) thereof
(d) Interior Side Yard Width (Minimum)	No minimum

provided that where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.

(e) Exterior Side Yard Width (Minimum)	No Minimum
(f) Rear Yard Depth (Minimum)	7.5 m
(g) Dwelling Unit Area (Minimum)	55 m^2
(h) Height (Maximum)	10 m *(By-law 2012-65)*

(i) Heritage Buildings
If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(j) Open Storage
No open storage of goods, materials or waste shall be permitted.

(k) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

Section 6.7 of the Town of Amherstburg Official Plan – Planning Impact Analysis set out several areas that must be considered as part of an Official Plan Amendment or Zoning By-law amendment. These include:

6.7 PLANNING IMPACT ANALYSIS

> It is a policy of the Official Plan that a Planning Impact Analysis will be used to evaluate applications for an Official Plan Amendment and, depending on the magnitude of the development, a Zoning By-law Amendment, to determine the appropriateness of the proposed change and to identify what measures are needed to reduce any adverse impacts on surrounding land uses. The Planning Impact Analysis will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. Proposals for changes in the use of land which require the application of a Planning Impact Analysis will be evaluated based on:
>
> (1) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area on the character and stability of the surrounding neighbourhood.
>
> (2) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.

Administration concurs with the opinion of the planner for the applicant that the proposed development meets the general intent and purpose of the Official Plan and is compatible with the built form in the neighbourhood. Further, the height and location of the building mitigate any potential impact on the neighbourhood. With the approval of Official Plan Amendment No.16, the Official Plan permits drive-through restaurants as a use on the subject property. The proposed Zoning By-law amendment to create a site specific CG-15 Zone is consistent with the Town of Amherstburg Official Plan. The following comments for the Planning Rationale Report note the following with respect to items 1 and 2 above:

> The proposed development is located in the peripheral area adjacent to the downtown core of Amherstburg. The site is located as an infilling development in the mixed use area that is peripheral to the downtown core.
>
> It is observed that through the history of planning applications on the east side of Sandwich Street south of Alma Street and north of Richmond Street that this is an area in transition towards more commercial uses, mixed-use developments and higher than existing residential densities.
>
> Amherstburg is experiencing an increase in demand for commercial uses that serve people by automobile via drive-through and walk-up or bicycle or other accessible access means to the businesses. Furthermore, accessible access for all persons is a legislated requirement.
>
> It is noted by both Administration and the agent for the applicant that the site is deficient by 4 parking spaces under Zoning By-law 1999-52. The Town of Amherstburg Official Plan includes policies that provide for a Payment In-Lieu of Parking option for the area that includes the subject properties. The applicant has agreed to provide Payment In-Lieu of Parking for this property as discussed in the Financial Matters section below.

In the event this application is approved by Council, the development would also be subject to the execution of a site plan control agreement.

Reports/submissions by Applicant in support of Applications

1. Planning Justification Report – Appendix “A”
2. Functional Services Report – Appendix “B”
3. Transportation Important Assessment – Appendix “C”
4. Amended Planning Justification Report – Appendix “D”
5. Comments from Public Meeting – Appendix “E”
6. Draft Official Plan Amendment No. 16 - Appendix “F”
7. Summary of Correspondence Received – Appendix “G”
8. Map of property owners notified – Appendix “H”
9. List of addresses of property owners notified – Appendix “I”
10. July 2022 Updated Planning Justification Report – Appendix “J”

4. RISK ANALYSIS:

The recommendations present little to no risk to the municipality.

5. FINANCIAL MATTERS:

The applicant has agreed to make a Payment in Lieu of Parking in the amount of $18,000 for four deficient parking spaces. Administration calculated this amount based on a current appraisal for a nearby area. A Parking Reserve Fund will need to be established to deposit and track payments in lieu and provide a reserve to use at all municipal parking lots to address current and or expanded services provided by them. This reserve fund will be funded by in-lieu payments for parking.

Costs associated with the application and planning processes are the responsibility of the applicant. Should the decision be appealed to the Ontario Land Tribunal then the Town will incur costs.

6. CONSULTATIONS:

Administration has consulted with the applicant.

7. CONCLUSION:

The proposed Zoning By-law amendment is consistent with the Town of Amherstburg Official Plan.

_____

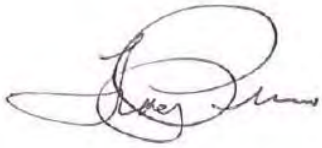
Christopher Aspila
Manager, Planning Services

Report Approval Details

Document Title:	Zoning By-law Amendment 131-135 Sandwich St S.docx
Attachments:	- Appendix A - Planning Justification Report.pdf - Appendix B -FSR Final April 8 2022.pdf - Appendix C - TIA 2022-04-22.pdf - Appendix D - Amended Planning Justification Report - 2022 07 29.pdf - Appendix E - Comments from Public Meeting.pdf - Appendix F - DRAFT OPA 16 131-135 Sandwich Street South.pdf - Appendix G - Summary of Correspondence Received.pdf - Appendix H - Map of property owners notified.pdf - Appendix I - PUBLIC- Spreadsheet of Names and Addresses for OPA 16.xlsx - Appendix J - Planning Justification Report_April 2022_Revised July 2022_R2.pdf - 2022-069- ZBA- 131 and 135 Sandwich St S DRAFT.pdf
Final Approval Date:	Sep 1, 2022

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

Melissa Osborne



Tracy Prince

Valerie Critchley

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

131 & 135 Sandwich Street

Town of Amherstburg,
County of Essex

Date:
April 2022

Prepared for:
Daei Foods Inc.

Prepared by:
MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)
540 Bingemans Centre Drive, Suite 200
Kitchener, Ontario
T: 519.576.3650
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Our File 21320A

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Appendix A: **Preliminary Building Elevations**

Appendix B: **Conceptual Landscape Plan**

1.0

INTRODUCTION

1.1 Overview

1.1.1 Development Proposal

MHBC has been retained by Daei Foods Inc. to assist with an application to amend the Town of Amherstburg Official Plan and Zoning By-Law in order to support a commercial development planned for lands addressed collectively as 131 and 135 Sandwich Street South, in the community of Amherstburg. The subject lands (the 'Site') are located on the east side of Sandwich Street South between Fort Street and Richmond Street. The Site measures approximately 2,065 m^2 in area, and has approximately 42.2 m of frontage on Sandwich Street South.

The Proposed Site Plan enclosed with this submission illustrates the intended building design and lot layout for the planned commercial development. As presented, the proposed development incorporates one multiple-unit commercial building integrating shared accesses and common parking areas. Additionally, a drive-through facility is integrated into the proposed restaurant (conceptualized as a Harvey's). In total, the development proposes 419 m^2 of service/retail commercial space (gross floor area).

Additional consideration of urban design opportunities have been implemented into the proposed layout to promote an attractive urban streetscape, including building positioning, contemporary building façades, landscaping enhancements and convenient pedestrian connections. The intent of these design elements is to support an active street frontage and a positive pedestrian experience along the Sandwich Street South corridor.

1.1.2 Planning Applications

As discussed in this Report, the subject lands are located in within a defined Settlement Area in the County of Essex Official Plan and are designated General Commercial pursuant to the Town of Amherstburg Official Plan. The General Commercial designation permits commercial retail uses, including eating establishments; however drive-through facilities are not permitted in this designation.

The lands are zoned Commercial General (CG) pursuant to the Town of Amherstburg Zoning By-law No. 1999-52 (Zoning By-law), which permits restaurant uses including fast food restaurants and drive-through facilities. Notwithstanding, the CG Zone does not permit drive-through restaurants as defined in the Zoning By-law. In addition, the Proposed Site Plan does not comply with certain CG Zone regulations (e.g., minimum front yard setback, minimum parking requirements).

In light of these considerations and direction provided by Town of Amherstburg staff, Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications are being advanced to permit the proposed commercial development.

1.2 Report Framework

1.2.1 General Components

This Planning Justification Report includes a detailed description of the subject lands, the existing policy framework and the rationale for the OPA/ZBA application. The Report focuses on matters relating to the nature and intent of the Official Plan amendment and rezoning application, and includes the following primary components:

- An introduction and general overview of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational context;

- A description of the overall development concept including highlights regarding land use, building form and urban design components, as well as an overview of technical studies completed in support of the development concept; and

- A review of the existing policy framework (Provincial and County) relating to the proposed development and an assessment of conformity with the Provincial Policy Statement, the County Official Plan and the Town's Official Plan and Zoning By-law.

The following represent key references for this planning analysis:

- 2020 Provincial Policy Statement (PPS);
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-law No. 1999-52;
  Downtown Amherstburg Urban Design Guidelines (Draft).
-

In addition to a detailed review of these documents, an assessment of the subject lands and the surrounding land uses was also conducted as part of the evaluation.

1.2.2 Complete Application

Town of Amherstburg staff advised in correspondence that the following reports and plans are required to support a complete OPA/ZBA application

- Planning Justification Report;
- Traffic Impact Assessment;
- Conceptual Landscape Plan
- Conceptual Site Plan; and
- Preliminary Building Elevations.

The required materials has been prepared and are enclosed with the planning application submitted for this proposal.

2.0

SITE LOCATION AND SURROUNDING LAND USES

2.1 Site Description

As discussed, the subject lands are addressed as 131 and135 Sandwich Street South, in the Town of Amherstburg (County of Essex). The Site currently comprises two parcels, generally described as Part of Lots 6, 7 and 8, Registered Plan 6. **Figure 1** of this Report illustrates the location of these lands. The Site is currently developed with a family-style restaurant and attached residence contained on 135 Sandwich Street South, while 131 Sandwich Street South is utilized for accessory parking and an accessory outbuilding is also located on that parcel. The restaurant/residence has a gross floor area (GFA) of approximately 310 m^2, the accessory building has a GFA of approximately 58 m^2.

The subject lands, which measure approximately 0.21 ha in area, are generally rectangular in shape and incorporate approximately 42 m of frontage along Sandwich Street South. These lands form part of the Town's Central Sandwich District and are identified as being within the Central Sandwich Community Improvement Planning Area under the Town's draft Downtown Amherstburg Urban Design Guidelines (October 2018) and draft Community Improvement Plan (December 2020).

At this location, Sandwich Street South ((County of Essex Road 20) has two through traffic lanes and a continuous northbound left turn lane. This street is designated as an Arterial Road pursuant to Schedule D (Road Classification) of the Town of Amherstburg Official Plan. The Site has two existing full-turn street accesses.

The following images illustrate site features from the adjacent street frontages.

Figure 1

General Location Map

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING

200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: February 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 1 - General Location Map - Feb. 08, 2022

- **Subject Lands: View Southeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

- **Subject Lands: View Northeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

2.2 Surrounding Land Uses/Neighbourhood Compatibility

The Site fronts the east side of Sandwich Street South, generally north of the Amherstburg Central Business Area as delineated in the Town's Official Plan. Directly to the west, and across the street from these lands is an existing secondary school (General Amherst High School) and adjacent park with baseball fields. A signalized crosswalk is provided at this location connecting the school lands with the sidewalk extending along the east side of the Sandwich Street South corridor. North of the subject lands and north of Fort Street is a large format grocery store with ancillary drug store. A fast-food style restaurant with a drive through facility is also approved for this plaza. Additionally, a mix of commercial plaza uses and residential uses are located between the grocery store plaza and the subject lands including combined office/residential type uses. Further south along Sandwich Street South are a mix of

office/commercial uses, as well as a restaurant with a drive-through facility. Directly east of the subject lands is a parking lot that is accessed via a driveway directly adjacent to the north of the Site. Further east is a largely low-density residential community which incorporates a central public school, parks and institutional uses.

Table 1.0 identifies the land uses surrounding the Site.

Table 1.0 – Surrounding Land Uses

Relative Location	Existing Land Uses
TO THE NORTH:	Public parking lot, mix of commercial and residential uses including a large format grocery store and drug store
TO THE EAST:	Public parking lot, low density residential forms, institutional uses
TO THE SOUTH:	Commercial and office uses including restaurant with drive-through
TO THE WEST:	Road right-of-way, secondary school, sports fields, community park

3.0

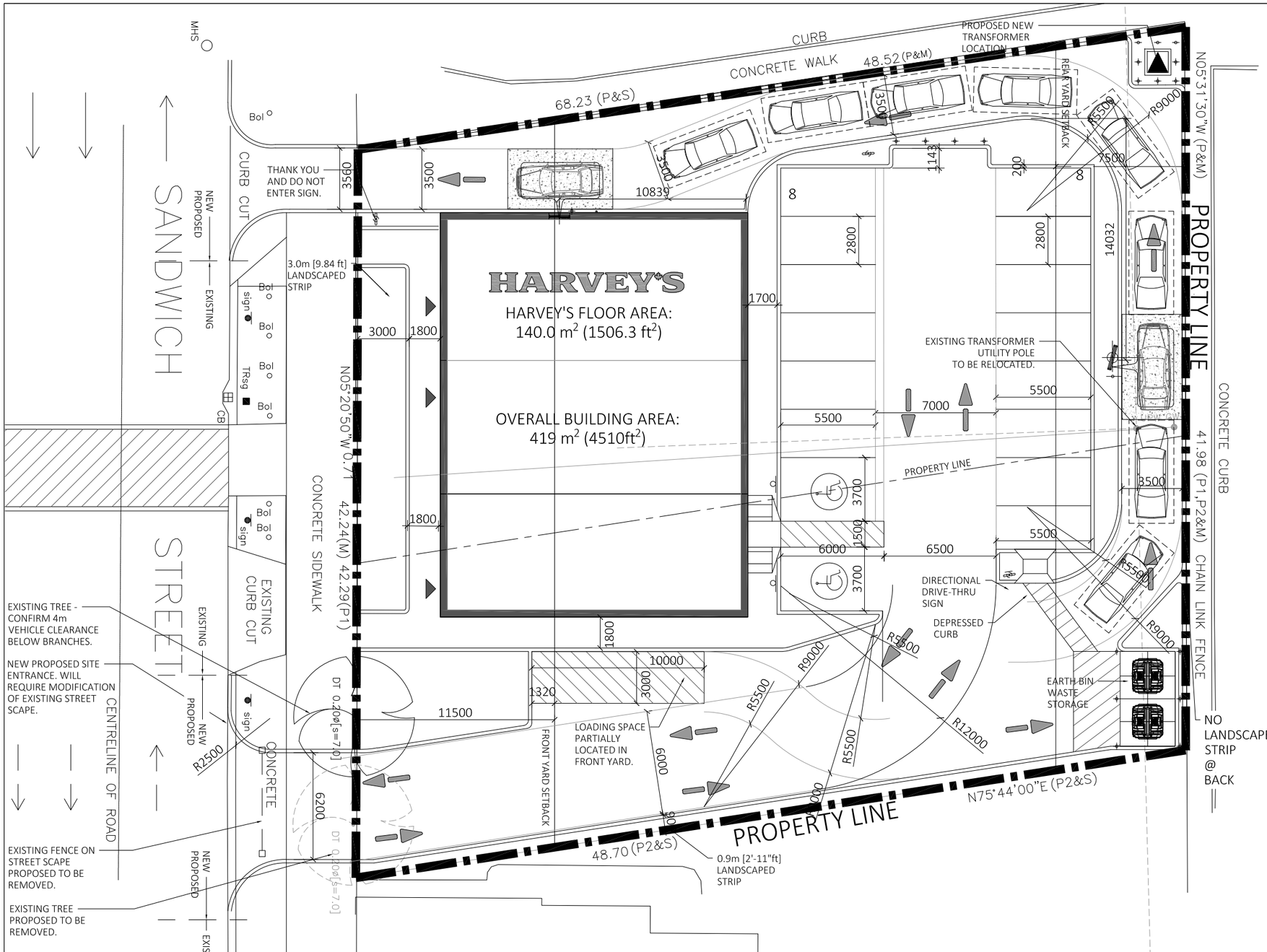
DESCRIPTION OF THE PROPOSAL

3.1 Proposed Site Plan

Figure 2 of this Report illustrates the Proposed Site Plan prepared by Nicholas Caragianis Architect Inc. (NC Architect). In our opinion, the proposed building positioning and site layout address a number of comments provided by Town staff received through the pre-application consultation stage of project planning.

The following sets out in the primary components of the Proposed Site Plan:

- A multiple-unit commercial building integrating a drive-through facility to accommodate the restaurant intended for the north commercial unit. The commercial building has a total GFA) of approximately 419 m^2, and the proposed restaurant, conceptualized as a Harvey's, has a GFA of approximately 140 m^2;
- Two vehicular accesses from Sandwich Street South with the southerly access accommodating all way traffic movements and the northerly access providing an exit only from the drive-through facility servicing the proposed restaurant. This mutual driveway arrangement is intended to support effective maneuverability through the Site and to limit driveway entrances to Sandwich Street South;
- A total of 15 surface parking spaces, including one accessible space. An additional nine queuing spaces are provided in the drive-through aisle. No parking stalls are located between the proposed 4.8 m building setback from Sandwich Street South;
- Enhanced building design, landscaping and pedestrian access, including a concrete sidewalk along the east side of Sandwich Street frontage. Pedestrian accesses to commercial units are provided via by way entrances from Sandwich Street South, and from the parking area;
- Provision of an enhanced 3.0 m wide landscape strip positioned along the front of the building and 1.0 m landscape strips provided within the interior side yard setbacks and the rear yard setback; and



NOTE:

LOT AREAS & DIMENSIONS TAKEN FROM CLIENT SUPPLIED SURVEY DATED 20-10-2021

PROVISIONAL SUMMARY ONLY - ALL PARKING REQUIREMENTS TO BE CONFIRMED WITH FINAL OCCUPANCY IN PROPOSED BUILDING.

*NET FLOOR AREA USED FOR PARKING CALCULATIONS, AS PER CONVERSATION WITH AMHERSTBURG PLANNER - EXTERIOR WALL AREAS NOT IN CALCULATIONS

PARKING SUMMARY

BUILDING FOOTPRINT AREA = 419 sq. m [4510 sq. ft]

	PROPOSED DRIVE-THROUGH RESTAURANT	PROPOSED TAKE-OUT RESTAURANT
NET FLOOR AREA* - ESTIMATE ONLY TO BE CONFIRMED	140.0 sq. m [1506.3 sq. ft]	247 sq. m [2659 sq. ft]
ZONING PARKING REQUIREMENT	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m
REQUIRED PARKING SPACES PER OCCUPANCY TYPE & AREA	140.0 sq. m / 10 sq. m = 14 SPACES	247 sq. m / 10 sq. m = 25 SPACES
DRIVE-THROUGH QUEUING SPACE REQUIREMENT	6 Queuing Spaces / Drive-thru	N/A
ACCESSIBLE ZONING PARKING REQUIREMENT	1 Accessible / First 20 Spaces + 1 Accessible / 100 Spaces	
LOADING SPACE REQUIREMENT	1 Required to Serve all 3 Building Occupants.	
TOTAL REQUIRED PARKING	39 PARKING SPACES (2 ACCESSIBLE) 6 QUEUING SPACES 1 LOADING SPACE	
PROVIDED NUMBER OF SPACES	15 PARKING SPACES (2 ACCESSIBLE) 9 QUEUING SPACES 1 LOADING SPACE	

nicholas caragianis architect inc.

PROJECT NAME:
HAR AMHRTSAND131
NCA #21055

ADDRESS:
131 & 135 SANDWICH ST. S
AMHERSTBURG, ON

PARKING BEHIND BUILDING & DRIVE-THROUGH AT THE REAR OF SITE. NON-COMPLIANT WITH FRONT YARD SETBACK AND PARKING REQ'S. BACK-IN LOADING SPACE.

DSK-004-R4: PROPOSED SITE PLAN

DRAFT - FOR DISCUSSION

DATE: 2022-03-30
SCALE: 1:250
DWG.: DSK-004-R4
1 OF 1

- Building and site design elements in keeping with the Commercial Special Policy Area of the Town of Amherstburg Official Plan and the Town's proposed draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.

Appendix A to this Report includes preliminary building elevations prepared by NC Architect.

3.2 Design Considerations

In accordance with the Commercial Special Policy Areas provisions contained in the Town of Amherstburg Official Plan, in conjunction with this OPA/ZBA application, the Town will seek the advice of its Municipal Heritage Committee when evaluating the merits of this development proposals. In particular, as discussed in Section 4.3 of this Report, given that the Site is located within the Gateway to Amherstburg Special Policy Area, the Committee will evaluate this proposal in relation to matters such as roof line, height, building material and window placement (in order to maintain the historic small town appearance of this area).

The Proposed Site Plan was designed with due consideration for the urban design objectives as provided by way of Special Policy Area provisions within the Official Plan and identified through preliminary comments received by Town Planning staff. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives as contemplated for the applicable Central Sandwich District in the draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.

As set out in Section 1.8.2 of the draft Guidelines, key objectives for the Central Sandwich District are "…to promote infill development on vacant and underutilized lots, conserve and maintain heritage features of buildings, create an attractive pedestrian environment and reduce commercial vacancies." A similar objective is defined for this District in Section 1.8.2 of the draft Community Improvement Plan.

Additionally, the following design direction has been identified within the draft Guidelines relating to commercial developments in the Central Sandwich District:

- Commercial buildings should be oriented towards the street with entranceways and sidewalks to provide access for pedestrians;

- Building setbacks are expected to generally follow those of adjacent properties to promote a continuous street wall;

- Parking should be located in the rear or side yard;

- Utilize materials that contribute to the historic character typified by red brick facades with wooden window frames, and cornices;

- Avoid materials that are not compatible with the traditional commercial character such as stucco, vinyl, and tinted glass;

- Utilize colours that contribute to the historic character of the area and compliment adjacent facades;

- Locate loading and service areas away from the street frontages and visually screen such areas from public views and adjacent residential properties; and

- Locate waste storage areas inside buildings wherever possible. Where outside, ensure that waste disposal areas and containers are not visible from the street.

The following identifies several key design elements that are contemplated in the site layout to align with the urban design direction of the aforementioned policy documents.

Key design elements:

- The street wall plane proposed along Sandwich Street South incorporates a consistent design that integrates the commercial units into a cohesive 'main street' façade and helps to achieve a pedestrian-oriented streetscape;
- The drive-through component of the proposed restaurant which will occupy the northerly unit is located at the rear of the property and screened from street-view;
- An enhanced landscaping program has been developed along the Sandwich Street South frontage is to incorporate high quality features including a wide selection of trees, shrubs and plants (refer to Appendix B). Landscaping features and the building positioning will help to screen rear parking and loading areas from the public street. **Appendix B** includes the conceptual landscape plan prepared by MHBC;
- An integrated walkway system is planned to provide continuous access between the planned commercial units and the public street, as well as provide connections to the surface parking area;
- The proposed building designs integrates parapet elements that increase the building height for the street-facing elevations; having regard for the proposed massing and height guidelines contemplated in the draft Urban Design Guidelines;
- Preliminary elevations designed for the proposed building include complimentary materials, such as red brick cladding and decorative lighting;
- Façade articulation is enhanced through the provision of large windows, overhead lighting and repetition of canopies above entryways intended to create a sense of rhythm. These elements are intended to promote an inviting street front façade to encourage pedestrian access to the Site; and
- Waste receptacles are at the rear of the property screened from the street view and are proposed as an earth bin waste storage system.

In light of these considerations and further commentary provided in this Report, in our opinion, the proposed building design and site layout demonstrate close alignment with the urban design objectives identified for the Gateway to Amherstburg Special Policy Area in the Town's Official Plan, and consideration for the direction provided in the Town's draft Downtown Design Guidelines and draft Community Improvement Plan.

4.0

PLANNING ANALYSIS

The proposed Concept Plan has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement, the County of Essex Official Plan and the Town of Amherstburg Official Plan. The following outlines the merits of the proposed development relative to this framework of planning policy and with consideration for comments received from Town staff in conjunction with pre-application consultation. Additionally, the analysis has consideration for the regulations of the Town of Amherstburg Zoning By-law.

4.1 Provincial Policy Statement, 2020

The current Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The PPS provides overall policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. Part IV of the PPS sets out that this policy instrument provides a vision for land use planning in Ontario that focuses growth within settlement areas, and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities.

The proposed development plan summarized in Section 3.1 of this Report has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement. Based on this analysis, it is our opinion that specific policies in Section 1.0 (Building Strong Healthy Communities) and Section 2.0 (Wise Use and Management of Resources) are particularly relevant to this proposal. Commentary regarding these policies is provided in the following section of this Report.

Table 2.0 – Consistency with Provincial Policy Statement

PPS Policy	Response
1.1.1 Healthy, livable and safe communities are sustained by: **a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;**	This commercial development proposal promotes an efficient land use pattern that would support the long-term financial well-being of the Province of Ontario and the Town of Amherstburg (in the form of increased property tax

PPS Policy	Response
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; **c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;** **e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;** **g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;**	assessment and the optimization of existing and planned infrastructure). Additionally, employees of this development would help support the overall viability of the Central Sandwich District. Economic benefits would also be derived from construction of the proposed multiple-unit commercial development. The subject lands are located within a local development area containing a variety of service/retail commercial activities, institutional uses, and established residential neighbourhoods. Implementation of this proposal would be compatible with this development context and would help diversify the range and mix of commercial activities available in this community. The proposed development should not result in environmental or public health and safety concerns. Preliminary servicing reviews have been completed by Dillon Consulting to confirm that (1) the development can proceed in a cost-effective manner and (2) the necessary servicing infrastructure would be available to meet projected needs. It is anticipated that public service facilities available in the vicinity of the Site would accommodate the demands of this development.
1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established	This redevelopment plan proposes additional commercial space on lands located within an identified settlement area designated for commercial purposes pursuant to the County of Essex Official Plan and the Town of Amherstburg

PPS Policy	Response
for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. **Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.**	Official Plan (as discussed in Sections 4.2 and 4.3 of this Report, respectively). In effect, this proposal would introduce additional commercial space on the Site to help meet market demands and support the overall vitality of the Town's Central Sandwich District.
1.1.3.1 Settlement areas shall be the focus of growth and development.	The Site is situated within a Primary Settlement Area pursuant to the County of Essex Official Plan and is therefore considered part of a settlement area, as defined by the PPS.
1.1.3.2 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;**	Implementation of this proposal would help to promote a compact land use pattern that supports the efficient use of land and services. As noted, preliminary servicing reviews have been carried out and confirm that adequate servicing capacity is available to accommodate the intended development and that storm water quality and quantity controls can be addressed during final design. It is anticipated that future employees and patrons of this development would support existing public service programs and facilities available in proximity to the Site. Where practical and appropriate, the project would incorporate sustainable development principles to help minimize environmental impacts. The site layout promotes active transportation through the provision of multiple pedestrian connections to the Sandwich Street South corridor. Bicycle parking will also be contemplated as part of the Site Plan Approval process for this development.

PPS Policy	Response
1.5.1 Healthy, active communities should be promoted by: **a) Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.**	The proposal incorporates walkway connections to the municipal sidewalk system to help support healthy, active communities (by promoting active transportation and social interaction).
1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	Preliminary servicing reviews have been carried out to confirm that the development can proceed in a cost-effective manner, and to ensure that the necessary infrastructure is available to meet projected needs. As discussed, it is anticipated that the development can be accommodated by existing public service facilities.
1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The close proximity of the Site to service/retail commercial uses, established residential neighbourhoods, employment opportunities, schools and community facilities would help future employees and patrons of this development minimize the length and frequency of vehicle trips.
1.7.1 Long-term economic prosperity should be supported by: **d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;**	Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.
1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: **a) promote compact form and a structure of nodes and corridors;**	The project supports the more intensive use of designated commercial lands situated: within an established development corridor; directly connected to the Town's arterial road system; and located in proximity to residential neighbourhoods, employment areas, educational institutions and parkland. In addition to the compact design of this

PPS Policy	Response
b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;	project, the close proximity of the subject lands to this mix of land uses would also help to reduce commuting requirements and thereby decrease transportation congestion.
2.1.1 Natural features and areas shall be protected for the long-term.	The subject lands do not contain any designated natural areas.
2.4.1 Minerals and petroleum resources shall be protected for long-term use.	The subject lands do not contain any known mineral or petroleum resources.
2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.	The subject lands do not contain any known mineral aggregate resources.

In light of these considerations and our broader evaluation of this proposal relative to the policies of the PPS, it is our opinion that this proposal is consistent with this policy document.

4.2 County of Essex Official Plan

The County of Essex Official Plan (County Official Plan) was adopted by County of Essex Council on February 19, 2014 and approved by the Minister of Municipal Affairs and Housing on April 24, 2014. Section 1.1 of the County Official Plan identifies that its purpose is to establish a policy framework for managing growth, protecting resources and providing direction on land use decisions during the planning period to 2031. Generally, this Official Plan contains policies related to land use development within the County in Sections 2 and 3, with applicable provisions related to growth management set out in Sections 2.2 and 3.2 as discussed below.

Collectively, Section 2.2, Section 3.2.4 and Schedule A2 (Settlement Structure Plan) of the County Official Plan identify that Amherstburg is a defined Primary Settlement Area in the context of this Plan and that the Site is located with the limits of this Settlement Area. Sections 2.2 and 3.2.4 also direct that future growth and development is to be encouraged to locate within Primary Settlement Areas.

Section 3.2.2 of the County Official Plan identifies several goals for Settlement Areas which reflect PPS Policies referenced in this Report and, in our opinion, are satisfied by this proposal. The following goals have particular relevance to this redevelopment plan:

"a) Support and promote public and private re-investment in the *Primary Settlement Areas.*

b) To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

c) To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other *infrastructure* and *public service facilities* including schools as provided for in the growth management policies contained within this Plan.

f) To increase the opportunity for job creation within each *local municipality* by attracting and maintaining industries and businesses closer to where County residents live."

Section 3.2.4 h) also prescribes that t all types of land uses are permitted within these communities subject to site specific land use policies in local Official Plans. Further, Section 3.2.6 f) also encourages local Official Plans to provide, "… opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure."

Given the foregoing discussion and our broader review of the County Official Plan, it is our opinion that the proposal complies with the policy direction and permissions of this Official Plan. In this regard, in our opinion, the proposed commercial redevelopment plan proposes a land use that supports the broad goals and permissions set out for Primary Settlement Areas.

4.3 Town of Amherstburg Official Plan

4.3.1 Overview

The Town of Amherstburg Official Plan (Amherstburg Official Plan) was approved on July 15, 2009, with modifications, by the County of Essex and was subsequently approved by way of a settlement as set out in an Ontario Municipal Board Order, dated February 16, 2010. The Office Consolidation of this Official Plan, dated February 3, 2014, integrates several amendments following approval.

Section 1.6 of the Amherstburg Official Plan identifies the relationship with the PPS and the County Official Plan:

"The Planning Act requires that Official Plans be consistent with the Provincial Policy Statement (PPS) that came into force on March 1, 2005. In addition the new PPS directs that no amendments occur to the Settlement Boundary unless the change is supported by a comprehensive analysis of land needs undertaken by the Town. The Planning Act

also requires that the Town of Amherstburg Official Plan conform to the County of Essex Official Plan."

Furthermore, this Section outlines several elements of the Official Plan's purpose and policy direction, which, in our opinion, are encapsulated in the following two policies:

"(1) identify and establish policies for the desired direction and order of all future development within the Town to the year 2025;

(2) guide future economic, social, environmental, and land use changes within the municipality to the year 2025;"

4.3.2 General Commercial Policies

The Site is designated General Commercial on the Schedule B-2 (Land Use Plan) of the Amherstburg Official Plan. Section 4.4.2 of this Official Plan prescribes that a wide variety of commercial activities offering goods and services are permitted in this designation, including retail commercial establishments, eating establishments, convenience stores and places of entertainment. However, the proposed drive-through restaurant establishment is not currently permitted under the existing General Commercial policy framework. Specifically, this Section restricts drive-through restaurants to locations on Sandwich Street, north of Alma Street or south of Pike Street.

Section 4.4.2 also defines several policies addressing built form, including the following access and parking policies which, in our opinion, have relevance to this redevelopment proposal:

"Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control."

"Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P.13 provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning by-Law. …Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied."

"Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern."

Additionally, Section 4.4.3 (2) of this Official Plan identifies that the Site is located within the Gateway to Amherstburg Commercial Special Policy Area (SPA). This SPA includes the development area along the Sandwich Street corridor between Texas Road and Fort Street. As identified in this Section, the intent of this SPA is to: "… ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg …"

The SPA detailed in this Section provides direction on two primary matters as set out in this Section:

1. Development Regulations. The SPA allows for additional landscaping requirements to be identified as part of Site Plan Approval, with special attention to be given to lighting, fencing, and location of garbage disposal. This policy will also allow Town Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law.

2. Municipal Heritage Committee Consultation. As outlined in this Report, the SPA also directs that Town Council to seek the advice of Amherstburg's Municipal Heritage Committee when dealing with development in this area. The Committee is to provide commentary on matters such as roof line, height, building material, and window placement as a means to maintain the historic small town appearance.

In relation to Item 1 above, this SPA also provides specific direction on development regulations as prescribed in Section 4.4.3 (2)

> "Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. …Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street ..."

Sections 3.1 and 3.2 of this Report addresses the design considerations associated with this redevelopment plan, including those set out for the General Commercial designation and the above-referenced SPA. In particular, the Proposed Site Plan identifies that the building would be setback approximately 4.8 m from Sandwich Street South, a 3.0 m wide landscape strip would be established along the street corridor and off-street parking is proposed in the rear yard. In our opinion, these project components, the plans and elevations enclosed with this Report and the discussion included in the aforementioned Report Sections demonstrate that the project is designed in general alignment with Official Plan direction.

Additionally, CGH Transportation Inc. (CGH) has prepared a Traffic Impact Assessment, dated March 2022 which confirms the two proposed access arrangements for the development will meet acceptable level of service standards and that no signals are warranted at either of the

these accesses. With respect to parking supply, the report indicates the site cannot accommodate the recommended parking requirements and recommends utilization of additional parking at the Town parking lot located just north of the site as a solution to meet the parking requirements. Overall, the site's parking, loading and access arrangement has been designed to promote safe and efficient ingress/egress consistent with SPA policies and as discussed in the CGH report, upon implementation of the parking mitigation measures, in our opinion this proposal aligns with the associated policies of Section 4.4.2 of this Official Plan.

4.3.3 Proposed Special Policy Area

As discussed, the proposed redevelopment plan requires that the Amherstburg Official Plan be amended to permit a drive-through restaurant on the northerly portion of the Site, as this Plan only permits this use within the Sandwich Street corridor, north of Alma Street or south of Pike Street. Additionally, the proposed front yard setback (4.8 m) is marginally less that than the minimum setback direction set out Section 4.4.3 (2) of this Official Plan (6 m), exclusive of rounding considerations.

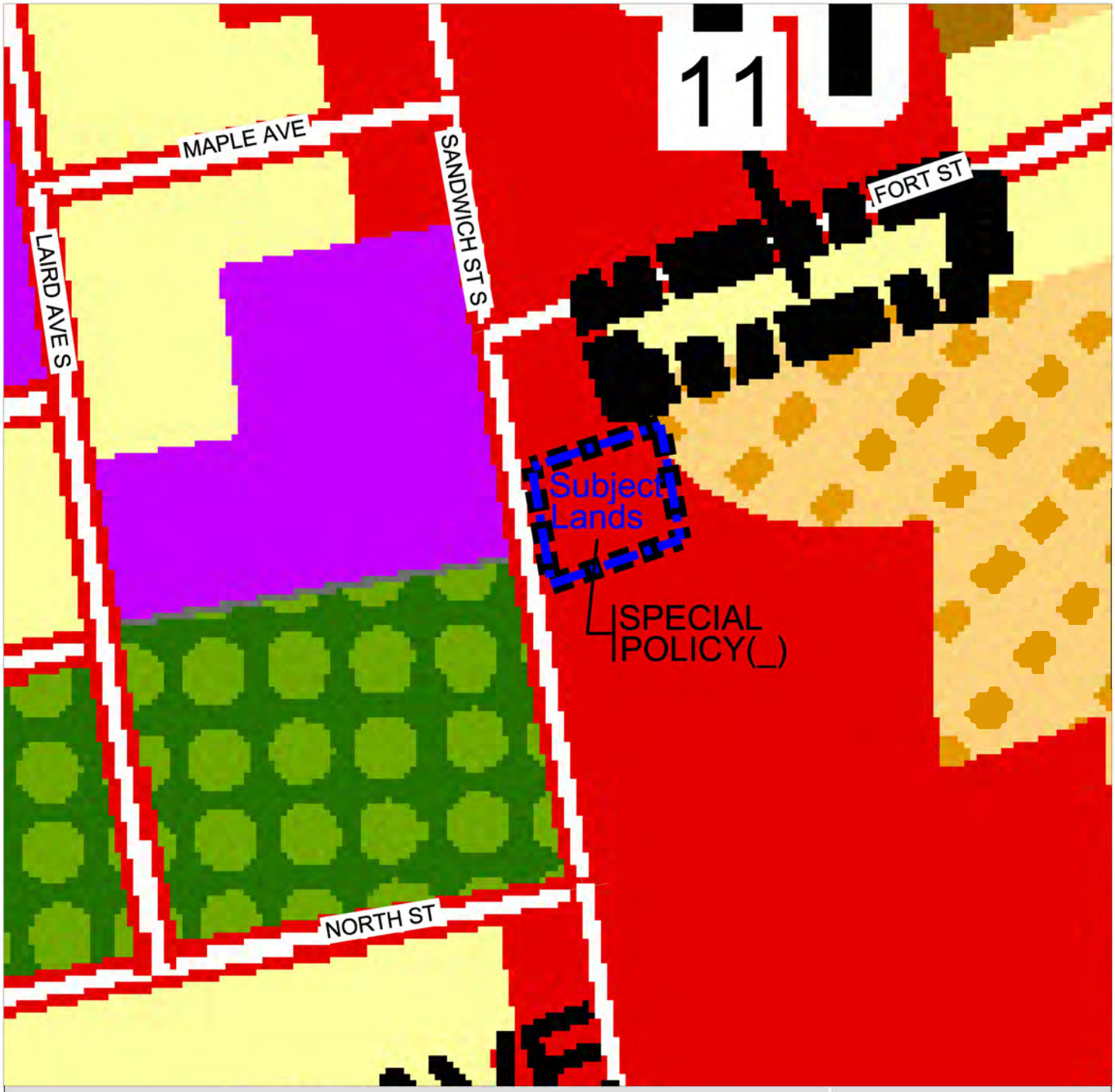
The following SPA has been drafted to address these identified matters noted above. In our opinion, this site-specific policy would appropriately implement the proposed development plan in the context of this Official Plan:

> "4.4.3 (_) Lands known as 131 and 135 Sandwich Street South, located at the east side of Sandwich Street South and south of Fort Street, shall be developed in accordance with the General Commercial policies and Gateway to Amherstburg Special Policy Area policies with the addition of a drive-through restaurant as a permitted use. Development shall be subject to site plan control. A minimum setback of 4.8 metres shall be permitted for commercial development from the front lot line."

4.3.4 Summation

In light of the foregoing, with the benefit of the proposed SPA and provided that Parking Study recommendations are implemented , it is our opinion that the proposal is consistent with the principles, planning framework and policy direction of the Official Plan. In effect, the proposed redevelopment of the Site would support commercial forms that align with the policy structure of the General Commercial designation, are compatible with the surrounding development context and are appropriate for the Site. Moreover, the concept plan integrates elements which collectively support the urban design objectives set out in the Official Plan for the Gateway to Amherstburg Commercial SPA.

Figure 3 of this Report illustrates the location of the proposed Special Policy Area.



LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
GENERAL COMMERCIAL
INSTITUTIONAL
OPEN SPACE
11 SPECIAL POLICY

Figure 3
Proposed Special Policy Area
Amherstburg Official Plan Schedule "B-2" Land Use

SUBJECT LANDS

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022 **SCALE** 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 3 - Proposed Official Plan Sched "B-2" - Feb 08, 2022

5.0

ZONING BY-LAW ANALYSIS

5.1 Existing Zoning

The Site is currently zoned Commercial General (CG) pursuant to Schedule A of the Town of Amherstburg Zoning By-law (Map 37).

Permitted uses in the CG Zone are defined in Section 15 (2) of the Zoning By-law and include a wide range of retail/service commercial uses (e.g., restaurants, food stores, retail stores, studios, personal service shops). Additionally, drive-through facilities are permitted in this Zone; however, in accordance with the associated definition set out in Section 2 (101), drive-through restaurants are excluded from this specific use. Section 2 (281) defines a drive-through restaurant as follows:

> "(b) "DRIVE-THROUGH RESTAURANT" means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking-up food from a vehicle."

5.2 Zoning Review

Table 3.0 of this Report provides an overview of the zoning compliance for the proposed site layout relative to the relevant regulations of the existing CG Zone. Parking space calculations conceptualize the Site developing for a drive-through restaurant and a 247 m^2 take-out restaurant. As noted on the Proposed Site Plan, the net floor area applied to these calculations is based on direction from Town staff.

Table 3.0 – Summary of Zoning Compliance (CG Zone)

Regulation	Required	Provided	Comments
Lot Area (Min)	No minimum	2,065 m^2	Complies
Lot Frontage(Min)	No minimum	42 m	Complies
Front Yard Depth (Min)	11.5 m (as provided in Section 3(23))	~4.8 m	Relief required

Interior side Yard (min) Except where lot line abuts a zone other than a commercial or institutional zone, min shall be 7 m	No minimum	~3.5 m/~10.8 m	
Rear Yard (min)	7.5 m	~24 m	Complies
Height (Max)	10 m	6.1 m	Complies
Open storage	No open storage of goods, materials or waste permitted		Waste disposal to be provided via in-ground storage system
Loading Space Requirement	1 space 3.5 m x 10 m	1 space (3.0 m x 10 m)	Relief required Loading space provided is 3.0 m wide to accommodate 6.0 m wide driveway and 1.8 m walkway
Parking			
Restaurant, Drive-through: 1 per 10 m^2 plus 6 queuing spaces in advance of each drive through window	14 + 6 queuing spaces	15 + 9 queuing spaces	Relief required
Restaurant, Take-out: 1 per 10 m^2	25 spaces		
Accessible Parking: 1 for first 20 spaces	1	1	Complies (based on proposed parking spaces)

5.3 Proposed Zoning

In our opinion, to accommodate this project, a Special Provision to the CG Zone is required to expressly permit the proposed drive-through restaurant and site layout.

Specifically, at a minimum, this CG Zone exception would include site-specific regulations for reductions in the front yard setback, minimum loading space width, minimum parking requirements as highlighted above. Given the structure of the Zoning By-law, it is proposed that the following subsection be added to Section 15(4):

"CG-(_) (131 and 135 Sandwich Street South)

Notwithstanding any other provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-(_) on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i) Additional Permitted Use:

(a) Drive-Through Restaurant

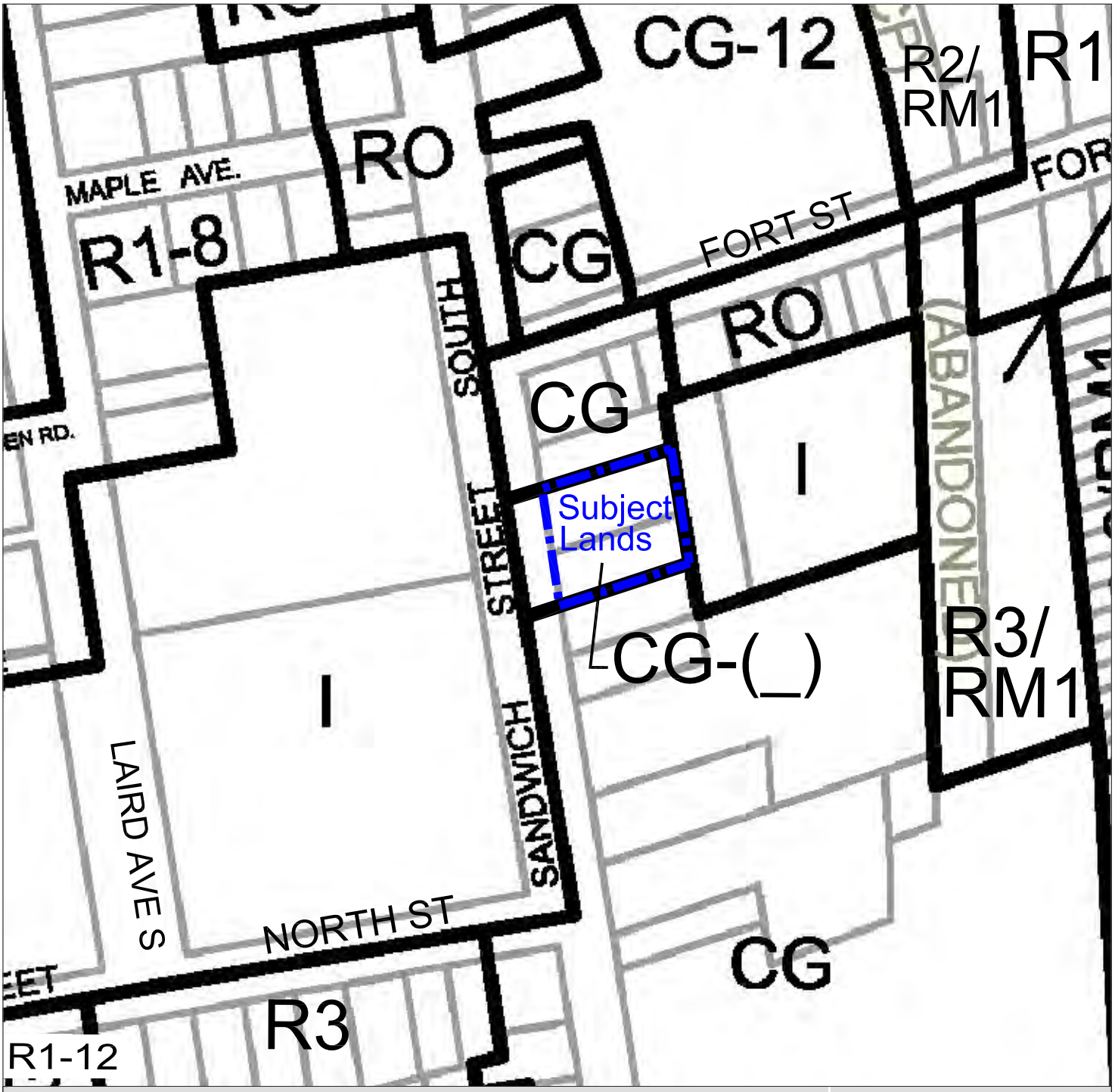
(ii) Other Provisions:

(a) Front Yard Depth (Minimum)	4.8 m
(b) Loading Space Dimensions (Minimum)	3.0 m by 10 m

(c) Notwithstanding Section 3(21)c), the minimum number of parking spaces required shall be 15."

The proposed Special Provision would accommodate the site layout illustrated in the Proposed Site Plan. In our opinion, in the context of this development and with consideration for commentary provided in this Report, the requested exemption would help implement a commercial development appropriate for the Site without undermining the purpose of the parent CG Zone.

Figure 4 illustrates the proposed zoning of the subject lands.



LEGEND

ZONE LIMITS

R1	RESIDENTIAL FIRST DENSITY ZONE
R2	RESIDENTIAL SECOND DENSITY ZONE
R3	RESIDENTIAL THIRD DENSITY ZONE
RM1	RESIDENTIAL MULTIPLE FIRST DENSITY ZONE
RO	RESIDENTIAL OFFICE ZONE
CG	COMMERCIAL GENERAL ZONE
I	INSTITUTIONAL ZONE

Figure 4
Proposed Zoning

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 4 - Proposed Zoning - Feb 08, 2022

6.0

CONCLUSIONS

In conclusion, it is our opinion that the proposed Official Plan and Zoning By-law Amendments are appropriate for the Site, compatible with the existing development context and in keeping with the framework of applicable planning policy. This assessment is based, in part, on consideration of the following project merits:

1. The subject lands are situated within the Central Sandwich District planning area and are designated for service/retail commercial uses in accordance with the Town of Amherstburg Official Plan;

2. The property is well-suited for the proposed multiple-unit commercial building considering its location within an established commercial corridor and its proximity to: established residential neighbourhoods; institutional uses; retail/service commercial uses; and recreational facilities; and public transit services. In this respect, employees and patrons of this new development would have access to, and would support local businesses and public institutions;

3. The massing, orientation and articulation of the proposed commercial building is designed to be: compatible with surrounding land uses; complementary to the local development context; and supportive of the pedestrian environment along Sandwich Street South. Accordingly, in our opinion, this project should not generate significant land use conflicts with adjacent properties;

4. Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.

5. The Proposed Site Plan developed in conjunction with this proposal was designed with regard for the urban design objectives provided by way of applicable Gateway to Amherstburg Special Policy Area provisions set out in the Amhersburg Official Plan. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives contemplated for the Central Sandwich District within the draft Downtown Amherstburg Urban Design Guidelines (e.g., cohesive main

street façade, enhanced landscaping elements, screened parking and drive-through facilities, integrated walkway network).

6. The positioning, design and height of the proposed commercial building helps (1) to reinforce the established street wall and (2) to achieve a pedestrian-oriented streetscape;

7. Technical assessments indicate that adequate servicing infrastructure exists along Sandwich Street to accommodate the proposed development and that appropriate Storm Water quantity and quality control can be addressed through final design;

8. The Transportation Impact Assessment confirms proposed accesses to the site will have negligible impacts to acceptable traffic standards along Sandwich Street and no signals are warranted. Additionally, the report recommends utilization of an existing Town parking facility to accommodate required parking for e the proposed development;

9. In our opinion, the proposed development is consistent with the Provincial Policy Statement, conforms to the County of Essex Official Plan and is in keeping with the general policy direction and permissions of the Town of Amherstburg Official Plan;

10. The proposed site-specific Official Plan Amendments and Zoning By-law Amendments would appropriately implement the intended building design and site layout; and

11. The development proposed by Daei Foods Inc. represents good planning.

Given the noted considerations and the commentary presented in this Report, it is recommended that the Town of Amherstburg approve the Official Plan Amendment and Zoning By-law Amendment applications, as proposed.

Respectfully submitted,

MHBC

Scott Allen, MA, RPP
Partner

Nicolette van Oyen, BES
Planner

APPENDIX A

Preliminary Building Elevations
131 & 135 Sandwich Street

1 DSK-006 **WEST ELEVATION - SANDWICH STREET**

3/32" = 1'-0"

2 DSK-006 **WEST ELEVATION**

1/8" = 1'-0"

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 937 6801 ncarchitect.ca

PROJECT NORTH (P.N.):
TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

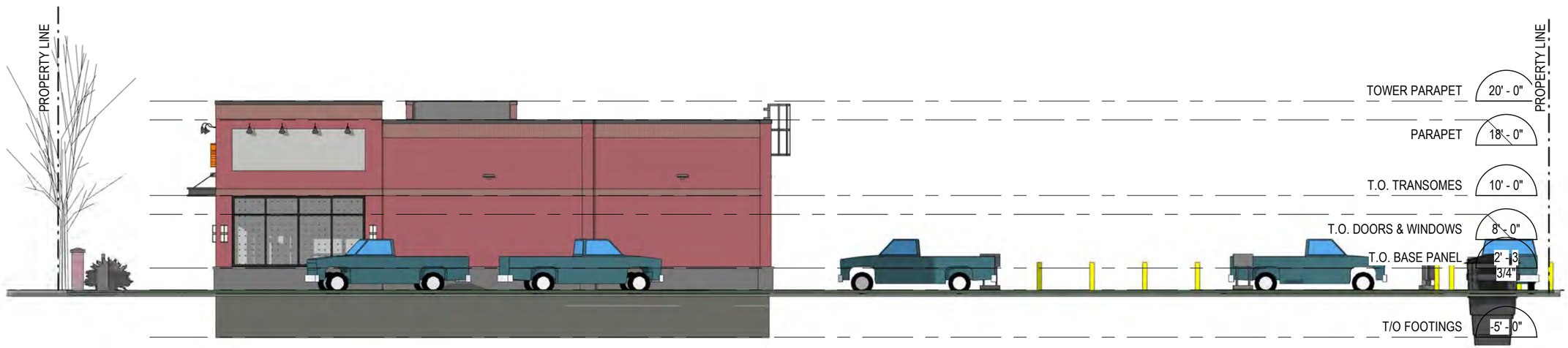
#	YYYY-MM-DD	REVISIONS
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: West/North Ext. Elev

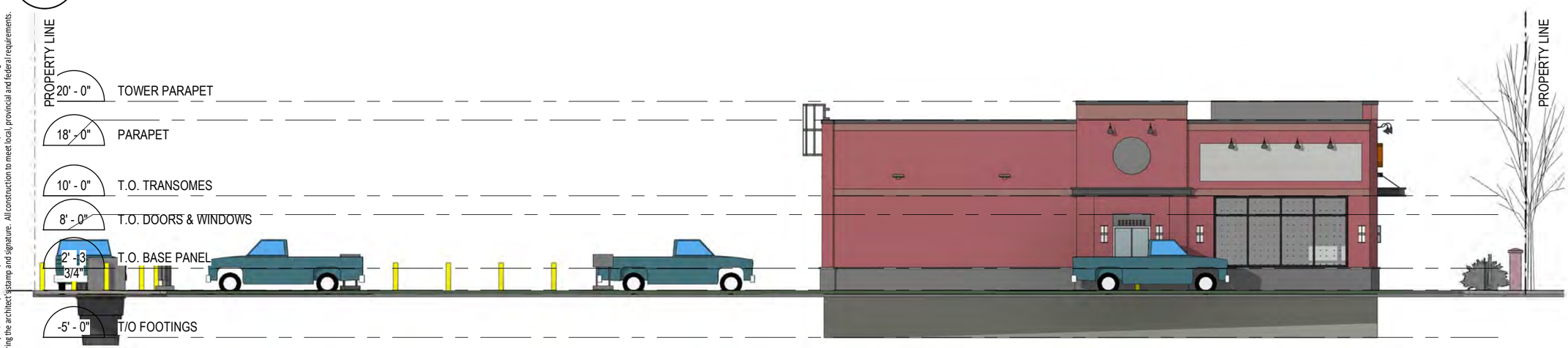
NCA PROJECT NUMBER:
FILE NUMBER:
OWNER'S CONTRACT NUMBER:
OWNER'S PROJECT NUMBER:
SCALE: As indicated
DRAWN BY: Lan Wang
DATE CREATED: 02/15/22
SHEET #: DSK-006
Pg. 1 of 2

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.



3 **SOUTH ELEVATION**
DSK-006-2 3/32" = 1'-0"



4 **NORTH ELEVATION**
DSK-006-2 3/32" = 1'-0"

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 237 6801 ncarchitect.ca

PROJECT NORTH (P.N.):
TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

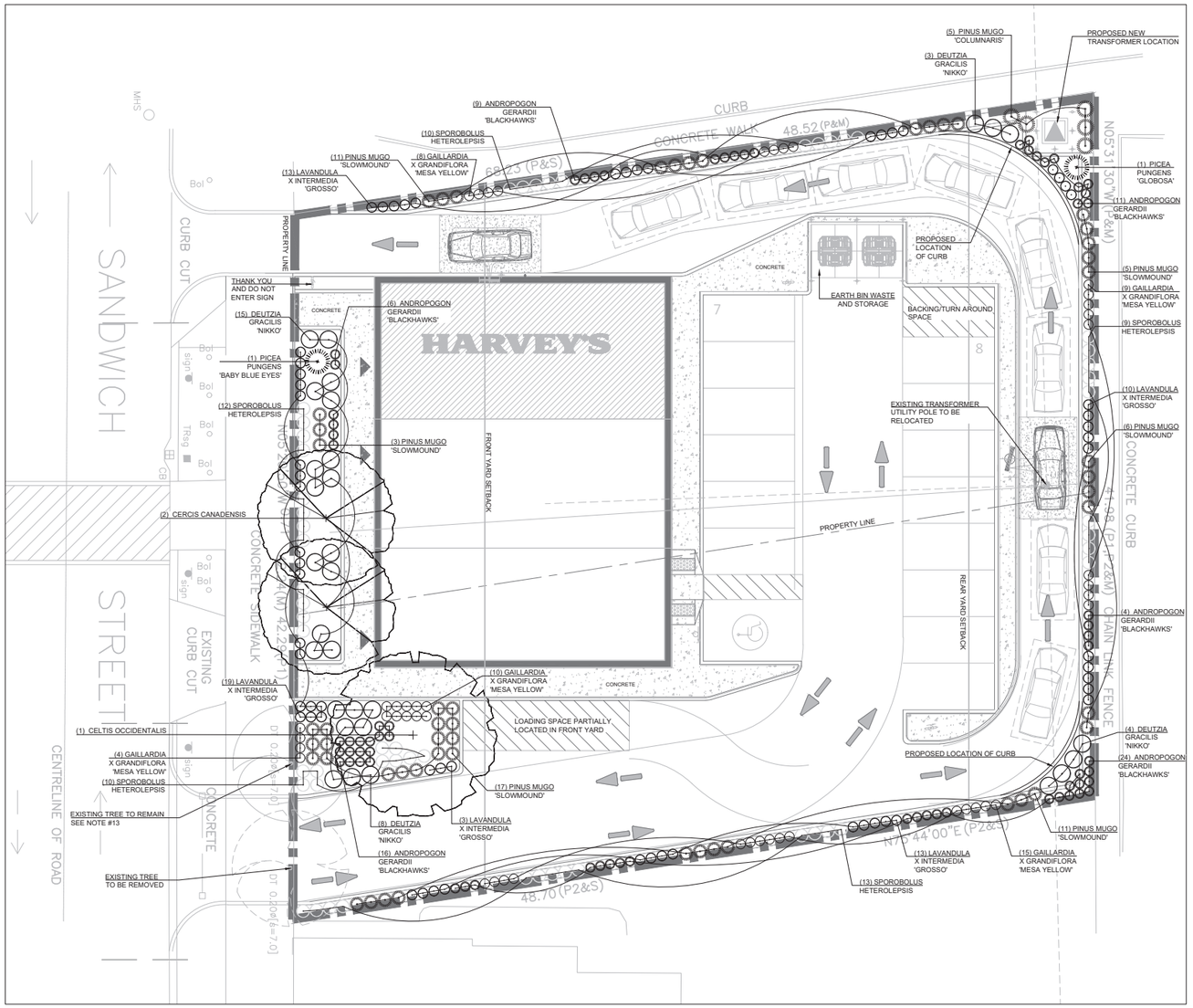
#	YYYY-MM-DD	REVISIONS
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: North/South Ext. Elev

NCA PROJECT NUMBER:
FILE NUMBER:
SCALE: 3/32" = 1'-0"
SHEET #: DSK-006
OWNER'S CONTRACT NUMBER:
OWNER'S PROJECT NUMBER:
DRAWN BY: Lan Wang
DATE CREATED: 02/15/22
Pg. 2 of 2

APPENDIX B

Conceptual Landscape Plan
131 & 135 Sandwich Street



1 L1 LANDSCAPE PLAN
1:150

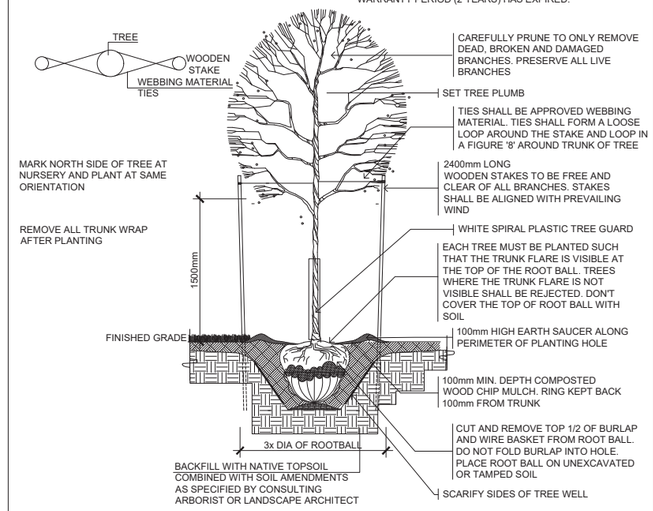
PLANT SCHEDULE L1

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	NOTES
TREES					
1	CELTIS OCCIDENTALIS	COMMON HACKBERRY	60mm	WB	NATIVE
2	CERCIS CANADENSIS	EASTERN REDBUD	60mm	WB	NATIVE
1	PICEA PUNGENS 'BABY BLUE EYES'	BABY BLUE EYES SPRUCE	60mm	WB	NATIVE
SHRUBS					
30	DEUTZIA GRACILIS 'NIKKO'	NIKKO DEUTZIA	1 GAL	POTTED	1400mm O.C. SPACING
1	PICEA PUNGENS 'GLOBOSA'	GLOBE BLUE SPRUCE	50cm	POTTED	NATIVE
5	PINUS MUGO 'COLUMNARIS'	COLUMNAR MUGO PINE	50cm	POTTED	NATIVE; 1100mm O.C. SPACING
53	PINUS MUGO 'SLOWMOUND'	SLOWMOUND MUGO PINE	50cm	POTTED	NATIVE; 900mm O.C. SPACING
PERENNIALS/GRASSES					
70	ANDROPOGON GERARDII 'BLACKHAWKS'	BLACKHAWKS BLUESTEM	1 GAL	POTTED	NATIVE; 600mm O.C. SPACING
46	GAILLARDIA X GRANDIFLORA 'MESA YELLOW'	MESA YELLOW BLANKET FLOWER	1 GAL	POTTED	HYBRID; 780mm O.C. SPACING
58	LAVANDULA X INTERMEDIA 'GROSSO'	GROSSO LAVENDER	1 GAL	POTTED	650mm OC. SPACING
54	SPOROBOLUS HETEROLEPSIS	PRAIRIE DROPSEED	1 GAL	POTTED	NATIVE; 800mm O.C. SPACING

ALL TREES TO BE PLANTED IN ACCORDANCE WITH THE 'CITY OF GUELPH TREE TECHNICAL MANUAL'

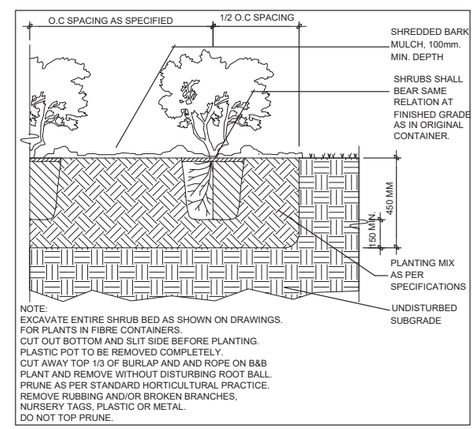
NOTE

FOR ACCEPTANCE OF LANDSCAPE WORKS ALL STAKES AND TREE GUARDS ARE TO BE REMOVED AFTER WARRANTY PERIOD (2 YEARS) HAS EXPIRED.



ROOT BARRIER 600mm HIGH MAY BE REQUIRED AT SIDEWALK OR CURB AND IS TO BE LOCATED 150mm MIN. DISTANCE FROM BACK OF CURB OR EDGE OF SIDEWALK.
SOIL VOLUME SHALL BE PROVIDED IN ACCORDANCE WITH GUIDELINES OUTLINED IN 'CITY OF GUELPH TREE TECHNICAL MANUAL'
SOIL QUALITY:
SOIL PROFILE AND PLANTING SOIL MUST BE TESTED FOR DRAINAGE, SOIL QUALITY AND pH IN SOIL CONDITION AMENDMENT TO POOR QUALITY SOIL SHALL BE DESIGNED IN ACCORDANCE WITH SOIL TEST RECOMMENDATIONS
REMOVE ALL TRUNK WRAP AFTER PLANTING

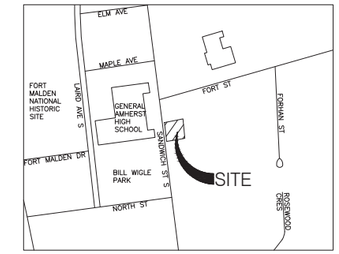
2 L1 TYPICAL DECIDUOUS TREE PLANTING
NTS



NOTE:
EXCAVATE ENTIRE SHRUB BED AS SHOWN ON DRAWINGS.
FOR PLANTS IN FIBRE CONTAINERS.
CUT OUT BOTTOM AND SLIT SIDE BEFORE PLANTING.
PLASTIC POT TO BE REMOVED COMPLETELY.
CUT AWAY TOP 1/3 OF BURLAP AND AND ROPE ON B&B
PLANT AND REMOVE WITHOUT DISTURBING ROOT BALL.
PRUNE AS PER STANDARD HORTICULTURAL PRACTICE.
REMOVE RUBBING AND/OR BROKEN BRANCHES,
NURSERY TAGS, PLASTIC OR METAL.
DO NOT TOP PRUNE.

3 L1 TYPICAL SHRUB PLANTING
NTS

LOCATION MAP



Legend

- PROPOSED SHRUBS
- PROPOSED DECIDUOUS TREES
- PROPOSED PERENNIALS & GRASSES
- CONCRETE SIDEWALK SEE ENG FOR DETAILS

NOTES:

1. PLANTING BEDS TO BE PLANTED WITH 450mm PLANTING SOIL MIX, PLANT MATERIAL, AND 100mm SHREDDED BARK MULCH (TYP).
2. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, UNDERGROUND UTILITIES BEFORE PROCEEDING WITH WORK.
3. ANY AREAS DISTURBED BY CONSTRUCTION TO BE RESTORED WITH 150mm TOPSOIL AND SOD TYP. UNLESS OTHERWISE NOTED.
4. ALL SUBSTITUTIONS/DELETIONS ARE TO BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SELECTION AND INSTALLATION.
5. REFER TO THE ENGINEERING DRAWINGS FOR SEDIMENT AND EROSION CONTROL MEASURES, DETAILED GRADING, AND LIMITS OF CONSTRUCTION.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ARRANGE FOR LOCATES AND TO VERIFY THE EXACT LOCATION OF ALL UTILITIES, SERVICES AND STRUCTURES WHETHER ABOVE OR BELOW GRADE BEFORE COMMENCING WORK AND TO ENSURE ALL WORK IS TO COMPLY WITH TECHNICAL STANDARDS & SAFETY AUTHORITY (TSSA) STANDARDS.
7. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND REPORT AND DISCREPANCIES IMMEDIATELY TO THE LANDSCAPE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
8. DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF THE LANDSCAPE ARCHITECT AS INSTRUMENTS OF HIS SERVICE AND MUST BE RETURNED AT THEIR REQUEST.
9. ALL SOD TO BE A BLUEGRASS/FESCUE BLEND AND IS TO BE INSTALLED IMMEDIATELY UPON COMPLETION OF FINE GRADING OF ALL EXPOSED AREAS REQUIRING SOD.
10. ALL PLANTING BEDS TO HAVE 100mm DIAMETER PERFORATED, SOCK WRAPPED BIG 'O' PIPE ABOVE CLAY LAYER. PIPE TO BE CONNECTED TO NEAREST STORM LINE USING 100mm DIAMETER SOLID BIG 'O' PIPE (ENGINEER TO REVIEW). REFER TO ENGINEERING DRAWINGS FOR LOCATION AND DETAILS.
11. ALL SIDEWALK AREAS TO BE CIP CONCRETE, BROOM FINISH. CONTRACTOR TO MATCH TO EXISTING SIDEWALK AND MAKE GOOD ANY SIDEWALK IN RIGHT-OF-WAY THAT IS DAMAGED BY CONSTRUCTION.
12. TREE PROTECTION MEASURES ARE TO SATISFY THE TOWN OF AMHERSTBURG. A PROTECTION BARRIER SHALL BE INSTALLED 3m FROM THE TRUNK OR AT THE DRIPLINE, WHICHEVER IS GREATER, FOR THE DURATION OF CONSTRUCTION.

Rev.	Date	Issued / Revision	By
3			
2			
1	2022/01/18	ISSUED FOR REVIEW	LW

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9 | P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

Stamp	Date: JANUARY 2022
	Drawn By: LW
	Plan Scale: AS NOTED
	File No.: 21320A
	Checked By: NMP
	Other
Project: 131-135 SANDWICH STREET S, AMHERSTBURG, ONTARIO	NORTH
Drawing Title: LANDSCAPE PLAN	Dwg No.: L1
Client: DAEI FOODS INC.	

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

200-540 BINGEMANS CENTRE DRIVE /KITCHENER / ONTARIO / N2B 3X9 / T: 519.576.3650 / F: 519.576.0121/ WWW.MHBCPLAN.COM

DILLON CONSULTING

DAEI FOODS INC.

131 & 135 Sandwich Street Functional Servicing Study

Draft Report

April 2022 – 22-3783

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A Functional Servicing and Grading Plan

B Sanitary Sewer and Storm Sewer Design Sheets

C Stormwater Management Calculations

D Watermain Calculations

1.0 Introduction

Dillon Consulting Limited (Dillon) was retained by Nicholas Caragianis Architect Inc. and Daei Foods to develop a functional servicing strategy for the property at 131/135 Sandwich St. (the "Site") in the Town of Amherstburg. This document outlines the servicing strategy including supporting studies and related information for the sanitary, stormwater management, and watermain servicing for the Site.

The proposed development is 0.2 hectares (Ha.) and consists of a commercial building for restaurant use with an area of 420m^2 (0.042 ha.) and a parking lot with drive-through area of 1580m^2 (0.158 ha.).

1.1 References Documents

The following documents and drawings were referenced when completing this study:

- Corporation of the Town of Amherstburg – Development Manual (Amherstburg, 2009)
- Town of Amherstburg - Interactive Mapping (Amherstburg)
- Design Guidelines for Sewage Works (MOE, 2008)
- Windsor/Essex Region Stormwater Management Standards Manual (2018)
- Design Guidelines for Drinking-Water Systems (MOE, 2008)

2.0 Site Area

2.1 Existing Conditions

The current site spans across two properties, 131 and 135 Sandwich Street. There is a restaurant on 131 Sandwich Street that is no longer in operation with its own parking lot. Adjacent is 135 Sandwich Street, which consists of mainly gravel and is used as a parking lot with a metal clad garage at the eastern end. The existing site is mainly asphalt and gravel with very little grassed area.

Access to the existing site is via a gravel driveway from Sandwich Street near the southwest property limits on 135 Sandwich Street. There is an asphalt driveway at the north end onto 131 Sandwich Street which can also be used as access.

The site is located within a commercial area. The site fronts Sandwich Street and is located across from the General Amherst High School. Additional asphalt parking exists adjacent to the Site along the north and east site limits. Additional commercial units are located south of the property.

2.2 Proposed Site Layout

The proposed ingress and egress to this development will be from Sandwich Street from the south, using a proposed new driveway entrance. There will also be a single drive thru exit from this development onto Sandwich Street located at the north-most limit of the Site.

The proposed development includes a single-storey building with three restaurants with a loading area and parking spaces to the south and east of the building respectively. There will be a new transformer located on the northeast corner of the property and a waste storage area at the southeast corner of property. The Site layout is shown in in Appendix A.

There will be a 3 metre (m) landscaped strip at the front of the building with additional 0.9 m landscape strips along the north and south property limit.

3.0 Sanitary Servicing

3.1 Existing Conditions

Currently, there are two existing sanitary services to the Site; one to 131 Sandwich Street, and another sanitary service for 135 Sandwich Street. The existing sanitary service for 131 Sandwich Street currently services the existing building. There is no longer a building on 135 Sandwich Street. It is assumed that the existing sanitary service for 135 Sandwich Street is not in use or abandoned. The municipal sanitary sewer on Sandwich Street is a 550 mm x 700 mm brick combined sanitary sewer, located within the right-of-way of the road and conveys flows south down Sandwich Street. The invert of the existing combined sewer on Sandwich Street was obtained through the use of the Town of Amherstburg's interactive mapping database.

3.2 Existing Conditions

The following sanitary sewer design criteria for this property are outlined in Table 1.0. The design criteria were established by the Town of Amherstburg's Development Manual (2009).

Table 1: Sanitary Sewer Design Criteria

Criteria	Town of Amherstburg Development Manual
Hydraulic Sewer Sizing	Manning's Equation
Minimum Sewer Service Connection Size (mm)	125 diameter
Minimum Cover Depth (m)	1.20
Manning's Roughness Coefficient 'n'	0.013
Velocity: Minimum (m/s) Maximum (m/s)	 0.76 3.66
Hydraulic Losses Across manholes: Straight Run (mm) 45 degree turn of less (mm) Greater than 45 degree turn to 90 degree turn (mm)	 10 50 100
Infiltration Allowance/Peak Extraneous Flow	0.2 L/Ha/s
Peaking Factor	Based on Harmon Formula
Population Densities For: Residential Commercial	 3.5 persons/unit 75 persons/Ha
Average Daily Sewage	450 L/Cap/Day
Sewer Surcharging	Maximum hydraulic grade line with pump failure

3.3 Proposed Servicing

Please refer to the attached Servicing Plan (in Appendix A) which illustrates the proposed sanitary servicing layout. The sanitary servicing for the proposed development is as follows:

- All sanitary flows from within the proposed development will be conveyed via local sanitary sewers constructed within the Site limits.
- A proposed 200 mm PVC sanitary service will be connected to the existing 550 x 700 mm combined sewer on the east side of the centreline on Sandwich Street, southeast of the building. The proposed sanitary service will be offset 6m from the south side of the proposed building.

The sanitary functional design sheets are provided in Appendix B. Criteria used in flow calculation is listed in Table 1.0 above.

The proposed sanitary sewers on-site will have sufficient frost cover and depth for connection at the sanitary mainline in Sandwich Street. The future detailed design of the sanitary sewers and services are to be consistent with the requirements of the Town of Amherstburg and the Ministry of Environment, Conservation and Parks (MECP).

4.0 Stormwater Servicing

4.1 Existing Conditions

Currently, the existing site does not have on-site Stormwater controls. Based on the existing topography, Stormwater runoff is not controlled, and sheet flows away from the existing building and onto Sandwich Street, and the adjacent parking lot to the north. There is an existing 1200 mm dia. concrete storm sewer and conveys flows south along Sandwich Street. The invert of the storm sewer was approximated from existing plan and profile plans of Sandwich Street provided by the Town.

4.2 Design Criteria

The following storm sewer design criteria for this property are outlined in Table 2.0. The design criteria were established by the Town of Amherstburg Development Manual (2009).

Table 2: Storm Sewer Design Criteria

Criteria	Town of Amherstburg's Development Manual
Stormwater Runoff	Hydrodynamic Model
Hydraulic Sewer Sizing	Manning's Equation
Minimum Sewer Size (mm)	150mm diameters
Sewer Sizing Rainfall Event	Windsor-Essex Regional Stormwater Standards - (WERSMS) (2018)
Minimum Cover Depth (m)	1.20
Manning's Roughness Coefficient 'n'	0.013
Velocity: Minimum (m/s) Maximum (m/s)	 0.80 3.66
Roof Downspouts	Disconnected (splash to ground)
Inlet Times: Residential	 15 minutes
Runoff Coefficients: Commercial	 0.7-0.9
Sewer Surcharging	Maximum 5 year hydraulic grade line is below road grade

The proposed development is not located in the ERCA (Essex Region Conservation Authority) Regulated Area.

4.3 Proposed Servicing

The proposed Stormwater management strategy follows the criteria set by the Town of Amherstburg Development Manual and the Windsor-Essex Region Stormwater Management Standards. The criteria is listed as follows:

1. Stormwater Quality Control – Quality Control is to follow Normal Protection Level treatment (70% total suspended solids [TSS] removal)
2. Stormwater Quantity Control – Quantity Control will be restricting the post-development 100-year runoff to the pre-development 5-year runoff.

4.3.1 Stormwater Quality Control

The proposed development will include an Oil & Grit Separator (OGS) unit to meet the stormwater quality control criteria. The OGS will be located at the south driveway and will be upstream of the storm control manhole.

The OGS sizing and design will be completed at the detailed design stage.

4.3.2 Stormwater Quantity Control

The proposed quantity control for this Site is to limit the post-development 100-year runoff from the to the pre-development 5-year runoff rate. The allowable release rate based on the land-use in Table 3 was calculated to be 36.6 L/s.

Table 3: Site Land Use

Pre Development 5-Year		Post Development 100-Year	
Runoff Coefficient (C)	Area	Runoff Coefficient (C)	Area
Asphalt Parking and Driveway (C=0.9)	1,060 m^2	Building, Parking Lot and Walkway (C=0.9)	1,850 m^2
Gravel Parking (C=0.75)	600 m^2	Uncontrolled Landscape Area and Front of Building (C=0.2)	150 m^2
Grass Area (C=0.2)	340 m^2		

The post-development runoff was calculated using a multiplier of 1.25 (applied on larger events) on the rainfall intensity at the 100-year event. As shown in Table 3, there is a small area with uncontrolled runoff. The runoff generated from the rest of the Site is required to be controlled to meet the stormwater criteria. Refer to Appendix C for the Stormwater Management calculations.

On-site storage is proposed in the form of surface ponding as per Town's design standards to detain runoff on-site during the 100-year event. Based on criteria listed in Table 2, the storage requirement was calculated using the Modified Rational Method to be 48.2 m^3. The Site was graded to provide a total available ponding storage of 55.10 m^3. The ponding to achieve the storage volume does not exceed a depth of 0.28 m. This is less than the maximum ponding depth in the Town's design standard of 0.30m for the 100-year event. Refer to the Grading Plan (in Appendix A) for the ponding extents and depth.

An orifice plate will be designed and proposed upstream of the municipal connection at the control manhole. It will be sized to control the release rate to satisfy the quantity criteria. Sizing of the orifice plate will occur at the detailed design stage.

4.4 Proposed Servicing

Refer to Servicing Plan (in Appendix A) for the proposed servicing and the functional design sheets which are provided in Appendix B. The stormwater servicing for the proposed development is as follows:

- The roads and parking space will be graded to allow for overland flow to be captured on-site via catch basins.
- Roof drainage will be directly connected into the onsite storm sewers.
- The proposed storm sewers can be sized with enough depth to provide storm servicing.
- The proposed storm sewers for the development will be connected to the existing 1200mm diam. concrete storm sewer on Sandwich Street.

5.0 Watermain Servicing

5.1 Existing Conditions

Based on the available Town's private drain sheets from December 2008 and topographical survey conducted in October 2021, there is a water service connection for 131 Sandwich Street and 135 Sandwich Street. However, based on the existing topographic survey, there does not appear to be a water service for 135 Sandwich Street. Therefore a water service had been present for 135 Sandwich but is now abandoned or no longer in use.

The closest fire hydrant to the building is across Sandwich Street just south of the school. The existing hydrant is within 75 m of the building and is within a sufficient distance to the main entrance according to Ontario Building Code.

5.2 Design Criteria

Based on information provided by the Client, the peak water demand for the proposed development is 1.64 L/s (26 gpm) for one restaurant unit. Assuming similar peak flows for the three units, a peak flow of 4.92 L/s (78 gpm) has been considered for the whole development.

The design of the watermain services are to be consistent with the requirements of the Town and the Ministry of Environment (MOE) design guidelines.

5.3 Proposed Servicing

Please refer to the attached Servicing Plan (in Appendix A) which illustrates the proposed watermain servicing.

The proposed development will be serviced by a 100 mm diameter watermain connected to the proposed building through the southeast end. The watermain service will be 3 m offset from the proposed building. This new watermain will connect to the existing 300 mm diameter main located on the west side of Sandwich Street right-of-way.

A hydrant flow test has been completed for this development. The fire hydrant across the property of 131/135 Sandwich Street was tested by Wallace-Kent Sprinkler Systems on March 31st, 2022.
The water system for the proposed development is intended for domestic use only. The proposed building is not equipped with a sprinkler system and the design does not include a separate fire line.

Based on the conducted hydrant flow test, the static pressure at the hydrant across from the proposed development on Sandwich Street is 427 kPa (62 psi) and the available fire flow at a residual pressure of 140 kPa (20 psi) is 300 L/s (4757 gpm). Calculating the pressure drop at a peak water demand of 4.92 L/s (78 GPM) for the proposed development results in watermain pressure at the building of 421 kPa (61 psi) , which is above the required pressure of 275 kPa (40 psi). Please refer to Appendix D for the pressure drop calculations and fire flow test.

6.0 Utilities

6.1 Gas

Existing natural gas service is available along Sandwich Street. During detailed design, future conversation on loading will be required with Union Gas by others.

6.2 Bell

Existing Bell service is available along Sandwich Street. Telecommunications servicing will be determined at the detailed design stage by others.

6.3 Hydro

Essex Powerlines Corporation has a hydro pole and guy wires on the east side of the property. A hydro connection for the building will be proposed during the detailed design stage by others.

7.0 Conclusion

The proposed development can be serviced as follows:

- The sanitary and storm sewer can be designed as per Town's Development Manual.
- The sanitary and storm sewer will discharge from the Site into the municipal sanitary and storm sewers on Sandwich Street.
- There is available capacity in the municipal watermain on Sandwich Street to provide domestic demand and can be serviced by a 100 mm diam. watermain.
- Fire protection is available from the existing hydrant across the street with adequate coverage to the building.
- Stormwater quality control can be achieved through an Oil & Grit Separator.
- Stormwater quantity control can be achieved through onsite storage by surface ponding within the parking lot and drive-through.

The design of the proposed internal services will be finalized during detailed design.

Yours sincerely,

DILLON CONSULTING LIMITED

Gary Tran, P.Eng.
Project Engineer

Appendix A

Functional Servicing and Grading Plan

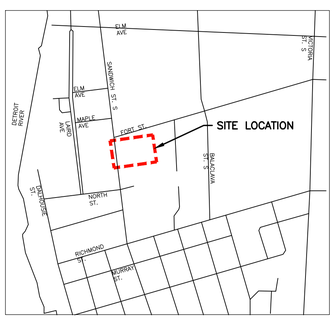
LEGEND:

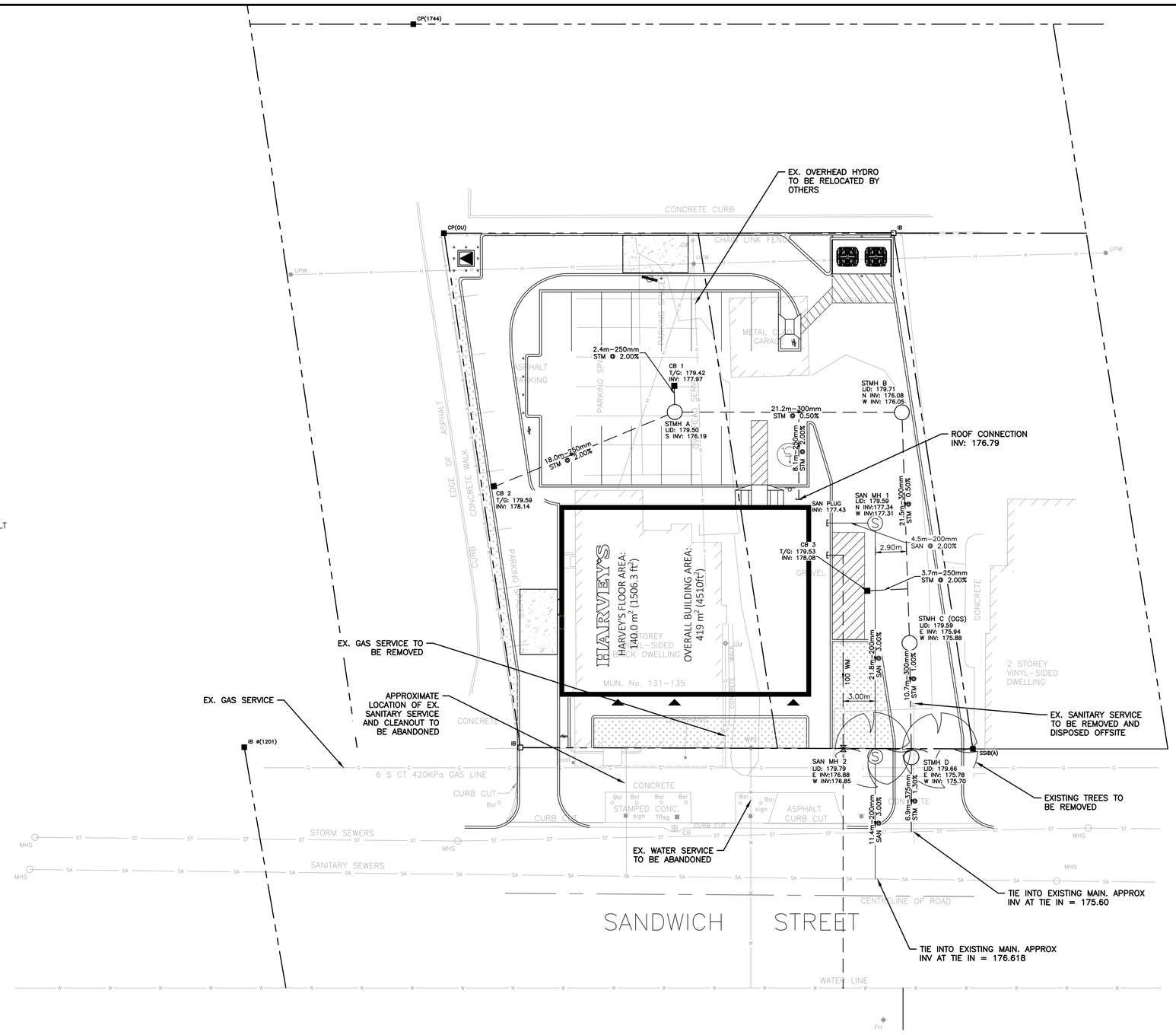
- EX. STM PIPE
- EX. SAN PIPE
- PROP. STM PIPE
- PROP. STM MH
- PROP. SAN PIPE
- PROP. CATCHBASINS
- PROP. SAN MH
- EX. WATER
- PROP. WATER
- EX. CURBS
- PROP. CURBS
- EX. WATER VALVE
- WATER VALVE
- CONCRETE PAD
- PROPERTY LIMIT

GENERAL NOTES:

1. EXISTING ESSEX POWER HYDRO POLE AND GUY ANCHOR IN PROPOSED DRIVE THRU AREA TO BE REMOVED/RELOCATED BY OTHERS. REFER TO ELECTRICAL DRAWINGS.
2. LOCATION OF SANITARY SERVICE CLEAN OUT BASED ON TOWNS AS-BUILT PLAN AND PROFILE AND PRIVATE DRAIN CONNECTION DETAILS.

KEY PLAN:





Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
1	FUNCTIONAL SERVICING DESIGN	04/08/2022	D.B.

DESIGN: D.B.	REVIEWED BY: J.J.
DRAWN: D.B.	CHECKED BY: G.T.
DATE: APRIL 2022	
SCALE: 1:200	

131 & 135 SANDWICH STREET SOUTH DEVELOPMENT
TOWN OF AMHERSTBURG

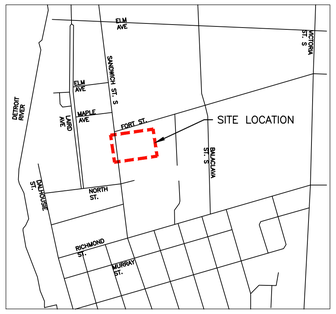
PROJECT NO. 22-3783

CIVIL
FUNCTIONAL SERVICING PLAN

SHEET NO. SR

FILENAME: C:\PW WORKING DIRECTORY\PROJECTS 2022\DILLON_A3BQS\DM51347A\223783-02-SR-CONL.DWG PLOTTED BY: SIFERO, DILLON CONSULTING LIMITED 130 DUFFERIN AVENUE, LONDON, ONTARIO, N6A 5R2, PHONE (519) 438-6192, FAX (519) 672-8209
PLOT DATE: 2022-04-08 @ 8:48:01 AM PLOT SCALE: 1:25.4 PLOT STYLE: DILLON-STANDARD.CTB

KEY PLAN:

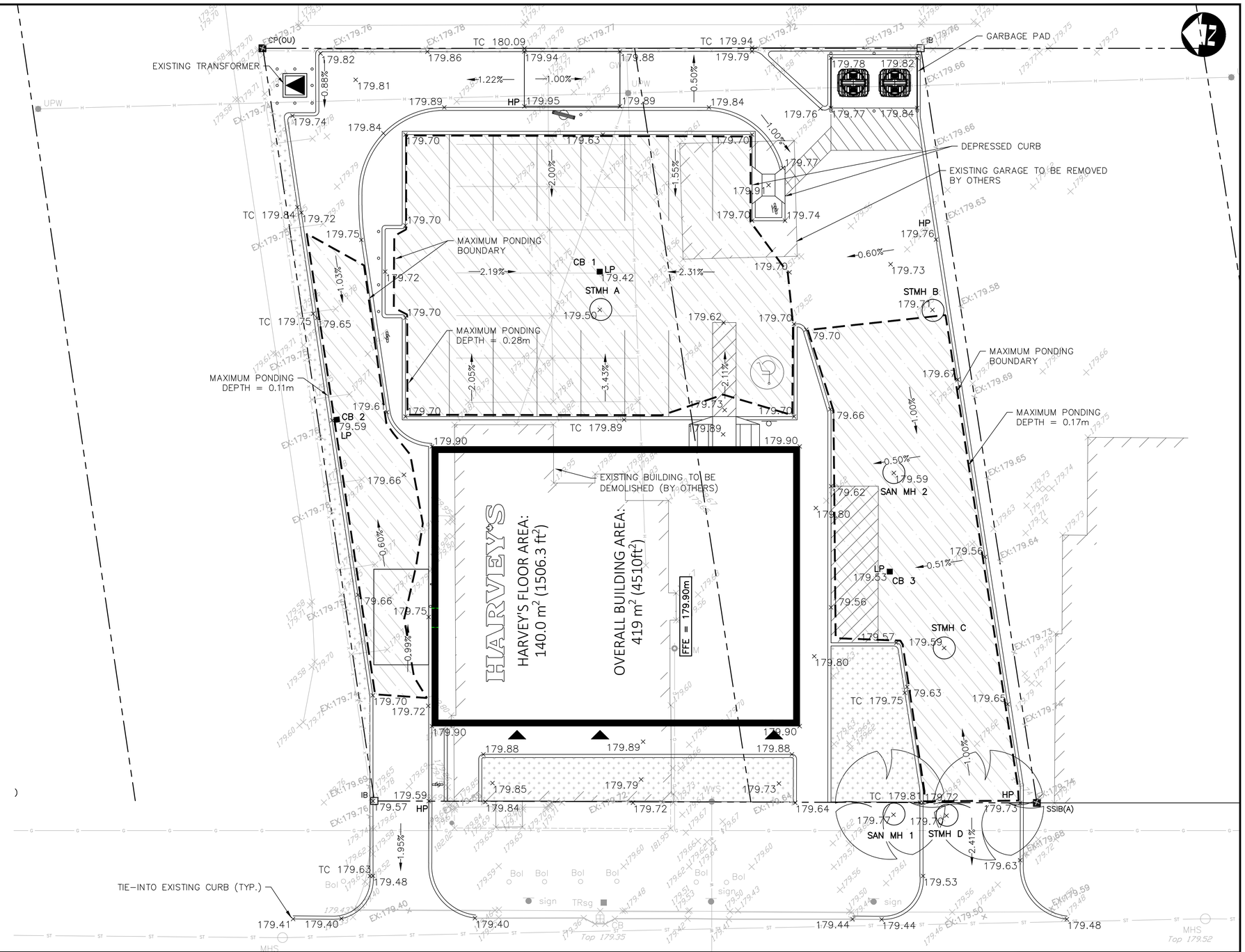


LEGEND:

EX:179.60	EXISTING ELEVATION
179.73	PROPOSED ROAD ELEVATION
TC 179.68	PROPOSED TOP OF CURB ELEVATION
—1.00%→	PROPOSED SLOPE
CB ■	PROPOSED CATCH BASIN
MH ○	PROPOSED MAINTENANCE HOLE
▨	MAX PONDING BOUNDARY
— — —	PROPERTY LINE

GENERAL NOTES:

1. THE OWNER AND DILLON CONSULTING LIMITED DO NOT GUARANTEE THE ACCURACY OF THE UTILITIES SHOWN ON THE DRAWINGS. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION FROM THOSE SHOWN. THE CONTRACTOR SHALL NOTE THAT LOCATION OF SERVICES FROM THE MAIN LINES ARE APPROXIMATE AS SHOWN. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES AND TO REPAID ANY DAMAGE IT MAY CAUSE TO THESE UTILITIES OR OTHER THIRD PARTIES. THE CONTRACTOR AGREES TO INDEMNIFY THE OWNER AND DILLON CONSULTING LIMITED AGAINST ANY CLAIMS WHICH MAY ARISE FROM THE CONTRACTOR'S ACTIONS.
2. ALL WORK SHALL MEET THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE TOWN OF AMHERSTBURG, WINDSOR–ESSEX REGION, AND ONTARIO PROVINCIAL STANDARDS.
3. PAVEMENT GRADES SHOWN ARE TO EDGE OF PAVEMENT OR CENTER LINE OF ROAD.
4. FINISHED GRADE AT DRIVE–THRU WINDOW TO BE 0.15m BELOW FFE AS STATED ON THE DRAWING.
5. GRADING DESIGNED TO ALLOW FOR SURFACE PONDING WITHIN PARKING AREA. SWM STORAGE REQUIREMENT CALCULATED VIA POST–100 YEAR TO PRE–5 YEAR ANALYSIS COMPARISON. REFER TO FSR FOR FURTHER DETAILS:
   MAX PONDING DEPTH = 0.28m
   MAX ALLOWABLE PONDING DEPTH = 0.30m
   MAX PONDING ELEVATION = 179.70m
   MAX PONDING VOLUME = 55.10cu.m
   REQUIRED STORAGE VOLUME = 48.2cu.m
6. ALL PROPOSED CURB TO BE BARRIER STYLE CURB AND CONFORM TO OPSD 600.110
7. ALL GRADES SHOWN ON PLAN ARE BOTTOM OF CURB/ASPHALT ELEVATIONS UNLESS OTHERWISE NOTED. TOP OF CURB ELEVATION TO BE 0.15m HIGHER THAN BOTTOM OF CURB ELEVATION AS PER OPSD 600.110
8. EXISTING ESSEX POWER HYDRO POLE AND GUY ANCHOR IN PROPOSED DRIVE THRU AREA TO BE REMOVED/RELOCATED BY OTHERS.
9. CONTRACTOR TO MATCH TO EXISTING GRADES AT PROPERTY LIMITS AND AT DRIVEWAY ENTRANCES.



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DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
01	ISSUED FOR REVIEW	APRIL 2022	DB

DESIGN: DB	REVIEWED BY: JJ
DRAWN: DB	CHECKED BY: GT
DATE: APRIL 2022	
SCALE: 1:200	

131 & 135 SANDWICH STREET SOUTH DEVELOPMENT
TOWN OF AMHERSTBURG

CIVIL
FUNCTIONAL GRADING PLAN

PROJECT NO. 223783

SHEET NO. GR

FILENAME: C:\PW WORKING DIRECTORY\PROJECTS 2022\DILLON_43805\DMS1347A\223783-02-GRD-CNLDNG PLOTTED BY: SFERO,JEROM
PLOT DATE: 2022-04-08 @ 8:46:06 AM PLOT SCALE: 1:25.4 PLOT STYLE: DILLON-STANDARD.CTB

DILLON CONSULTING LIMITED 130 DUFFERIN AVENUE, LONDON, ONTARIO, N6A 5R2, PHONE (519) 438-6192, FAX (519) 672-8209

Appendix B

Sanitary Sewer and Storm Sewer Design Sheets

PROJECT NAME HERE
SANITARY SEWER DESIGN SHEET

Project Name: 131 & 135 Sandwich St. S. Devel
Project No: 22-3783
City / Municipality of Amherstburg

The Peaking Factor was derived:
Using Harmon Formula= Y (Y or N)
From a Table= N
Value from table=

Residential Average Daily Flow= 450 L/Cap.D
Peak Extraneous Flow= 0.200 L/Ha.S

Outlet Invert Elevation= 176.570
Mannings 'n'= 0.013
Total Area= 0.200

Basement Floor Elevation =
or
Hydraulic Grade Line Cover =

Ground Elevation at Outlet = 179.480
HGL at Outlet =

Location			Flow Characteristics								Sewer Design/Profile										Cover			Hydraulic Grade Line		
ROAD/STN	LOCATION FROM MH	LOCATION TO MH	INDIVIDUAL POP	INDIVIDUAL AREA (ha.)	CUMULATIVE POP	CUMULATIVE AREA (ha.)	PEAKING FACTOR M	POP FLOW Q(p) (L/s)	PEAK EXTR. FLOW Q(i) (L/s)	PEAK DESIGN FLOW Q(d) (L/s)	CAPACITY (L/s)	LENGTH (m)	PIPE DIA. (mm)	Wall Thickness (mm)	SLOPE (%)	UPPER INVERT (m)	LOWER INVERT (m)	FALL (m)	VELOCITY (m/s)	DROP IN LOWER MANHOLE (m)	Ground Elevation Upper MH	Cover @ Up MH (m)	Cover @ Low MH (m)	HGL Elev at Upstream MH	HGL Elev vs. Grnd Elev @ Up MH	HGL Elev vs. Obvert @ Up MH
Building	A	B	15.0	0.20	15	0.20	4.396	0.343	0.040	**0.38**	**56.81**	21.8	200	6	3.00	177.596	176.942	0.654	1.81	0.030	179.590	1.788	2.642	0.000		INTERSECTS OBVERT
Control MH	B	ex	0.0	0.00	15	0.20	4.396	0.343	0.040	**0.38**	**56.81**	11.4	200	6	3.00	176.912	176.570	0.342	1.81		179.790	2.672	2.704	0.000		INTERSECTS OBVERT

131 & 135 Sandwich St. S. Devel
STORM SEWER DESIGN SHEET

Project Name: 131 & 135 Sandwich St. S. Devel
Project Number: 22-3783

Intensity Option # 1

1) Intensity (i) = a/(t+b)^c **2) Intensity (i) = a*t^b** **3) Insert Intensity**

Based on 1:5 Year Storm Event
Location/Municipality of Amherstburg

a= 1680.869 **b=** 9.828 **c=** 0.883

a= **b=** **i=**

Manning's n = 0.013

Total Area (ha)= 0.20000002 Outlet Invert Elevation= 175.605 Ground Elevation @ Outlet = 179.48 High Water Level at Outlet=

Location												Sewer Design / Profile										Cover			Hydraulic Grade Line	
Road /Stations	From MH	To MH	Area (ha)	Run. Coef.	2.78AC	Accum. 2.78AC	T of In (min)	T of F (min)	T of Conc. (min)	Intensity (mm/hr)	Exp. Flow (L/s)	Capacity (L/s)	Velocity (m/s)	Wall Thickness (mm)	Length (m)	Pipe Dia. (mm)	Slope (%)	Invert Up MH	Invert Low MH	Fall (m)	Drop Across Low MH (m)	Ground Elev Up MH	Cover @ Up MH (m)	Cover @ Low MH (m)	HGL Elevation at Upstream MH	HGL Elev vs. Grnd Elev @ Up MH
Parking	A	B	0.15	0.84	0.35	0.35	15.0	0.37	15.00	98.58	**34.53**	**68.38**	0.97	9	21.2	300	0.50	176.185	176.079	0.11	0.030	179.500	3.01	3.32	176.49	Okay
Drive Thru	B	C	0.05	0.84	0.12	0.47	15.0	0.37	15.37	97.32	**45.45**	**68.38**	0.97	9	21.5	300	0.50	176.049	175.942	0.11	0.060	179.710	3.35	3.34	176.35	Okay
OGS	C	D	0.00	0.84	0.00	0.47		0.13	15.74	96.07	**44.87**	**96.70**	1.37	9	10.7	300	1.00	175.882	175.775	0.11	0.080	179.590	3.40	3.58	176.18	Okay
Control MH	D	EX	0.00	0.84	0.00	0.47		0.06	15.87	95.64	**44.67**	**199.91**	1.81	11	6.9	375	1.30	175.695	175.605	0.09		179.660	3.58	3.49	176.07	Okay

Appendix C

Stormwater Management Calculations

DILLON CONSULTING	Stormwater Management Calculations	Project:	131/135 Sandwich Street South, Amherstburg	No.:	22-3783
	Rational Method Calculations	By:	DB	Date:	2022-04-08
		Checked:	GT	Scenario:	Post100yr - Pre5yr

* with 1.25 multiplier

Catchment ID =	SITE	
Starting Time Step (t) =	15	Minutes
Time Step (t_1) =	1	Minutes
100YR Runoff Coefficient (C) =	0.95	
Catchment Area (A) =	0.185	ha

Land use	Area (ha)	C
Controlled	0.185	0.95
Uncontrolled	0.02	0.2
TOTAL	**0.20**	**0.90**

Peak Outflow ($Q_{allow; controlled}$)	0.035	(m^3/s)
Storage Required	**48.2**	m^3
Critical Duration	19	min

WE Standards 100 Year IDF Parameters		
A	B	C
2375	11	0.861

Storm Duration		Intensity	Peak Flow	Volume of Runoff	Release Flow Volume	Required Storage
$t = t_c + t_1$ (min.)	t (hr)	$I=a/(t_c+b)^c$ (mm/hr)	Q=2.78CIA (m^3/s)	Q * t (m^3)	Q_o * t (m^3)	Q - Q_o (m^3)
15	0.25	180	0.09	79.0	31.7	47.2
16	0.27	174	0.08	81.5	33.8	47.7
17	0.28	168	0.08	84.0	36.0	48.0
18	0.30	163	0.08	86.3	38.1	48.2
19	0.32	159	0.08	88.4	40.2	48.2
20	0.33	154	0.08	90.5	42.3	48.2
21	0.35	150	0.07	92.5	44.4	48.0
22	0.37	146	0.07	94.3	46.5	47.8
23	0.38	143	0.07	96.1	48.6	47.5
24	0.40	139	0.07	97.8	50.8	47.1
25	0.42	136	0.07	99.5	52.9	46.6
26	0.43	133	0.06	101.0	55.0	46.0
27	0.45	130	0.06	102.5	57.1	45.4
28	0.47	127	0.06	104.0	59.2	44.7
29	0.48	124	0.06	105.4	61.3	44.0
30	0.50	121	0.06	106.7	63.5	43.2
31	0.52	119	0.06	108.0	65.6	42.4
32	0.53	116	0.06	109.2	67.7	41.6
33	0.55	114	0.06	110.5	69.8	40.6
34	0.57	112	0.05	111.6	71.9	39.7

\

Appendix D

Watermain Calculations

Daei Foods inc
Watermain Design

Project Number: 22-3783
Date: April 4, 2022
Revised:
Design By: Mina Yacoub, P.Eng.
File: 22-3783 WM DESIGN

DILLON CONSULTING

CALCULATION SHEET

Boundary Conditions

HGL= p / γ + h

Pressure=	427.5	kPa	
	62.0	psi	Static Pressure from Hydrant Flow Test at Hydrant accross the Development

Peak Water Demand for the Units

Q= 3 x 26 gpm= 78 gpm

26 gpm Peak Flow for Harvey' Restaurant
Assumed equal peak flow for all 3 units

Head Losses - Hazen-Williams Equation

$V= 0.85CR^{0.63}S^{0.54}$

$Q_{required}$=	4.92	L/s
	0.005	m^3/s
Pipe Diameter, D=	100	mm
	0.1	m
Area, A=	0.008	m^2
Velocity, V=	0.627	m/s
Hydraulic Radius, R=	0.025	m
H-W Coefficient, C=	100	
Slope energy grade line, S=	0.008	m/m
	0.082	kPa/m
Length of Pipe, L=	75	m
Friction $H_{f\ Pipe}$=	0.62	m
	6.12	kPa

Daei Foods inc
Watermain Design

Project Number: 22-3783
Date: April 4, 2022
Revised:
Design By: Mina Yacoub, P.Eng.
File: 22-3783 WM DESIGN

DILLON CONSULTING

CALCULATION SHEET

Head loss. $H_{f\ Minor}$= $K(\frac{v^2}{2g})$ where K =

0.45	45º Bend
0.75	90º Bend
2.00	Tee
0.20	Gate Valve open

Total # 90º Bends = 1
Head $H_{f\ 90º\ Bends}$= 0.02 m
0.15 kPa

Total # Tees = 1
Head $H_{f\ tees}$= 0.04 m
0.39 kPa

Total # Gate Valves = 1
Head $H_{f\ Gate\ Valves}$= 0.00 m
0.00 kPa

Total Losses

	kPa	psi
Friction Head Losses	6.1	0.9
Minor Head Losses	0.5	0.1
Total Head Losses	6.7	1.0

Minimum Flow Pressure at Building

P= 420.8 kPa
61.0 psi

WATER FLOW TEST REPORT

WALLACE-KENT SPRINKLER SYSTEMS INC.

HYDRANT # & LOCATION 131/135 Sandwich Street Amherstburg, ON DATE: 3/31/22

TEST BY: Wallace Kent Sprinkler Systems Day or Week: Thursday TIME OF DAY: 2:00pm MIN. OF FLOW 5

WATER SUPPLIED BY: Municipal Water Supply

PURPOSE OF TEST: Testing Fire Hydrant

DATA

FLOW HYDRANT(S)	A1	A2	A3
SIZE OPENING:	2.5		
COEFFICIENT:	0.9		
PITOT READING:	30		
GPM:	**919**	0	0

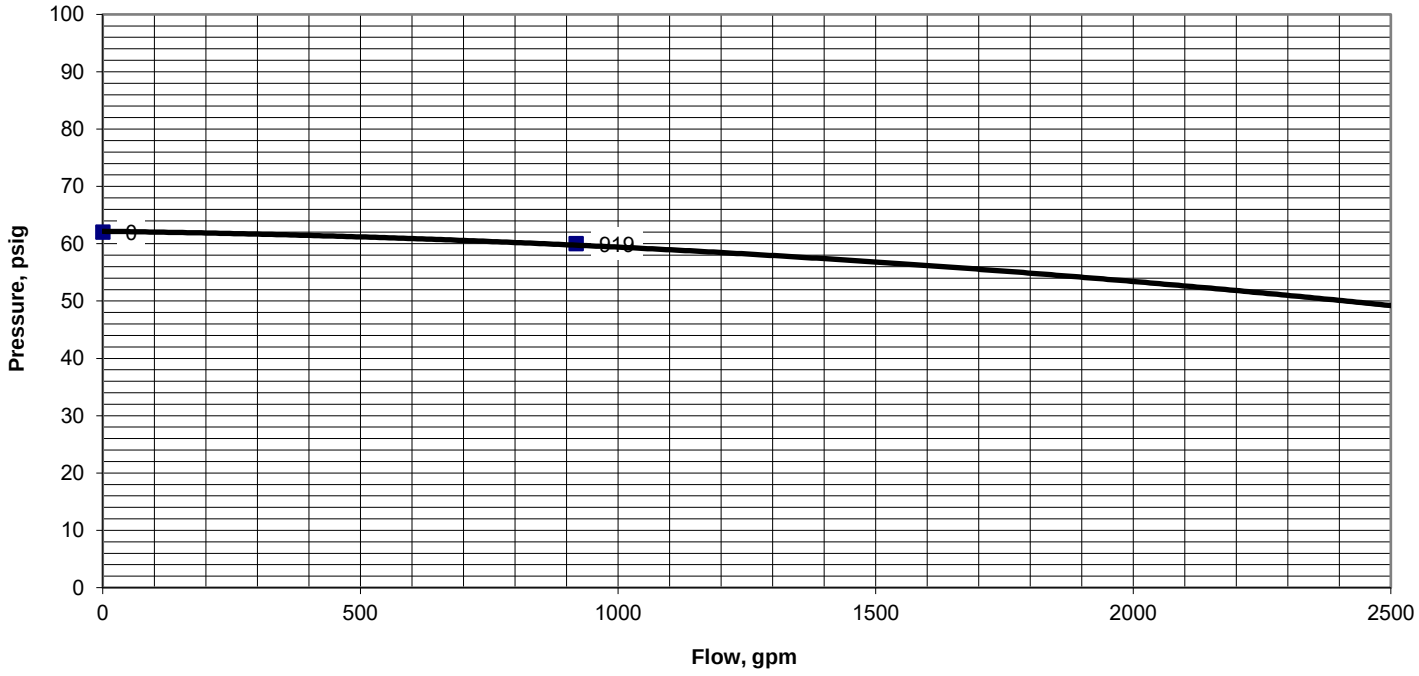
TOTAL FLOW DURING TEST: **919** GPM

STATIC READING: 62 PSI RESIDUAL: 60 PSI

RESULTS: AT 20 PSI RESIDUAL **4757** GPM AT 0 PSI **5870** GPM

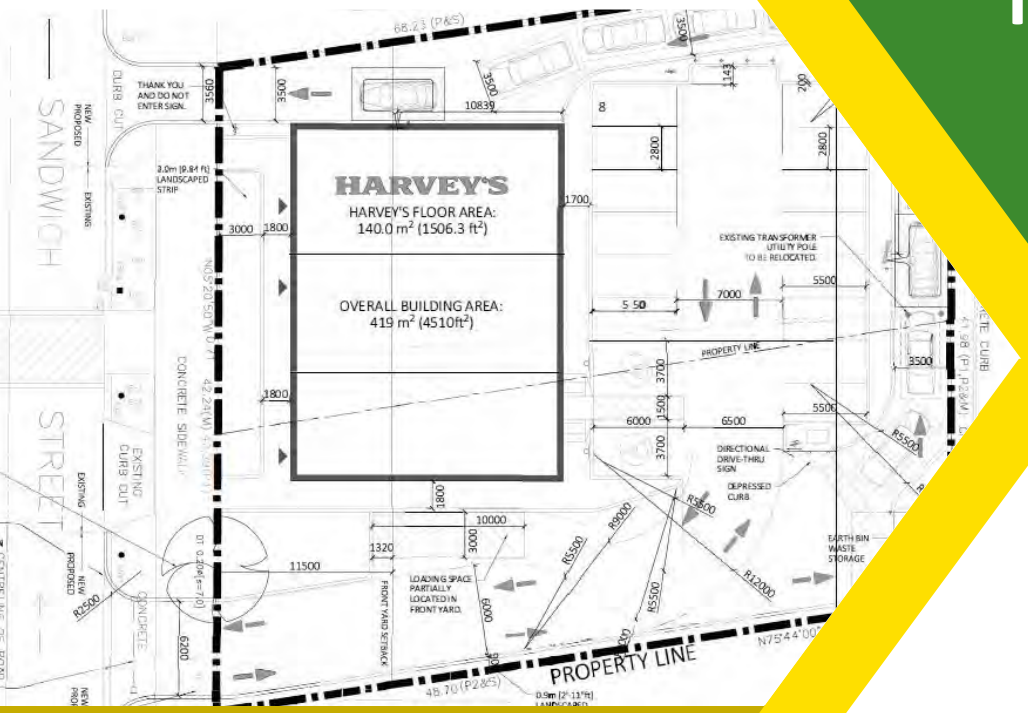
ESTIMATED CONSUMPTION: **4595** GAL.

REMARKS:



131 & 135 Sandwich Street

Transportation Impact Assessment



CGH TRANSPORTATION

131 & 135 Sandwich Street
Transportation Impact Assessment

Prepared for:

Dino Soltani
c/o Nicholas Caragianis
131 & 135 Sandwich Street
Amherstburg, ON N9V 1Z9

Prepared by:

CGH TRANSPORTATION
628 Haines Road
Newmarket, ON L3Y 6V5

April 2022

PN: 2021-139

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1 Introduction

This Transportation Impact Assessment (TIA) and Parking Justification has been prepared to support the proposed development located at 131 & 135 Sandwich Street in Amherstburg, Ontario. The development land is currently designated as a General Commercial Zone. The site is proposed to include a 140 m^2 drive-through restaurant (anticipated to be a Harvey's), and 247 m^2 allocated towards two take-out restaurants. A total of 15 parking spaces, nine queuing spaces, and one loading space are proposed. The anticipated use of two adjacent municipal parking lots will provide additional parking areas.

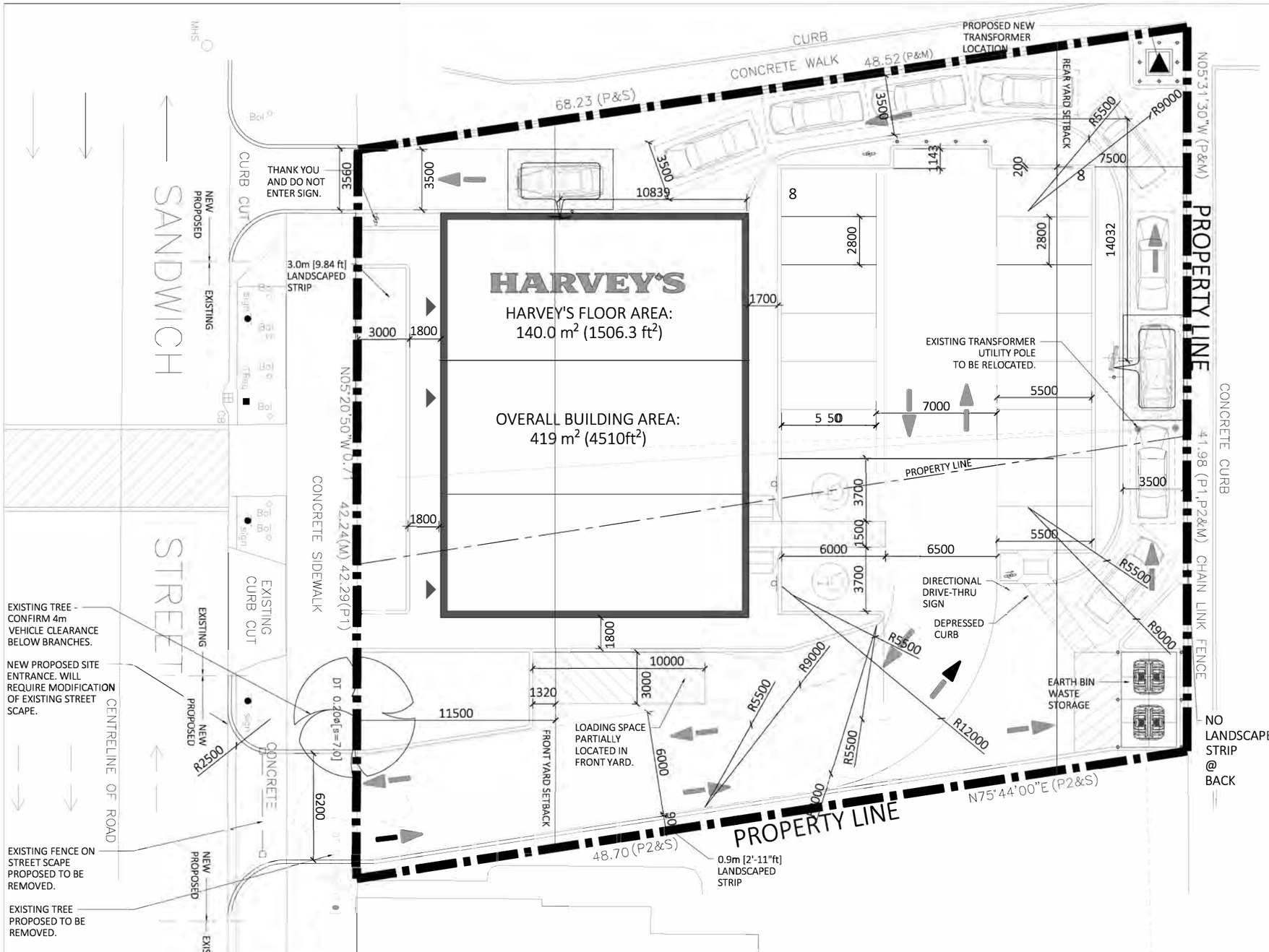
Two site accesses are proposed, the first access being an out-only access located 50 metres south of Fort Street (Site Access #1), and the second being a full-movement access 85 metres south of Fort Street. As customers are anticipated to also park in the existing parking lot north of the subject site, site traffic will also enter and exit the parking lot driveway which is located 40 metres south of Fort Street. These intersection distances are measured intersection centreline to intersection centreline.

The subject site is anticipated to be built-out in one phase with a build-out year in 2023. The scope of this TIA has been confirmed with staff from both Essex County and the Town of Amherstburg in the form of a Terms of Reference (TOR) document and subsequent correspondence which can be seen in Appendix A.

Figure 1 illustrates the Study Area Context. Figure 2 illustrates the concept site plan.

Figure 1: Area Context Plan

Figure 2: Concept Site Plan



NOTE:

LOT AREAS & DIMENSIONS TAKEN FROM CLIENT SUPPLIED SURVEY DATED 20-10-2021

PROVISIONAL SUMMARY ONLY - ALL PARKING REQUIREMENTS TO BE CONFIRMED WITH FINAL OCCUPANCY IN PROPOSED BUILDING.

*NET FLOOR AREA USED FOR PARKING CALCULATIONS, AS PER CONVERSATION WITH AMHERSTBURG PLANNER - EXTERIOR WALL AREAS NOT IN CALCULATIONS

PARKING SUMMARY

BUILDING FOOTPRINT AREA = 419 sq. m [4510 sq. ft]

	PROPOSED DRIVE-THROUGH RESTAURANT	PROPOSED TAKE-OUT RESTAURANT
NET FLOOR AREA* - ESTIMATE ONLY TO BE CONFIRMED	140.0 sq. m [1506.3 sq. ft]	247 sq. m [2659 sq. ft]
ZONING PARKING REQUIREMENT	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m
REQUIRED PARKING SPACES PER OCCUPANCY TYPE & AREA	140.0 sq. m / 10 sq. m = 14 SPACES	247 sq. m / 10 sq. m = 25 SPACES
DRIVE-THROUGH QUEUING SPACE REQUIREMENT	6 Queuing Spaces / Drive-thru	N/A
ACCESSIBLE ZONING PARKING REQUIREMENT	1 Accessible / First 20 Spaces + 1 Accessible / 100 Spaces	
LOADING SPACE REQUIREMENT	1 Required to Serve all 3 Building Occupants.	
TOTAL REQUIRED PARKING	39 PARKING SPACES (2 ACCESSIBLE) 6 QUEUING SPACES 1 LOADING SPACE	
PROVIDED NUMBER OF SPACES	15 PARKING SPACES (2 ACCESSIBLE) 9 QUEUING SPACES 1 LOADING SPACE	

nicholas caragianis architect inc.

PROJECT NAME: HAR AMHRTSAND131

NCA #21055

ADDRESS: 131 & 135 SANDWICH ST. S AMHERSTBURG, ON

PARKING BEHIND BUILDING & DRIVE-THROUGH AT THE REAR OF SITE. NON-COMPLIANT WITH FRONT YARD SETBACK AND PARKING REQ'S. BACK-IN LOADING SPACE.

DSK-004-R4: PROPOSED SITE PLAN

DRAFT - FOR DISCUSSION

DATE: 2022-03-30

SCALE: 1:250

DWG.: **DSK-004-R4**

1 OF 1

2 Study Area

The Study Area will consist of the following intersections:

- Fort Street and Sandwich Street South
- Parking Lot Driveway and Sandwich Street South
- Signalized Pedestrian Crossing and Sandwich Street South
- North Street / 165 Sandwich Street South Driveway and Sandwich Street South

3 Existing Conditions

3.1 Area Road Network

Sandwich Street South

Sandwich Street South (Essex County Road 20) is a County of Essex major arterial road with a three-lane cross-section and a posted speed limit of 50 km/h. Sidewalks as well as curbs and gutters are present on both sides of Sandwich Street South within the Study Area. The Town of Amherstburg Official Plan reserves a 30.0 metre right-of-way for Sandwich Street South where possible.

Fort Street

Fort Street is a Town of Amherstburg local road with a two-lane cross-section and a posted speed limit of 40 km/h. Sidewalks as well as curbs and gutters are present on both sides of Fort Street within the Study Area. The Town of Amherstburg Official Plan reserves a 20.0 metre right-of-way for local roads.

North Street

North Street is a Town of Amherstburg local road with a two-lane cross-section and an unposted assumed speed limit of 50 km/h. Sidewalks, on-street parking, and curbs and gutters are present on both sides of Fort Street within the Study Area. The Town of Amherstburg Official Plan reserves a 20.0 metre right-of-way for local roads.

3.2 Existing Intersections

Fort Street & Sandwich Street South

The intersection of Fort Street and Sandwich Street South is an unsignalized three-legged intersection with stop control on the westbound approach. The northbound approach consists of a shared through / right-turn lane and the southbound approach consists of an auxiliary left-turn lane and a through lane. The westbound approach has an auxiliary left-turn lane and a right-turn lane. Pedestrian crosswalks are provided on the east leg of the intersection. No turning restrictions were noted at this intersection.

Parking Lot Driveway & Sandwich Street South

The intersection of the parking lot driveway and Sandwich Street South is an unsignalized three-legged intersection with stop-control on the westbound approach. The northbound approach consists of a shared through / right-turn lane and the southbound approach consists of an auxiliary left-turn lane and a through lane. The westbound approach has a shared left-turn lane / right-turn lane. Pedestrian crosswalks are provided on the east leg of the intersection. No turning restrictions were noted at this intersection.

Signalized Pedestrian Crossing & Sandwich Street South

The signalized pedestrian crossing on Sandwich Street South is located adjacent to General Amherst High School as well as the proposed development.

North Street / 165 Sandwich Street South Driveway & Sandwich Street South

The intersection of North Street and Sandwich Street South is an unsignalized four-legged intersection with stop-control on the eastbound and westbound legs. Both the southbound and northbound approach consists of an auxiliary left-turn and shared through / right-turn lane. Both the eastbound and westbound approach have a shared left-turn / right-turn lane. Pedestrian crosswalks are provided on the east and west legs of the intersection. No turning restrictions were noted at this intersection.

3.3 Existing Driveways

Existing driveways along Sandwich Street South within close proximity to the proposed development's accesses are primarily commercial in nature. These driveways may be considered traffic sources and as such may contribute to volume imbalances between Study Area intersections.

3.4 Cycling and Pedestrian Facilities

As described in Section 3.1 above, sidewalks are provided on both sides of Sandwich Street South, Fort Street, and North Street within the Study Area. As no cycling facilities are noted within the Study Area, cyclists will need to share the road with vehicles to facilitate cycling trips.

3.5 Existing Transit

There is no existing transit service noted within the Town of Amherstburg.

3.6 Existing Peak Hour Travel Demand

As shown below, existing Study Area intersection turning movement counts for the weekday AM Peak and weekday PM Peak were collected by Ontario Traffic Inc. Supplementary traffic data was also provided by the Town of Amherstburg. Table 1 summarizes the count locations, data sources, and identified peak hour periods.

Table 1: Turning Movement Count Data Dates

Location	Count Date	AM Peak Hour (PM Peak Hour)	Data Source
Sandwich St S at Fort St	Thursday February 24, 2022	8:00 – 9:00 (16:15 – 17:15)	Ontario Traffic Inc.
Sandwich St S at Parking Lot Driveway			
Sandwich St S at North St / 165 Sandwich St S			
Fort St btwn Sandwich St S & Balaclava St	2016	AADT	Town of Amherstburg
North St btwn Sandwich St S & Dalhousie St		AADT	

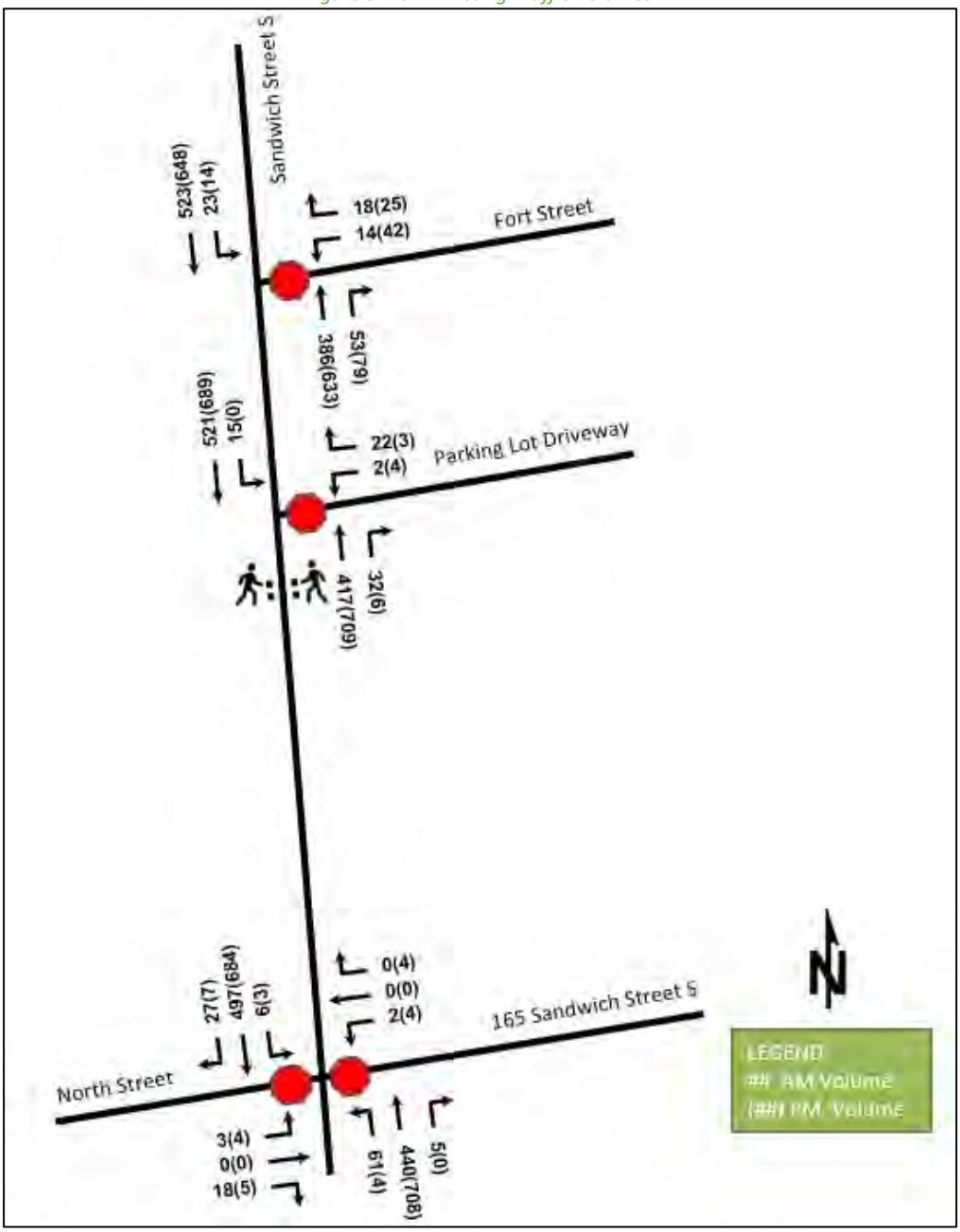
As shown above, the AADT counts have been collected in 2016. To grow these volumes to a consistent analysis horizon of 2022, a compound annual growth rate of 2% has been applied. A growth rate of 2% has been confirmed with Town staff as shown in Appendix A.

As all turning movement count intersection traffic data was collected in 2022, no growth rate is required to be applied to the turning movement counts as they already represent a consistent 2022 horizon. These counts have however been collected during the COVID-19 pandemic. Despite these counts occurring during a time period of minimal COVID-19 restrictions, adjustments to these counts are still required to capture any impact to these volumes. Using the 2022 volumes at the intersection of Sandwich Street South at Fort Street compared to the grown 2016 AADT volumes on Fort Street, an increase factor has been developed. An increase factor has also been calculated using the 2022 volumes at the intersection of Sandwich Street South at North Street / 165 Sandwich Street South compared to the grown 2016 AADT volumes on North Street. In both calculations, the PM peak period volume on Fort Street and on North Street has been calculated by dividing the provided AADT volume by 10, which is a generally accepted approach to determining the PM peak period volume based on AADT volumes. The increase factor developed using the volumes on Fort Street is 1.15, and the increase factor developed using the volumes on North Street is 5.26. Given the minimal COVID-19 restrictions in place at the time of traffic data collection, the

application of an increase factor is likely unnecessary and a relatively low increase factor is expected. As such, the increase factor of 5.26 is not applicable. This result is likely an indication that the generally accepted approach to determining the PM peak period volume based on AADT volumes is not applicable in this instance due to significant traffic generated outside of the AM and PM peak periods as a result of the Austin "Toddy" Jones Park and Bill Wigle park. As such, the calculated adjustment factor of 1.15 has been applied to every movement at all Study Area intersections. The calculations of these adjustment factors can be seen in Appendix B.

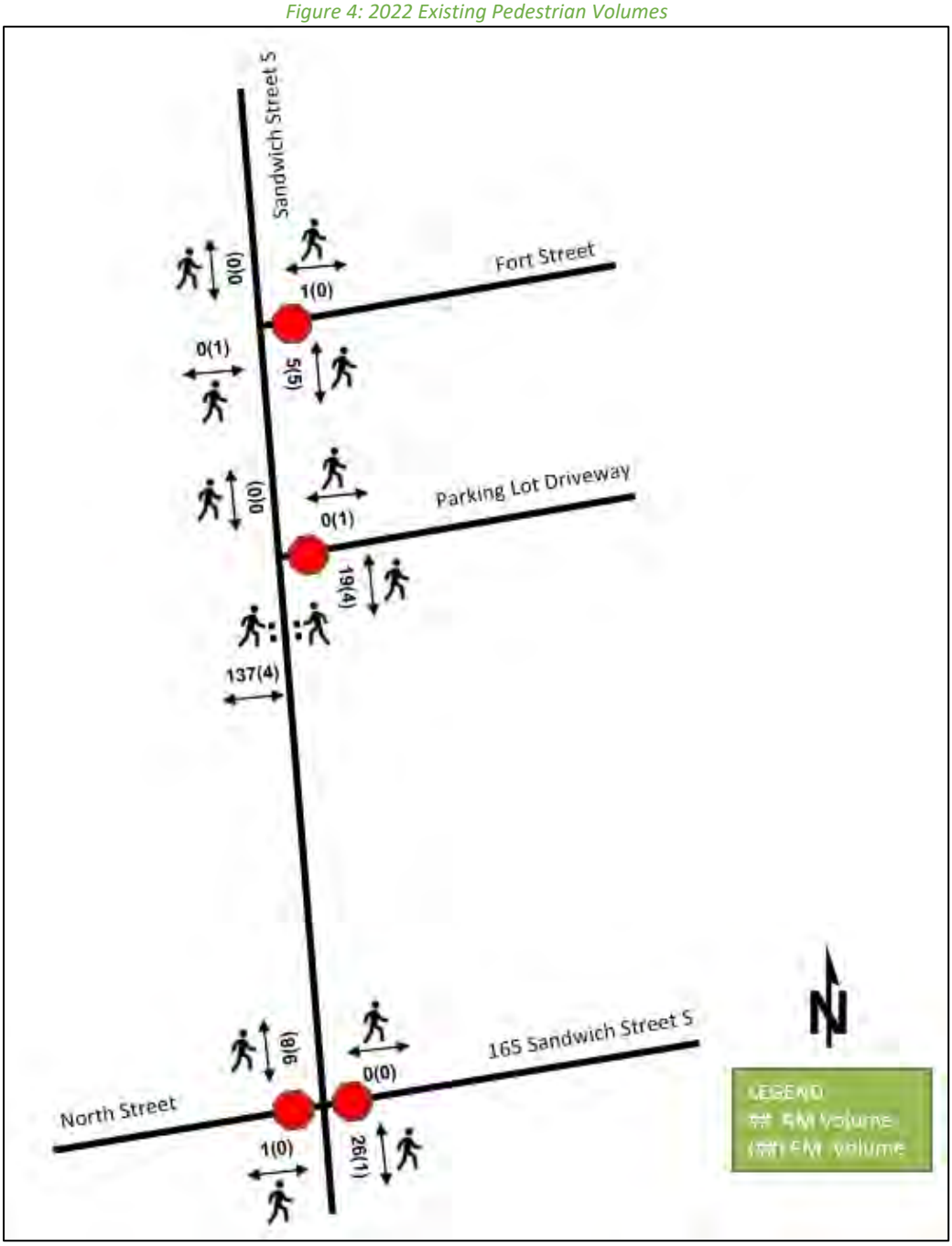
Figure 3 illustrates the 2022 existing horizon traffic volumes. Detailed turning movement count data can be found in Appendix C.

Figure 3: 2022 Existing Traffic Volumes



Cycling volumes are noted to be minimal at the Study Area intersections. Pedestrian volumes are not noted to be significant at the Study Area intersections either, however 137 pedestrians have been noted to use the pedestrian crossing during the AM peak period, and four pedestrians are noted to use the pedestrian crossing during the PM peak period. As General Amherst High School is located on the west side of Sandwich Street South adjacent to the pedestrian crossing, these pedestrian volumes are expected as the AM peak hour overlaps with the typical high school start time. The existing 2022 pedestrian volumes are shown in Figure 4 below.

Figure 4: 2022 Existing Pedestrian Volumes



4 Future Background Conditions

4.1 Planned Changes to the Area Transportation Network

The County of Essex's County Wide Active Transportation System (CWATS) indicates that Sandwich Street South within the Study Area is proposed to be a signed bicycle route.

No other changes to the area transportation network are anticipated. This was confirmed through the Terms of Reference submission and subsequent correspondence which can be seen in Appendix A.

4.2 Other Study Area Developments

At the time of this report, no other development applications were available for the adjacent properties. This was confirmed through the Terms of Reference submission and subsequent correspondence which can be seen in Appendix A.

4.3 Background Growth

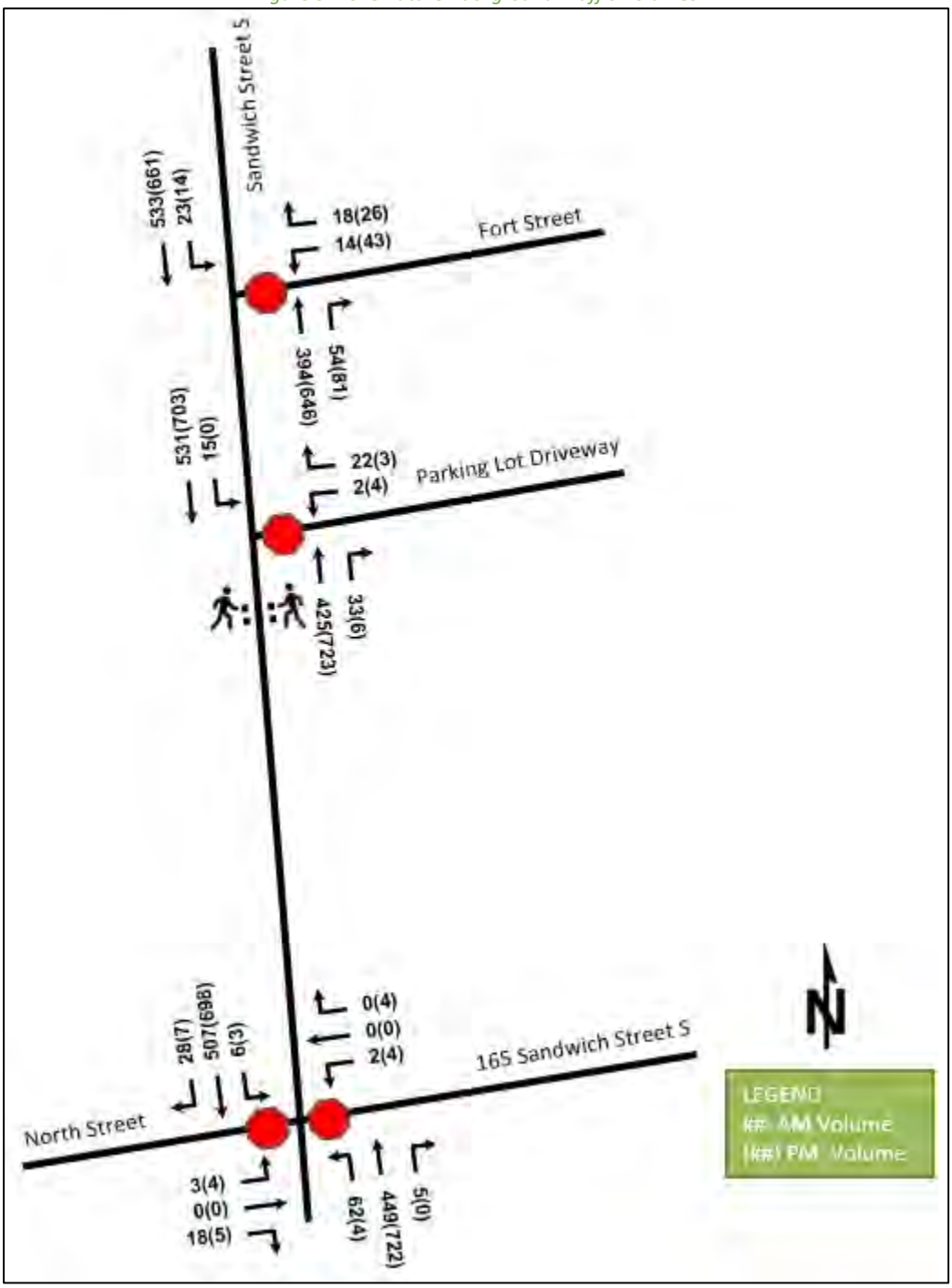
As discussed in Section 3.6 above, a 2% compound annual growth rate was approved by Town of Amherstburg staff. As such a 2% growth rate has been applied to all Study Area intersection movements to determine the 2023 future background analysis horizon traffic volumes.

4.4 Future Background Traffic Volumes

Combining the background growth rate discussed in Section 4.3 above, the 2022 existing traffic volumes, future background traffic volumes were projected.

Figure 5 illustrates the 2023 future background traffic volumes. All intersection lane configurations have been carried forward from the 2022 existing conditions as there are no anticipated changes for the 2023 horizon.

Figure 5: 2023 Future Background Traffic Volumes



5 Demand Forecasting

5.1 Site Trip Generation

The proposed development will include a 140 m^2 drive-through restaurant and two take-out restaurants that total 247 m^2. All three restaurants will have both indoor seating as well as a take-out counter.

Appropriate trip generation weighted average vehicle trip rates for the restaurants were obtained from the *11th Edition of Institute of Transportation Engineers (ITE) Trip Generation Manual* and are summarized in Table 2.

Table 2: ITE Trip Generation Rate

Land Use	Land Use Code	Trip Rates	
		AM Peak	PM Peak
Fast Casual Restaurant	ITE 930	T = 1.43(X)	T = 12.55(X)
Fast-food Restaurant with Drive-Through	ITE 934	T = 44.61(X)	T = 33.03(X)
Notes: *T = Average Vehicle Trip Ends, X = 1000 ft² GFA*			

Based on these rate equations, the total vehicle site trip generation during the weekday AM Peak and weekday PM Peak are summarized in Table 3. It is noted that as the fast-food restaurant with a drive-through is known to be a Harvey's, no AM peak period trip generation has been considered for this land use as Harvey's are not open during the AM peak period.

Table 3: Vehicle Site Trip Generation

Land Use	GFA	AM Peak (veh/hr)			PM Peak (veh/hr)		
		In	Out	Total	In	Out	Total
Fast Casual Restaurant	2,659 ft²	2	2	4	18	15	33
Fast-food Restaurant with Drive-Through	1,506 ft²	-	-	-	26	24	50
	Total	**2**	**2**	**4**	**44**	**39**	**83**

Where applicable, pass-by trips have been accounted for. The pass-by rate has been selected using the ITE Trip Generation Manual 11th Edition for the fast-food restaurant with drive-through only as no pass-by rates are available for the fast casual restaurant land use. The average pass-by trip percentage for the PM peak period has been identified and is shown in Table 4 below.

Table 4: Land Use Pass-by Rates

Land Use	Pass-by Rate	
	AM	PM
Fast-food Restaurant with Drive-Through	-	55%

Using the above pass-by rate, the net new vehicle trips have been projected and are shown in Table 5.

Table 5: Net New Vehicle Trips

Land Use	AM Peak (veh/hr)			PM Peak (veh/hr)		
	In	Out	Total	In	Out	Total
Fast Casual Restaurant	2	2	4	18	15	33
Fast-food Restaurant with Drive-Through	-	-	-	26	24	50
Pass-by	-	-	-	*-14*	*-13*	*-27*
Net New Auto Driver Total	**2**	**2**	**4**	**30**	**26**	**56**

As shown above, four AM, and 56 PM net new peak hour two-way vehicle trips are projected as a result of the proposed development.

5.2 Vehicle Traffic Distribution and Assignment

Traffic distribution was based on the existing volume splits on Sandwich Street South as well as at Study Area intersections and our knowledge of the surrounding area. The resultant distribution is outlined as follows:

- 49% to/from the north along Sandwich Street South;
- 51% to/from the south along Sandwich Street South;

Based on the distribution outlined above, turning movement splits, and access to major transportation infrastructure, the trips generated by the site have been assigned to the Study Area road network.

To assign the pass-by trips to Site Access #1, Site Access #2, and the Parking Lot intersection on Sandwich Street South, a ratio of northbound trips as a portion of all traffic on Sandwich Street South, and southbound trips as a portion of all traffic on Sandwich Street South was developed. It was determined that approximately 51% of the total traffic is northbound and 49% of the total traffic is southbound in the 2023 PM peak period. Using these percents, the traffic has been logically distributed to Site Access #1, Site Access #2, and the Parking Lot driveway intersection.

It has been assumed that 60% of the traffic generated by the Harvey's will use the drive-through, and the remaining 40% will park. As discussed above, parking spaces will be provided on the subject site lands, and additional parking spaces within the adjacent parking lot to the north will likely be used by customers given its proximity to the subject site. In order to reflect this situation, the parking demand for the subject site was determined using the ITE Parking Generation Web Application, 5th Edition. The resulting parking demand can be seen below in Table 6.

Table 6: ITE Parking Generation Manual - Parking Demand

Land Use	Land Use Code	GFA	Parking Demand
Fast Casual Restaurant	ITE 930	2,659 ft^2	26
Fast-food Restaurant with Drive-Through	ITE 934	1,506 ft^2	13
		Total	39

As shown above, the parking demand of the proposed development is anticipated to be 39 spaces. It is noted that the Town of Amherstburg Zoning By-law requires 39 parking spaces for the proposed development. As 15 parking spaces (38%) are provided at the subject site, an additional 24 (62%) spaces will likely be used in the adjacent parking lot to the north. As such, 38% of the vehicle trips generated by the proposed development that are anticipated to use a parking space will use Site Access #2, and the remaining 62% of vehicle trips generated by the proposed development that are anticipated to use a parking space will use the Parking Lot Driveway.

Figure 6 illustrates the forecasted site pass-by trips for the 2023 future horizon. Figure 7 illustrates the 2023 new site traffic generated volumes, and Figure 8 illustrates the 2023 net new site generated volumes.

Figure 6: Forecasted Site Pass-by Trip Volumes

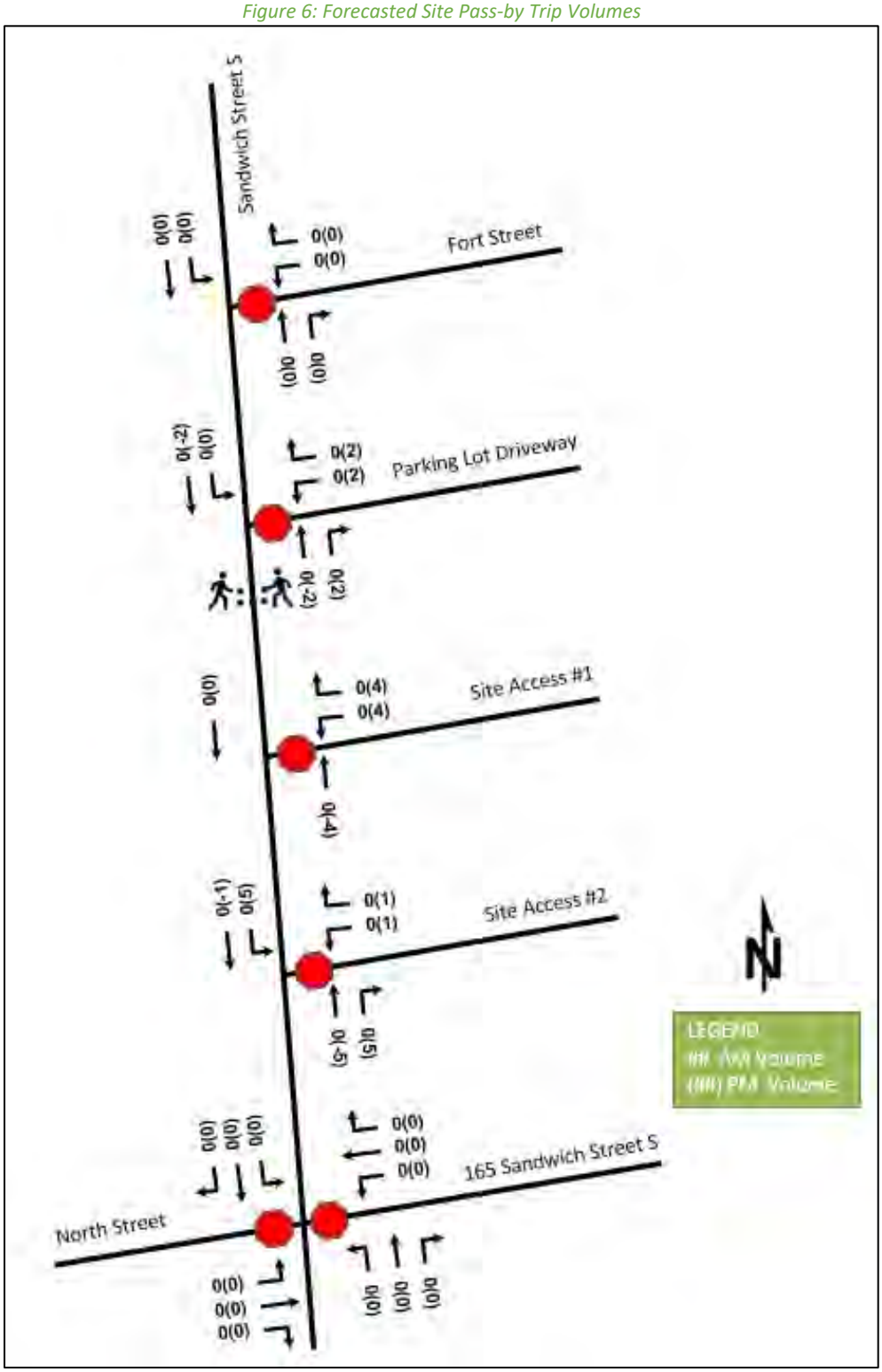


Figure 7: New Site Generated Auto Volumes

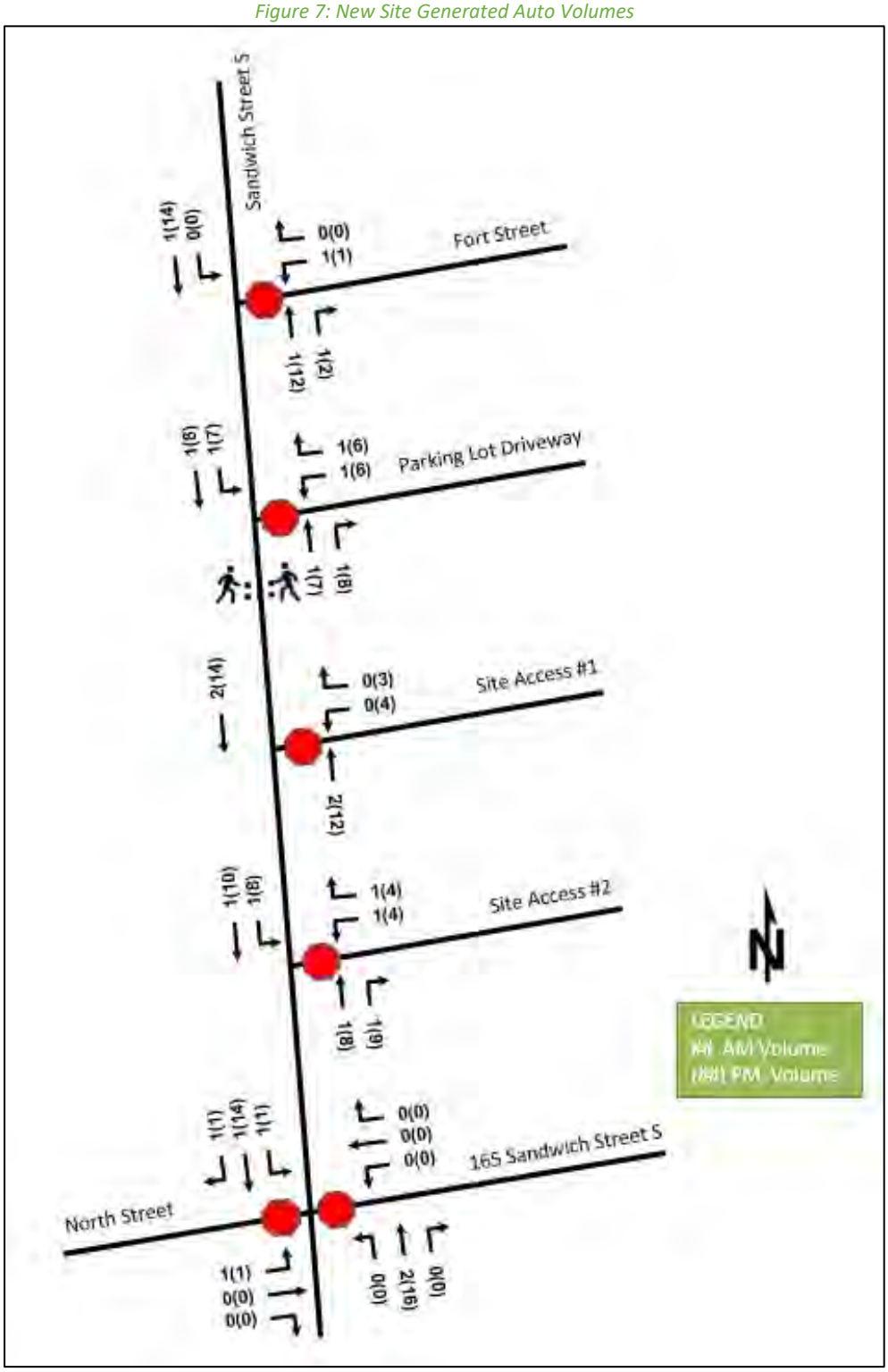
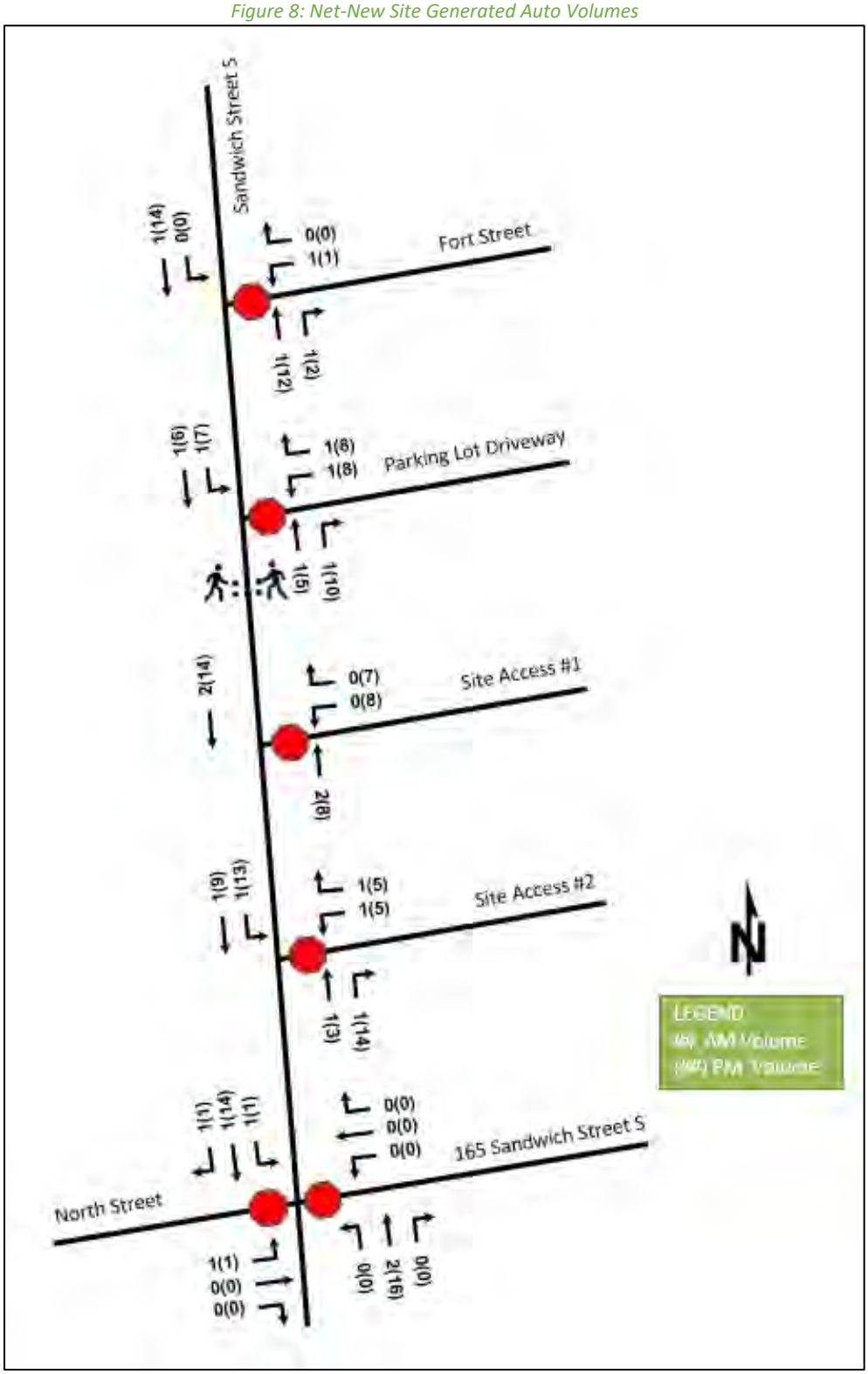


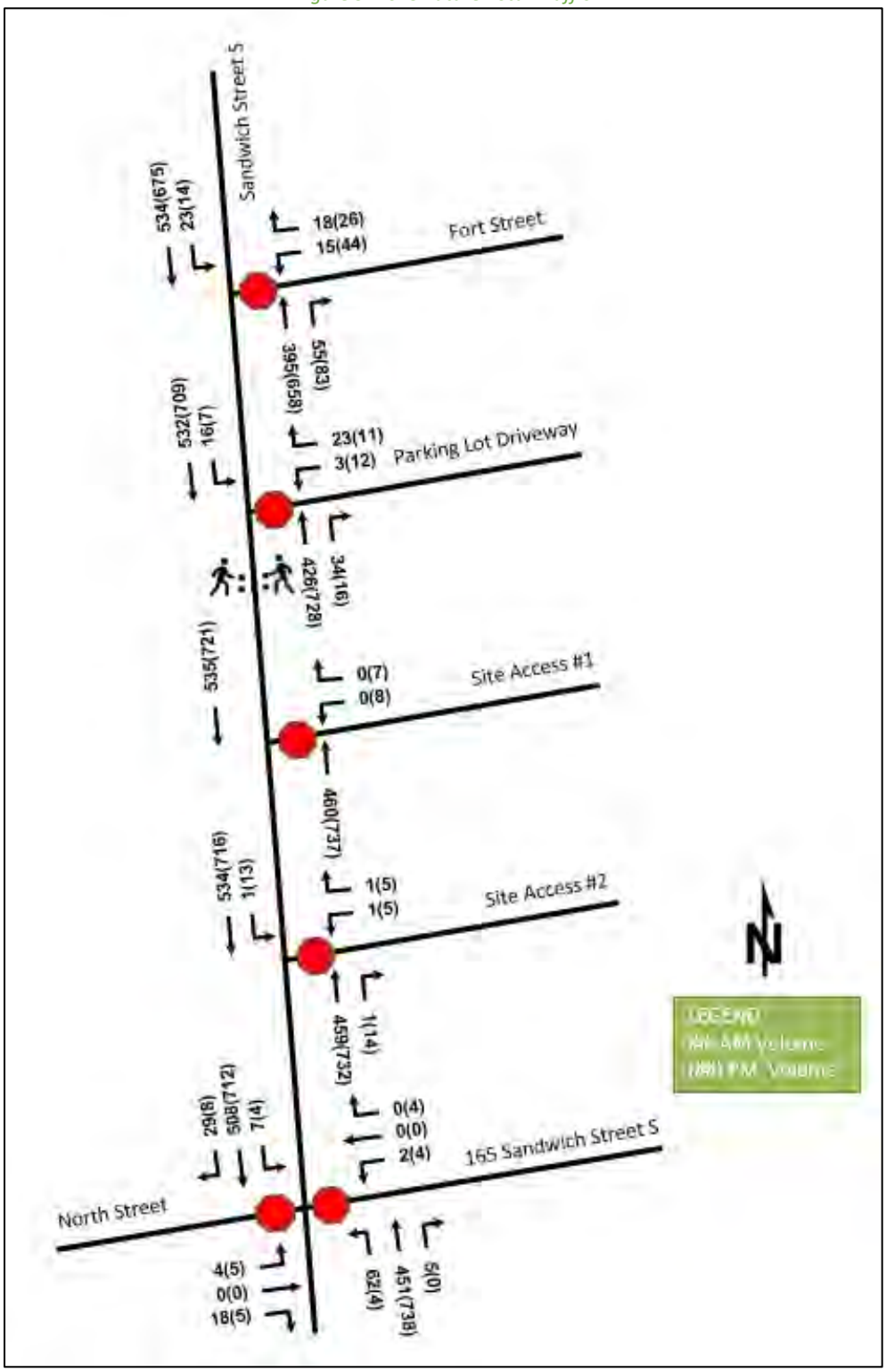
Figure 8: Net-New Site Generated Auto Volumes



5.3 Future Total Travel Demands

The 2023 site generated traffic has been combined with the 2023 future background traffic volumes to estimate the 2023 future total traffic volumes shown in Figure 9. Access configuration details are discussed in Section 6.3.

Figure 9: 2023 Future Total Traffic



6 Operational Analysis

To understand the operational characteristics of the Study Area intersections, a Synchro model has been created using Trafficware's Synchro (Version 10).

Heavy Vehicle percentages (HV%) have been calculated for each movement based on the existing turning movement counts for the Study Area intersections and have been applied to both the existing and future analysis horizons. Any HV% calculated to be less than 2% was entered as 2% in Synchro to ensure a conservative analysis. At intersections where no Heavy Vehicle percentage is available, 2% has been used. Heavy Vehicle percentage calculations can be found in Appendix D.

Pedestrian and cyclist volumes were provided for those intersections with turning movement count information collected in 2022 and have been applied to the existing and future conditions analysis. For future intersections where no pedestrian volumes are available, a conservative assumption of 5 pedestrians/h has been used for each intersection leg with pedestrian facilities. For future intersections where no cyclist volumes were provided, a conservative assumption of 5 cyclists/h has been used for each intersection leg where applicable.

Peak Hour Factors (PHF) have been entered for each intersection based on the turning movement counts provided. At future intersections where no 15-minute count data is available, the Peak Hour Factors from the closest adjacent intersection has been used. The Peak Hour Factors used for each intersection are shown in Appendix C and are summarized below in Table 7.

Table 7: Peak Hour Factors

Intersection	Peak Hour Factor	
	AM	PM
Sandwich St S at Fort St	0.95	0.97
Sandwich St S at Parking Lot Driveway	0.96	0.98
Sandwich St S & North St / 165 Sandwich St S	0.90	0.98
Sandwich St S at Site Access #1	0.96*	0.98*
Sandwich St S at Site Access #2	0.96*	0.98*
**PHF taken from adjacent intersection of Sandwich Street South at the Parking Lot Driveway*		

All other parameters have been coded using accepted best practices and default parameters, where applicable.

LOS has been defined using the HCM 2010 definition for LOS at unsignalized intersections (Table 8) and signalized intersections (Table 9).

Table 8: Level of Service Criteria for Unsignalized Intersections

Delay (s)	LOS
≤10	A
>10 and ≤15	B
>15 and ≤25	C
>25 and ≤35	D
>35 and ≤50	E
>50	F

Table 9: Level of Service Criteria for Signalized Intersections

Average Control Delay (Seconds/Vehicle)	LOS
≤10	A
>10 – 20	B
>20 – 35	C
>35 – 55	D
>55 – 80	E
>80	F

Critical movements and critical intersections have been defined as individual movements with LOS F or a v/c ratio of 1.00 or greater, and intersections with an overall LOS F. Critical movements and critical intersections will be indicated in red below and require mitigation measures.

The 95th percentile queue of each movement was determined using SimTraffic. A minimum of five simulations comprised of a 60-minute simulation and a 15-minute seeding time were used to produce the corresponding queuing reports.

6.1 2022 Existing Operational Analysis

Table 10 summarizes the operational analysis for the 2022 existing conditions in both the AM and PM peak periods. Critical movements, as defined above, have been identified in red where applicable. Synchro and SimTraffic worksheets for the 2022 existing traffic conditions are included in Appendix E.

The Study Area intersections have been designed based on aerial photos and turning lane storage lengths have been rounded to the closest five-metre. All other parameters have been coded using accepted best practices and default parameters where applicable.

The Synchro model has been coded to best reflect the timing information provided by Town of Amherstburg staff regarding the existing signalized pedestrian crossing. As shown in Appendix A, it has been indicated that the signal is callable by pedestrians and has a 30 second pedestrian phase. As no further information was provided, assumptions regarding the signal timing were made. The northbound and southbound signal timing splits as well as the cycle length was optimized, and Amber Clearance and All Red Clearance times were based on methodology provided in OTM Book 12 – Traffic Signals. A walk time of seven seconds was assumed, and a resulting Flash Don't Walk time of 19 seconds was used to allow for a 30 second pedestrian crossing phase.

Table 10: 2022 Existing Intersections Operational Analysis

Intersection	Lane	AM Peak Hour				PM Peak Hour			
		LOS	Delay	V/C	Q (95th)	LOS	Delay	V/C	Q (95th)
Sandwich St S & Fort St *Unsignalized*	WBL	C	15	0.04	11	C	19	0.15	16
	WBR	B	11	0.03	12	B	14	0.06	14
	NBT/R	-	-	-	2	-	-	-	4
	SBL	A	8	0.02	10	A	9	0.02	9
	SBT	-	-	-	18	-	-	-	2
	Overall	**A**	**1**	**-**	**-**	**A**	**1**	**-**	**-**
Sandwich St S & Parking Lot Driveway *Signalized*	WBL/R	B	12	0.05	12	C	16	0.02	7
	NBT/R	-	-	-	1	-	-	-	5
	SBL	A	9	0.02	8	A	0	-	-
	SBT	-	-	-	60*	-	-	-	14
	Overall	**A**	**<1**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & North St / 165 Sandwich St S *Unsignalized*	EBL/T/R	C	15	0.06	12	D	26	0.05	10
	WBL/T/R	D	33	0.02	4	D	27	0.05	10
	NBL	A	9	0.07	16	A	9	0.01	1
	NBT/R	-	-	-	5	-	-	-	-
	SBL	A	9	0.01	4	A	9	0.00	3
	SBT/R	-	-	-	2	-	-	-	-
	Overall	**A**	**1**	**-**	**-**	**A**	**<1**	**-**	**-**

Intersection	Lane	AM Peak Hour				PM Peak Hour			
		LOS	Delay	V/C	Q (95th)	LOS	Delay	V/C	Q (95th)
Sandwich St S & Pedestrian Crossing *Signalized*	NBT	B	13	0.42	67	A	6	0.44	32
	SBT	B	14	0.48	112*	A	5	0.42	22
	Overall	**B**	**13**	**-**	**-**	**A**	**5**	**-**	**-**
Note:	*Queue extends beyond available roadway linkage distance.								

The existing Study Area intersections operate satisfactorily during the peak hours with no movements operating with a LOS F and a V/C ratio greater than 1.00. As noted, the southbound through queues on Sandwich Street at the signalized pedestrian crossing, as well as at the Parking Lot Driveway extend beyond the available roadway linkage distance in the AM peak period as a result of the signalized pedestrian crossing. This indicates that the southbound through queues recorded on Sandwich Street South at both the Parking Lot Driveway, and at Front Street are a result of extended vehicle queuing due to the signalized pedestrian crossing. This crossing prioritizes pedestrian safety over vehicle operation on Sandwich Street. As shown above, these movements do not have high v/c ratios, or delays and the queues are expected to clear quickly. As such, no mitigation measures are recommended at the Study Area intersections

6.2 Future Background Conditions

6.2.1 Future Background Traffic Control Warrants

Using Ontario Traffic Manual (OTM) Book 12 Justification 7 methodology for examining traffic control signal warrants, the intersections of Sandwich Street South at Fort Street, Sandwich Street South at the Parking Lot Driveway, and Sandwich Street South at North Street / 165 Sandwich Street South have been evaluated. In the 2023 future background analysis horizon, signalization is not warranted. Traffic control warrant sheets have been included in Appendix F.

6.2.2 Future Background Intersection Design

All Study Area intersections have been analyzed with the same configuration as shown in existing conditions.

6.2.3 Future Background 2023 Conditions

The 2023 future background intersection volumes have been analyzed to allow for a comparison of the future volumes with and without the proposed development.

Table 11 summarizes the operational analysis for the 2023 future background conditions in both the AM and PM peak periods. Critical movements, as defined above, have been identified in red where applicable. The intersections have been analyzed based on the identified signal control and intersection configurations in Section 6.2.1 and Section 6.2.2, respectively. Synchro and SimTraffic worksheets for the 2023 future background traffic conditions are included in Appendix G.

Table 11: 2023 Future Background Conditions Operational Analysis

Intersection	Lane	AM Peak Hour				PM Peak Hour			
		LOS	Delay	V/C	Q (95th)	LOS	Delay	V/C	Q (95th)
Sandwich St S & Fort St *Unsignalized*	WBL	C	15	0.04	10	C	20	0.15	18
	WBR	B	11	0.03	11	B	14	0.06	15
	NBT/R	-	-	-	2	-	-	-	2
	SBL	A	8	0.02	9	A	9	0.02	9
	SBT	-	-	-	9	-	-	-	7
	Overall	**A**	**1**	**-**	**-**	**A**	**1**	**-**	**-**

Intersection	Lane	AM Peak Hour				PM Peak Hour			
		LOS	Delay	V/C	Q (95th)	LOS	Delay	V/C	Q (95th)
Sandwich St S & Parking Lot Driveway *Signalized*	WBL/R	B	12	0.05	13	C	16	0.02	7
	NBT/R	-	-	-	1	-	-	-	6
	SBL	A	9	0.02	13	A	0	-	-
	SBT	-	-	-	47*	-	-	-	14
	Overall	**A**	**<1**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & North St / 165 Sandwich St S *Unsignalized*	EBL/T/R	C	15	0.06	12	D	27	0.05	9
	WBL/T/R	D	34	0.02	4	D	28	0.05	10
	NBL	A	9	0.07	17	A	9	0.01	5
	NBT/R	-	-	-	9	-	-	-	-
	SBL	A	9	0.01	4	A	9	0.00	3
	SBT/R	-	-	-	3	-	-	-	-
	Overall	**A**	**1**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & Pedestrian Crossing *Signalized*	NBT	B	13	0.42	68	A	6	0.44	41
	SBT	B	14	0.49	103*	A	5	0.43	44*
	Overall	**B**	**13**	**-**	**-**	**A**	**6**	**-**	**-**
Note:	*Queue extends beyond available roadway linkage distance.								

Generally, the Study Area intersections are shown to operate in a similar manner to the existing conditions with good overall LOS and low delays and no identified critical movements (v/c ratio greater than 0.90 or LOS E or worse). As noted, the southbound through queues on Sandwich Street at the signalized pedestrian crossing, as well as at the Parking Lot Driveway extend beyond the available roadway linkage distance in the AM peak period as a result of the signalized pedestrian crossing. In the PM peak period, the southbound through queue will also extend beyond the available roadway linkage distance. This indicates that the southbound through queues recorded on Sandwich Street South at the Parking Lot Driveway in both the AM and PM peak period, and at Front Street in the AM peak period are a result of extended vehicle queuing due to the signalized pedestrian crossing. This crossing prioritizes pedestrian safety over vehicle operation on Sandwich Street. As shown above, these movements do not have high v/c ratios, or delays and the queues are expected to clear quickly. As such, no mitigation measures are recommended at the Study Area intersections.

6.3 Future Total Conditions

6.3.1 Future Total Traffic Control Warrants

Using the Ontario Traffic Manual (OTM) Book 12 Justification 7 methodology for examining traffic control signal warrants, the intersections of Sandwich Street South at Fort Street, Sandwich Street South at the Parking Lot Driveway, Sandwich Street South at North Street / 165 Sandwich Street South, Sandwich Street South and Access #1, and Sandwich Street South ad Access #2 have been evaluated. Signalization is not warranted at any of these intersections in the 2023 future total analysis horizon. Traffic control warrant sheets have been included in Appendix F.

6.3.2 Future Total Intersection Design

All Study Area intersections have been analyzed with the same configuration as shown in existing conditions.

The intersection of Sandwich Street South and Site Access #1 has been analyzed as an unsignalized intersection with stop-control on the east leg. The intersection consists of a northbound through lane, a southbound through lane, and a shared westbound left-turn / right-turn lane. The east leg functions as the exit to the Harvey's drive-through and does not allow for inbound movements.

The intersection of Sandwich Street South and Site Access #2 has been analyzed as an unsignalized intersection with stop-control on the east leg. The intersection consists of a shared northbound through/right-turn lane, a southbound left-turn lane, a southbound through lane, and a shared westbound left-turn / right-turn lane. The southbound left-turn lane is part of the existing two-way left-turn lane on Sandwich Street South.

6.3.3 Future Total 2023 Conditions

The proposed development's trip generation has been added to the 2023 future background traffic volumes to project the impact of the new traffic on the future road network.

Table 12 summarizes the operational analysis for the 2023 future total conditions in both the AM and PM peak periods. Critical movements, as defined above, have been identified in red where applicable. The intersections have been analyzed based on the identified signal control and intersection configurations in Section 6.3.1 and Section 6.3.2, respectively. Synchro and SimTraffic worksheets for the 2023 future total traffic conditions are included in Appendix H.

Table 12: 2023 Future Total Conditions Operational Analysis

Intersection	Lane	AM Peak Hour				PM Peak Hour			
		LOS	Delay	V/C	Q (95th)	LOS	Delay	V/C	Q (95th)
Sandwich St S & Fort St ***Unsignalized***	WBL	C	15	0.04	14	C	20	0.16	17
	WBR	B	11	0.03	11	B	14	0.06	16
	NBT/R	-	-	-	7	-	-	-	4
	SBL	A	8	0.02	9	A	9	0.02	9
	SBT	-	-	-	8	-	-	-	5
	Overall	**A**	**1**	**-**	**-**	**A**	**1**	**-**	**-**
Sandwich St S & Parking Lot Driveway ***Signalized***	WBL/R	B	12	0.05	12	C	17	0.07	13
	NBT/R	-	-	-	5	-	-	-	12
	SBL	A	9	0.02	10	A	9	0.01	6
	SBT	-	-	-	49*	-	-	-	15
	Overall	**A**	**<1**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & North St / 165 Sandwich St S ***Unsignalized***	EBL/T/R	C	16	0.07	11	D	30	0.07	11
	WBL/T/R	D	34	0.02	3	D	29	0.05	9
	NBL	A	9	0.07	15	A	9	0.01	4
	NBT/R	-	-	-	3	-	-	-	-
	SBL	A	9	0.01	5	A	9	0.01	4
	SBT/R	-	-	-	2	-	-	-	-
	Overall	**A**	**1**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & Pedestrian Crossing ***Signalized***	NBT	B	13	0.43	29*	A	6	0.45	17*
	SBT	B	14	0.50	85*	A	6	0.44	31*
	Overall	**B**	**13**	**-**	**-**	**A**	**6**	**-**	**-**
Sandwich St S & Access #1 ***Unsignalized***	WBL/R	A	0	-	-	C	17	0.05	13
	NBT	-	-	-	-	-	-	-	4
	SBT	-	-	-	113*	-	-	-	41*
	Overall	**A**	**0**	**-**	**-**	**A**	**<1**	**-**	**-**
Sandwich St S & Access #2 ***Unsignalized***	WBL/R	B	13	0.00	4	C	17	0.03	9
	NBT/R	-	-	-	42	-	-	-	18
	SBL	A	9	0.00	1	A	9	0.02	6
	SBT	-	-	-	133*	-	-	-	50*
	Overall	**A**	**0**	**-**	**-**	**A**	**<1**	**-**	**-**
Note:	*Queue extends beyond available roadway linkage distance.								

Generally, the Study Area intersections are shown to operate in a similar manner to the 2023 future background conditions with good overall LOS and low delays and no identified critical movements (v/c ratio greater than 0.90 or LOS E or worse). Additionally, the site access intersections are also shown to operate with good overall LOS, and low delays. This indicates that the addition of site traffic from the proposed development will have a minimal impact on the Study Area intersections.

As shown above, the southbound through queues on Sandwich Street at the signalized pedestrian crossing, and the Parking Lot Driveway extend beyond the available roadway linkage distance in the AM peak period as a result of the signalized pedestrian crossing. In the PM peak period, the southbound through queue will also extend beyond the available roadway linkage distance at the signalized pedestrian crossing. This indicates that the southbound through queues recorded on Sandwich Street South at the Parking Lot Driveway in both the AM and PM peak period, and at Fort Street in the AM peak period are a result of extended vehicle queuing due to the signalized pedestrian crossing. The northbound queues on Sandwich Street at the signalized pedestrian crossing also extend beyond the available roadway linkage distance in the AM peak period as a result of the pedestrian crossing. This crossing prioritizes pedestrian safety over vehicle operation on Sandwich Street. As shown above, these movements do not have high v/c ratios, or delays and the queues are expected to clear quickly. As such, no mitigation measures are recommended at the Study Area intersections.

It is also noted that in both the AM and PM peak period, the southbound through queue on Sandwich Street South is shown to extend beyond the available roadway linkage distance at both Site Access #1 and Site Access #2. This is a reflection of Synchro and SimTraffic's limited ability to accurately capture queuing between such closely spaced intersections. In reality these queues are not expected to be realized.

7 Site Plan Review

This section provides an overview of site accesses, site circulation, parking and active mode facilities. The proposed concept Site Plan was previously illustrated in Figure 2.

7.1 Site Circulation

A site circulation assessment was completed using AutoTURN 11.0 to develop turning templates for garbage and loading trucks on site. A Garbage Truck vehicle has been used for the garbage truck circulation analysis and both an HSU and MSU vehicle have been used for the loading truck circulation analysis.

Garbage trucks will enter and exit the site in a forward motion using Site Access #2. Garbage collection will occur on the southeast corner of the subject site and the parking aisle will be used for the trucks to turnaround.

Both HSU and MSU vehicles have been used to test the loading vehicle circulation within the site. Loading vehicles will enter and exit the site in a forward motion using Site Access #2. Loading vehicles will reverse into the loading space and the parking aisle will be used for the trucks to turnaround. HSU vehicles have been used to perform a conservative analysis and are noted to circulate through the site without issue, however some turns may be tight. The MSU analysis is more likely to represent the actual size of the loading vehicle and does not indicate any issues.

Turning template analysis can be found in Appendix I

7.2 Site Access

The proposed development will have two unsignalized site accesses on Sandwich Street South. Two site accesses are proposed, the first access being an out-only access located 50 metres south of Fort Street (Site Access #1), and the second being a full-movement access 85 metres south of Fort Street (Site Access #2). As customers are also anticipated to park at the existing parking lot north of the subject site when required, site traffic will also enter

and exit the parking lot driveway which is located 40 metres south of Fort Street. These intersection distances are measured intersection centreline to intersection centreline.

As discussed above, a signal warrant analysis has been conducted for the 2023 future total horizon using the OTM Book 12 Justification 7 criteria at both proposed site accesses as well as the parking lot driveway. Using this criteria, it was found that a signal is not warranted at any of these intersections.

7.3 Parking Supply

The proposed development will have a total of 15 vehicle parking spaces, nine drive-through queuing spaces, and one loading space. The Town of Amherstburg Zoning By-law indicates the parking requirements for the subject site, and Table 13 below summarizes both the provided and required vehicle parking spaces.

Table 13: Parking Statistics Summary

Land Use	Required Parking Rate (spaces/GFA)	Required Parking Spaces	Provided Parking Spaces	Difference
Restaurant ***Drive-through***	1.00 space/10 m^2	14	15	-24
Restaurant ***Fast Food & Take-out***	1.00 space/10 m^2	25		
Total	-	**39**	**-**	**-**

As shown above, the proposed development provides 15 vehicle parking spaces which is 24 spaces less than the required number as per the Town of Amherstburg Zoning By-law. These additional 24 required vehicle parking spaces are antipcated to be accommodated in the adjacent parking lot to the north of the subject site. On Thursday, February 24, 2022, a parking count survey of this adjacent parking lot was conducted at the expected peak parking lot occupancy time periods. The maximum number of parked vehicles counted was 56, leaving 97 spaces available. As such, the adjacent parking lot can accommodate the use of 24 of its parking spaces to support the subject site. The parking count data can be found in Appendix J.

Additionally, two accessible parking spaces have been provided on the subject site. As outlined in the Town of Amherstburg Zoning By-law, two accessible parking spaces are required to support the proposed development.

7.4 Queuing Space Supply

Nine queuing spaces are provided to support the Harvey's drive-through which is three spaces in excess of the required six queuing spaces as per the Town of Amherstburg Zoning By-law. This can be seen in Table 14 below.

Table 14: Queuing Space Statistics Summary

Land Use	Required Queuing Spaces	Provided Queuing Spaces	Difference
Restaurant ***Drive-through***	6 spaces	9 spaces	-3 spaces

7.5 Loading Space Supply

The Town of Amherstburg Zoning By-law requires one loading space to support the subject site. As shown in Table 15 below, one loading space is provided and satisfies this requirement.

Table 15: Loading Space Statistics Summary

Land Use	Required Loading Space Rate	Required Loading Spaces	Provided Loading Spaces	Difference
Restaurant ***Drive-through***	1 space to support btwn 250 m^2 and 2,500 m^2 net floor area	1 space	1 space	0 spaces

It is noted the providing loading space is three metres in width and 10 metres in length. While the loading bay is less than 3.5 metres in with, the trucks are narrower than three metres and can enter and exit the loading space without issues as shown in Appendix I.

7.6 Active Mode Considerations

The proposed development provides active mode facilities and connections within the development as well as connections to Sandwich Street South. Direct connections are provided within the site to the restaurant entrances and parking area and link to the existing sidewalk on the east side of Sandwich Street South. The parking lot to the north is accessible using the sidewalk on the east side of Sandwich Street South. Additionally, as the signalized pedestrian crossing is located along the frontage of the site a direct pedestrian connection is provided to General Amherst High School on the west side of Sandwich Street and allows for greater pedestrian connection to the overall Study Area.

8 Findings and Recommendations

a) The development, located at 131 & 135 Sandwich Street, includes a 140 m^2 drive-through restaurant, and 247 m^2 allocated towards two take-out restaurants.
b) A total of 15 parking spaces, nine queuing spaces, and one loading space are proposed. 24 additional parking spaces are anticipated to be utilized in the adjacent parking lot to the north.
c) The proposed development will have two unsignalized accesses located on Sandwich Street South. The first access being an out-only access located 50 metres south of Fort Street (Site Access #1), and the second being a full-movement access 85 metres south of Fort Street.
d) The full build-out horizon year of 2023 has been analyzed.
e) No significant planned changes to area transportation network have been noted and no surrounding background developments have been considered.
f) The proposed development is projected to generate new two-way vehicle volumes of approximately four and 88 veh/h during the weekday morning and afternoon peak hours respectively.
g) A 2% compound annual growth rate was selected to generate the 2023 future background traffic volumes.
h) Using the existing 2022 traffic volumes, adjusted for the impact of COVID-19, an operational analysis of existing conditions was undertaken. As no high v/c ratios or high delays were noted, no mitigation measures were recommended.
i) The 2023 future background operational analysis was similar to the existing analysis as no high v/c ratios, or high delays were noted and therefore no mitigation measures were recommended.
j) With the addition of site traffic volumes to the Study Area intersections, the intersections operate with minimally worse v/c ratios and higher delays in the 2023 future total horizon. These are minor and do not cause critical movements. Additionally, the site access intersections operate well with no required mitigation measures.
k) Traffic volumes within the Study Area are relatively low, and as such, signalization is not warranted at any unsignalized intersections at any analysis horizon.

l) AutoTURN 11.0 has been used to develop turning templates for garbage trucks and loading trucks within the site with no noted conflicts
m) On Thursday, February 24, 2022, a parking count survey of the adjacent parking lot north of the subject site was conducted at the expected peak parking lot occupancy time periods. The maximum number of parked vehicles counted was 56, leaving 97 spaces available.
n) An additional 24 vehicle parking spaces are anticipated to be utilized from the parking lot north of the subject site to fulfill the requirement of the Amherstburg Zoning By-law of 39 vehicle parking spaces.
o) The subject site will provide nine queuing spaces to support the proposed derive-through which is three spaces in excess of the required six queuing spaces as per the Town of Amherstburg Zoning By-law.
p) One loading space has been provided to support the subject site which is in accordance with the Town of Amherstburg Zoning By-law.
q) The proposed development will allow for active transportation through the provision of active mode facilities on-site and through connections to the surrounding Study Area transportation network.

The 131 & 135 Sandwich Street development will have a minor impact on the Study Area road network. The proposed accesses will operate with reasonable LOS and delay on the turning movements into and out of the site. Additionally, through the provision of on-site and off-site facilities, this development will be supportive of active mode transportation. It is recommended that, from a transportation perspective, the proposed development application proceed.

Prepared By:

Reviewed By:

Robin Marinac, E.I.T.
437-242-5183
Robin.marinac@CGHTransportation.com

Mark Crockford, P. Eng.
905-251-4070
Mark.Crockford@CGHTransportation.com

Appendix A

Terms of Reference and Correspondence

Technical Memorandum

To:	Frank Garardo – Town of Amherstburg Jerry Behl – County of Essex	Date:	2022-01-19
Cc:	Mark Crockford – CGH Transportation Dino Soltani Nicholas Caragianis		
From:	Robin Marinac	Project Number:	2021-139

Re: 131 & 135 Sandwich Street Transportation Impact Assessment - Terms of Reference

We have been asked to undertake the Transportation Impact Assessment and Parking Justification to support the proposed development located at 131 & 135 Sandwich Street in Amherstburg, Ontario. The development land is currently designated as a General Commercial Zone. The site is proposed to include a 140 m^2 drive-through restaurant, and 247 m^2 allocated towards a take-out restaurant land use. A total of 15 parking spaces, nine queuing spaces, and one loading space are proposed. Two site accesses are proposed, the first being a full-movement access 90 metres south of Fort Street, and the second access being an out-only access located 55 metres south of Fort Street. A build-out and occupancy year of 2023 is anticipated.

The proposed site plan can be seen in Attachment 1.

We have prepared the following scope of work for review and endorsement. Please let us know if you have any comments or additions. All data requests are noted in *red* and have also been summarized at the end of the memo.

Transportation Impact Assessment Requirements (TIA):

The study will be in accordance with the *Institute of Transportation Engineers Transportation Impact Analyses for Site Development*.

Study Area:

- An overview of the transportation system existing conditions will be documented (including transit, cycling, pedestrian and automobile modes).
- A summary of existing transportation policies within the Study Area will be identified.
- An overview of the Study Area road network will be provided including the road classification and descriptions of:
    - Fort Street
    - North Street
    - Sandwich Street South
    - The parking lot access north of the site

The following intersections will be included in the Transportation Impact Assessment:

- Fort Street and Sandwich Street South
- North Street and Sandwich Street South
- Parking lot access north of the site
- Signalized Pedestrian Crossing on Sandwich Street along the site frontage (dependent on requested information below)
- All proposed Site Accesses (two accesses on Sandwich Street)

Existing Traffic Data:

- Turning Movement Counts (TMCs) at the Study Area intersections of Fort Street at Sandwich Street South, North Street at Sandwich Street South, and the parking lot access north of the site are requested from County of Essex staff. *(Data request)*
    - In the event that TMCs are unavailable at these intersections, existing TMCs will be collected by a third-party consultant.
- AADT/ATR counts collected in 2016 have been indicated to exist on both Fort Street and North Street by Town of Amherstburg staff. Detailed reports of these counts are requested. *(Data request)*
    - Given the current COVID-19 related restrictions, the collected intersection data will be compared and if needed, factored using a calculated "adjustment factor" based on the AADT/ATR counts discussed above.
- A compound annual growth rate is requested for application to any received TMCs, should they be available, to determine the 2022 existing traffic volumes. *(Data request)*
- Collision data (over the past five years if available) is requested at the four existing intersections that are listed above (Fort Street at Sandwich Street South, North Street at Sandwich Street South, the parking lot driveway on Sandwich Street north of the subject site, and the signalized pedestrian crossing on Sandwich Street), should these be available. *(Data request)*
- While the signalized pedestrian crossing on Sandwich Street has been indicated above as an intersection of interest, the inclusion of this intersection in the TIA depends on the future plans for the General Amherst High School and consequently the future need for this pedestrian crossing. Please provide any existing pedestrian volumes at this crossing, as well as any anticipated future changes to or removal of this signalized crossing. *(Data request)*

Study Horizon and Peak Periods:

- Base year 2022, followed by a future build-out and occupancy horizon of 2023.
- AM and PM peak hours for all horizons.

Background Growth:

- A compound annual growth rate is requested for application to the 2022 existing intersection volumes to determine the Study Area intersection volumes for the future horizon year of 2023. *(Data request)*
- Surrounding development traffic impact assessments and reports will be used as reference to identify additional growth from surrounding developments in the area. Any relevant reports are requested. *(Data request)*
- Please provide additional information on the future plans for the General Amherst High School. *(Data request)*

Changes to Area Transportation Network

- The County of Essex's County Wide Active Transportation System (CWATS) indicates that Sandwich Street South within the Study Area is proposed to be a signed bicycle route.
- No other changes to the Study Area transportation network are noted. Please provide information on any future changes to the Study Area Transportation network to be considered. *(Data request)*

Development Site Traffic:

- Trip generation: ITE Trip Generation Manual 11th Edition.
- Existing Modal Split: If applicable, please provide modal splits to be used. *(Data request)*
- Trip distribution and assignment of auto trips: Surrounding area characteristics.

Traffic Analysis:

- Traffic analysis to be performed using Synchro 10 on Study Area network intersections to determine the LOS, delay, V / C ratio and the 95th percentile queues for overall intersections as well as individual movements using Highway Capacity Manual 2010 (HCM) methodology.
    - Heavy Vehicle %, pedestrian volumes, and cyclist volumes will be taken from the collected TMC data. Where information is not available, a pedestrian volume of 5 pedestrians/hour, a cyclist volume of 5 cyclists/hour, and a Heavy Vehicle % of 2% will be used.
    - Other Synchro inputs will be based on site observations and Synchro default parameters.
- A qualitative transit, cycling, and pedestrian analysis including consideration of any planned improvements.

Site Review:

- Parking space analysis and justification will be completed using the Town of Amherstburg's Zoning By-law (2019) with consideration given to on-street parking as well as the use of two adjacent municipal parking lots.
- Turning templates within the site will be completed to evaluate on-site circulation.
- Qualitative access location analysis where necessary.

Recommendations:

- Any recommended offsite and onsite improvements or mitigation measures, which may include turn lane requirements, pedestrian / cycling / transit amenities, TDM measures, construction impacts, safety measures etc.

The following is a list of requested information, some of which has been indicated in *red* above, that we are requesting to inform the TIS:

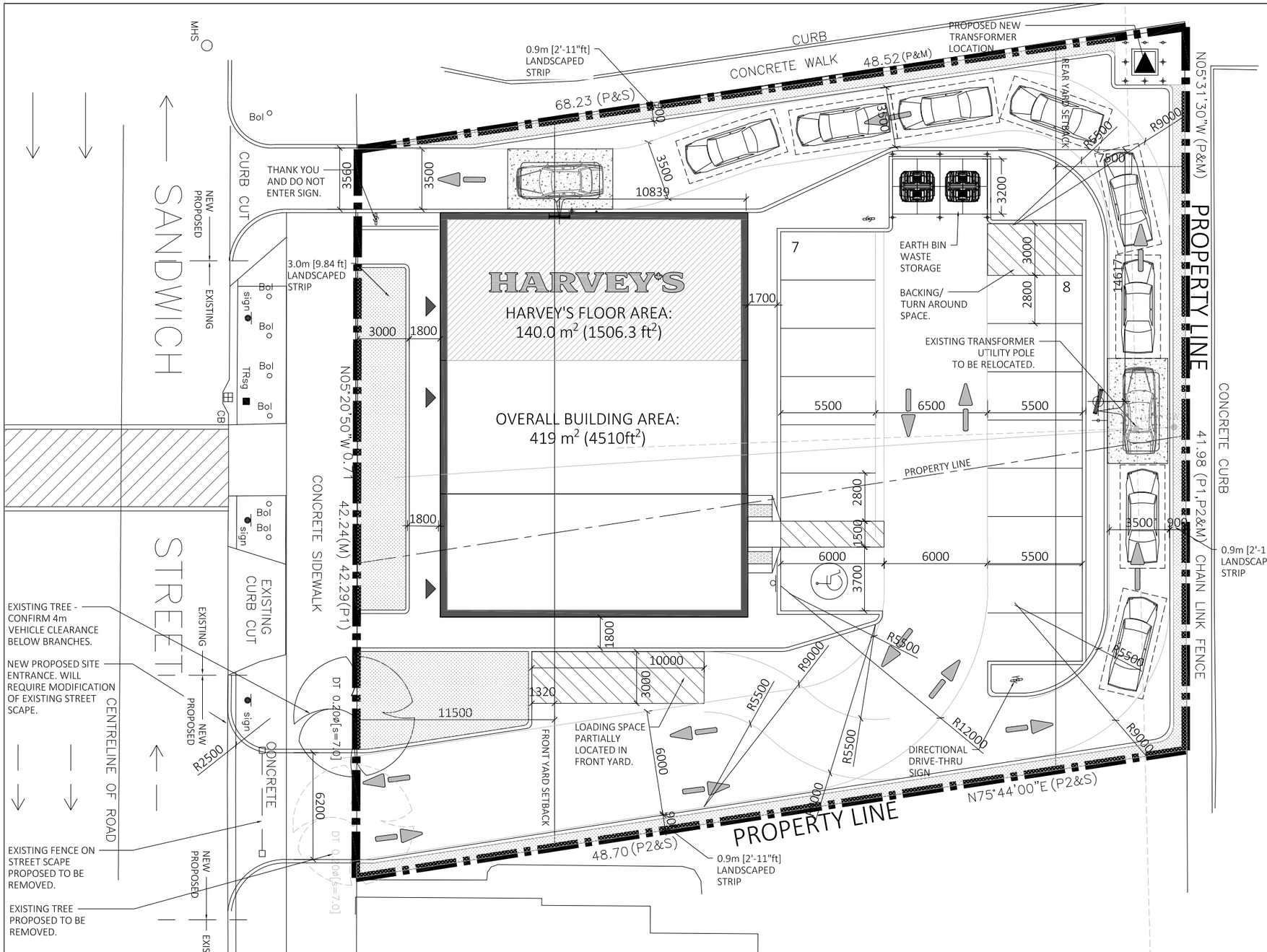
- Any other guidelines you would like us to consider.
- TMC and AADT/ATR data as specified above.
- Historical collision data as specified above.
- Growth rates to be applied to Study Area intersections.
- Future plans for the General Amherst High School.
- Future plans for the signalized pedestrian crossing adjacent to the subject site.

- Any relevant developments that may influence the background growth within the proposed Study Area.
- Suggested modal splits if required.
- Specific changes to the Study Area Road network that you would like us to consider.

Attachment 1

Proposed Site Plan

CGH TRANSPORTATION



NOTE:

LOT AREAS & DIMENSIONS TAKEN FROM CLIENT SUPPLIED SURVEY DATED 20-10-2021

PROVISIONAL SUMMARY ONLY - ALL PARKING REQUIREMENTS TO BE CONFIRMED WITH FINAL OCCUPANCY IN PROPOSED BUILDING.

*NET FLOOR AREA USED FOR PARKING CALCULATIONS, AS PER CONVERSATION WITH AMHERSTBURG PLANNER - EXTERIOR WALL AREAS NOT IN CALCULATIONS

PARKING SUMMARY

BUILDING FOOTPRINT AREA = 419 sq. m [4510 sq. ft]

	PROPOSED DRIVE-THROUGH RESTAURANT	PROPOSED TAKE-OUT RESTAURANT
NET FLOOR AREA* - ESTIMATE ONLY TO BE CONFIRMED	140.0 sq. m [1506.3 sq. ft]	247 sq. m [2659 sq. ft]
ZONING PARKING REQUIREMENT	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m
REQUIRED PARKING SPACES PER OCCUPANCY TYPE & AREA	140.0 sq. m / 10 sq. m = 14 SPACES	247 sq. m / 10 sq. m = 25 SPACES
DRIVE-THROUGH QUEUING SPACE REQUIREMENT	6 Queuing Spaces / Drive-thru	N/A
ACCESSIBLE ZONING PARKING REQUIREMENT	1 Accessible / First 20 Spaces + 1 Accessible / 100 Spaces	
LOADING SPACE REQUIREMENT	1 Required to Serve all 3 Building Occupants.	
TOTAL REQUIRED PARKING	39 PARKING SPACES (2 ACCESSIBLE) 6 QUEUING SPACES 1 LOADING SPACE	
PROVIDED NUMBER OF SPACES	15 PARKING SPACES (1 ACCESSIBLE) 9 QUEUING SPACES 1 LOADING SPACE	

nicholas caragianis architect inc.

PROJECT NAME:
HAR AMHRTSAND131
NCA #21055

ADDRESS:
131 & 135 SANDWICH ST. S
AMHERSTBURG, ON

PARKING BEHIND BUILDING & DRIVE-THROUGH AT THE REAR OF SITE. NON-COMPLIANT WITH FRONT YARD SETBACK AND PARKING REQ'S. BACK-IN LOADING SPACE.

DSK-004-R2: PROPOSED SITE PLAN

DRAFT - FOR DISCUSSION

DATE: 2022-01-05
SCALE: 1:250
DWG.: DSK-004-R2
1 OF 1

Robin Marinac

From: Kristoffer Balallo <KBalallo@countyofessex.ca>
Sent: February 2, 2022 2:46 PM
To: Robin Marinac
Cc: Jerry Behl; Ray Sayyadi
Subject: RE: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

Good afternoon Robin,

From a County of Essex perspective, we have no comments pertaining to the proposal.
The location of the proposed is outside of the County's jurisdiction.

Kind Regards

Kristoffer Balallo
Engineering Technologist
County of Essex
360 Fairview Ave. W. Suite 315|Essex, ON|N8M 1Y6
P: 519-776-6441 ext. 1564
F: 519-776-4455
TTY: 1-877-624-4832

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From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: January 19, 2022 11:30 AM
To: Frank Garardo <fgarardo@amherstburg.ca>; Jerry Behl <JBehl@countyofessex.ca>
Cc: Mark Crockford <mark.crockford@cghtransportation.com>; dino.soltani80@gmail.com; Nicholas Caragianis at Nicholas Caragianis Architect Inc. <nicholas@ncarchitect.ca>
Subject: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Frank and Jerry,

Please find attached our 131 & 135 Sandwich Street South Terms of Reference (TOR) for your review. Please let us know if you have any comments or questions as we would like to ensure that our TOR reflects the appropriate scope of work to support the proposed development.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

Robin Marinac

From: Todd Hewitt <thewitt@amherstburg.ca>
Sent: February 11, 2022 2:32 PM
To: Robin Marinac; Frank Garardo
Cc: Mark Crockford
Subject: RE: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document
Attachments: 21_Balaclava St S & Fort St.xlsx; 21_Balaclava St S & Fort St.pdf

Robin,

See answers below in red

Todd

Todd Hewitt
Manager of Engineering and Operations
Town of Amherstburg
512 Sandwich St South, Amherstburg, ON, N9V 3R2
Tel: 519-736-3664 ext 2313 Fax: 519-736-7080 TTY: 519-736-9860

PARTNERS IN CREATING A BRIGHTER FUTURE

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From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: February 3, 2022 4:00 PM
To: Frank Garardo <fgarardo@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>
Cc: Mark Crockford <mark.crockford@cghtransportation.com>
Subject: RE: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

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Hi Frank,

Thank you for the feedback and approval on our Terms of Reference. I've summarized our remaining information and data requests below and included Todd on this email for his assistance. Our requests are as follows:

- Unless otherwise noted, we will assume a 2% compound annual growth rate at our Study Area intersections. As no planned background developments were indicated to be considered, 2% is deemed an appropriate growth

rate to capture any increase in background traffic. Please clarify that this is a correct assumption or alternatively provide a growth rate to be used to develop future background intersection volumes. 2% is acceptable

- ATR/AADT counts on Fort Street and North Street were provided from 2016. It was indicated that ATR/AADT counts are also available at these locations from 2021, however they are skewed because of the pandemic. Could you please provide these 2021 counts, and if available the raw data as well. Balaclava and Fort intersection data attached.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Frank Garardo <fgarardo@amherstburg.ca>
Sent: February 2, 2022 1:25 PM
To: Robin Marinac <robin.marinac@cghtransportation.com>; jbehl@countyofessex.ca
Cc: Mark Crockford <mark.crockford@cghtransportation.com>
Subject: RE: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

Good afternoon,

The terms of reference are fine. Please send any data request in an email format to Todd Hewitt from the Public works department.

Todd Hewitt
Manager of Engineering and Operations
Town of Amherstburg
512 Sandwich St South, Amherstburg, ON, N9V 3R2
Tel: 519-736-3664 ext 2313 Fax: 519-736-7080 TTY: 519-736-9860

Frank Garardo
Manager, Planning Services
Town of Amherstburg
3295 Meloche Rd., Amherstburg, ON, N9V 2Y8
Tel: Fax: TTY: 519-736-9860

PARTNERS IN CREATING A BRIGHTER FUTURE

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From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: February 1, 2022 2:34 PM
To: Frank Garardo <fgarardo@amherstburg.ca>; jbehl@countyofessex.ca
Cc: Mark Crockford <mark.crockford@cghtransportation.com>
Subject: RE: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

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Hi Frank and Jerry,

I hope you are both doing well. As you can see below, our client is pushing for a quick turnaround on our report. As our Terms of Reference scoping document requests your feedback, additional information, and approval regarding our scope of work we are eager to get your responses as quickly as possible. With this in mind, can you please provide us with an idea of when we will hear back from you regarding our Terms of Reference document?

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Nicholas Caragianis at Nicholas Caragianis Architect Inc. <nicholas@ncarchitect.ca>
Sent: February 1, 2022 10:06 AM
To: Robin Marinac <robin.marinac@cghtransportation.com>; Frank Garardo <fgarardo@amherstburg.ca>; jbehl@countyofessex.ca
Cc: Mark Crockford <mark.crockford@cghtransportation.com>; dino.soltani80@gmail.com; Jessica Penn at Nicholas Caragianis Architect Inc. <jpenn@ncarchitect.ca>; Scott Allen <sallen@mhbcplan.com>; nvanoyen@mhbcplan.com
Subject: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

Robin – please follow up with the Municipality as the client wishes to submit the applications ASAP.

Nicholas Caragianis
BArch, MBAC, OAA, OAQ, NSAA
email nicholas@ncarchitect.ca
cel - 613 850 0382

nicholascaragianisarchitect inc.
137 Pamila Street, Ottawa, ON K1S 3K9
telephone 613 937 6801 fax 613 937 8989
www.ncarchitect.ca

From: Robin Marinac [mailto:robin.marinac@cghtransportation.com]
Sent: January 19, 2022 11:30 AM
To: Frank Garardo <fgarardo@amherstburg.ca>; jbehl@countyofessex.ca
Cc: Mark Crockford <mark.crockford@cghtransportation.com>; dino.soltani80@gmail.com; Nicholas Caragianis at Nicholas Caragianis Architect Inc. <nicholas@ncarchitect.ca>
Subject: 131 & 135 Sandwich Street TIA Terms of Reference Scoping Document

Hi Frank and Jerry,

Please find attached our 131 & 135 Sandwich Street South Terms of Reference (TOR) for your review. Please let us know if you have any comments or questions as we would like to ensure that our TOR reflects the appropriate scope of work to support the proposed development.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

Robin Marinac

From: Todd Hewitt <thewitt@amherstburg.ca>
Sent: January 19, 2022 8:50 AM
To: Robin Marinac
Cc: Frank Garardo
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

Robin,

I would suggest that the your firm arrange to have the traffic counts completed directly.

Todd

From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: January 19, 2022 8:22 AM
To: Todd Hewitt <thewitt@amherstburg.ca>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

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

Hi Todd,

Thank you for letting me know. Do you know who we could contact to get that original data collection information?

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Todd Hewitt <thewitt@amherstburg.ca>
Sent: January 18, 2022 10:50 AM
To: Robin Marinac <robin.marinac@cghtransportation.com>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

Robin,

We do not have that type of data.

Todd

From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: January 18, 2022 9:41 AM
To: Todd Hewitt <thewitt@amherstburg.ca>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

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

Hi Todd,

Thank you for that information. As we begin to get further into our study, I was wondering if you could provide the actual count data for the 2016 AADT/ATR counts at Fort Street and North Street discussed below. I believe this data is typically shown in 15-minute increments.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Todd Hewitt <thewitt@amherstburg.ca>
Sent: January 17, 2022 12:54 PM
To: Robin Marinac <robin.marinac@cghtransportation.com>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

The pedestrian crossing is strictly on demand. I believe it is a 30 second crossing.

Todd

From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: January 17, 2022 11:57 AM
To: Todd Hewitt <thewitt@amherstburg.ca>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

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

Hi Todd,

Thank you for your responses below. My request for a STP refers to a Signal Timing Plan. Sorry for the confusion.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Todd Hewitt <thewitt@amherstburg.ca>
Sent: January 14, 2022 2:46 PM
To: Robin Marinac <robin.marinac@cghtransportation.com>
Cc: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

Robin,

See answers below in RED

Todd

Todd Hewitt
Manager of Engineering and Operations
Town of Amherstburg
512 Sandwich St South, Amherstburg, ON, N9V 3R2
Tel: 519-736-3664 ext 2313 Fax: 519-736-7080 TTY: 519-736-9860

PARTNERS IN CREATING A BRIGHTER FUTURE

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From: Frank Garardo
Sent: January 14, 2022 1:44 PM
To: Todd Hewitt <thewitt@amherstburg.ca>
Subject: FW: Traffic Data Request - Sandwich Street TIS and Parking Study

Frank Garardo
Manager, Planning Services
Town of Amherstburg

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

PARTNERS IN CREATING A BRIGHTER FUTURE

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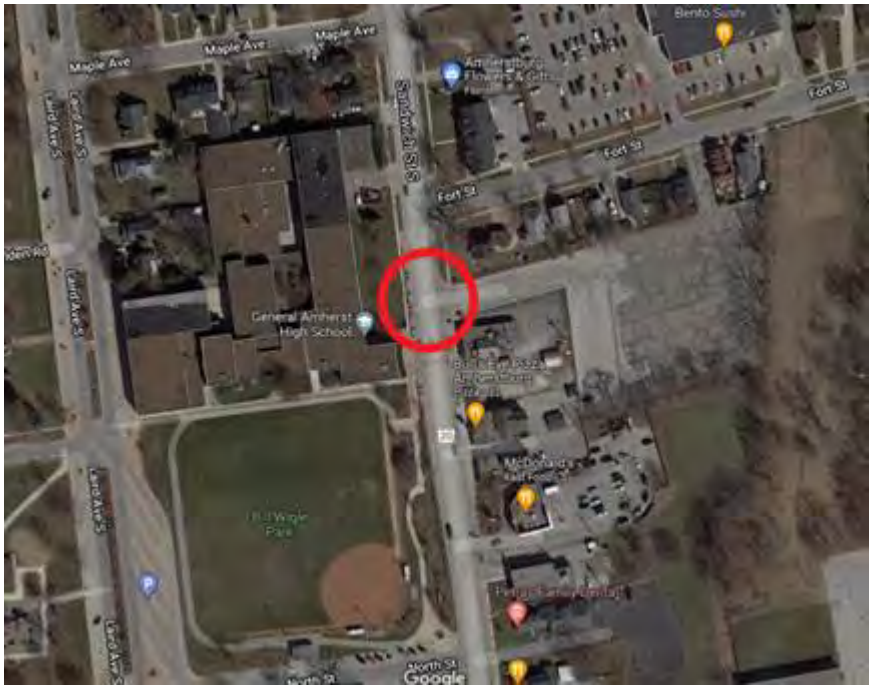
From: Robin Marinac <robin.marinac@cghtransportation.com>
Sent: January 14, 2022 9:10 AM
To: Frank Garardo <fgarardo@amherstburg.ca>
Subject: RE: Traffic Data Request - Sandwich Street TIS and Parking Study

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

Hi Frank,

I realized I hadn't included the figure that was referenced. I've included it below:



Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.

P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Robin Marinac
Sent: January 13, 2022 11:49 AM
To: fgarardo@amherstburg.ca
Subject: Traffic Data Request - Sandwich Street TIS and Parking Study

Hi Frank,

I am a traffic consultant looking to obtain traffic and transportation data for use in a TIS for 131 Sandwich Street – a site I believe you are familiar with. I apologize if you are not the correct person to contact for this information and ask that you please forward my request to the appropriate individual.

Could you please provide the following data if available:

- TMC at Sandwich Street South and Fort Street We do not track this
- TMC at North Street and Sandwich Street South We do not track this
- TMC at Sandwich Street South and the parking lot access shown in the figure below We do not track this
- STP for the Signalized Pedestrian Crossing on Sandwich Street, approximately 75 metres south of Fort Street Unfamiliar with STP terminology
- Any ATR/AADT counts along Sandwich Street between Maple Avenue and Rankin Avenue Refer to County of Essex mapping data for Sandwich Street information (if any)
- Any ATR/AADT counts along Fort Street between Sandwich Street and Balaclava Street 1400 – 2016 (2021 counts skewed by pandemic)
- Any ATR/AADT counts along North Street between Sandwich Street and Dalhousie Street 700 – 2016 (2021 counts skewed by pandemic)
- Any collision data (preferably over the past 5 years) at the intersections of Sandwich Street at Fort Street and Sandwich Street and North Street. Do not track
- Any collision data (preferably over the past 5 years) along Sandwich Street between Maple Avenue and Rankin Avenue Do not track
- Any collision data (preferably over the past 5 years) along Fort Street between Sandwich Street and Balaclava Street Do not track
- Any collision data (preferably over the past 5 years) along North Street between Sandwich Street and Dalhousie Street Do not track

Thank you very much in advance for your help.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

Appendix B

COVID-19 Adjustment Factor Calculations

Sandwich St S & Fort St											
NBL	**NBT**	**NBR**	**WBL**	**WBT**	**WBR**	**SBL**	**SBT**	**SBR**	**EBL**	**EBT**	**EBR**
0	335	46	12	0	15	20	454	0	0	0	0
0	550	68	36	0	21	12	563	0	0	0	0

AADT Fort St btwn Sandwich St & Balaclava St			
2016	1400	PM	140
2022	1577		158

	2022 East of Sandwich St		
	AADT	TMC	Increase Factor
AM	-	-	-
PM	158	137	1.15

Sandwich St S & North St/165 Sandwich St											
NBL	**NBT**	**NBR**	**WBL**	**WBT**	**WBR**	**SBL**	**SBT**	**SBR**	**EBL**	**EBT**	**EBR**
53	382	4	1	0	0	5	432	23	2	0	15
3	615	0	3	0	3	2	594	6	3	0	4

AADT Fort St btwn Sandwich St & Balaclava St			
2016	700	PM	70
2022	789		79

	2022 West of Sandwich St		
	AADT	TMC	Increase Factor
AM	-	-	-
PM	79	15	5.26

Appendix C

Traffic Data

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

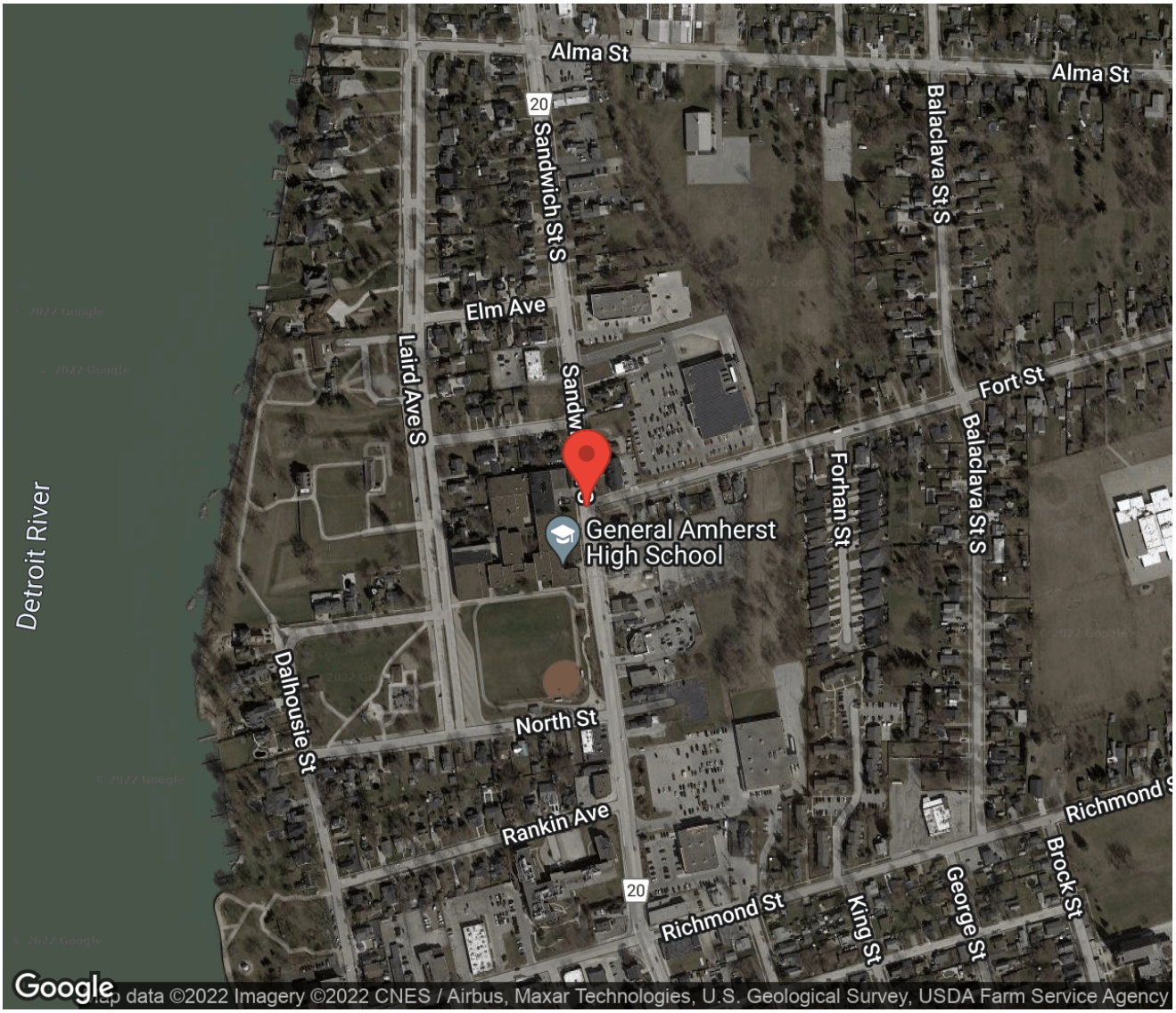
Project #22-044 - CGH Transportation

Intersection Count Report

Intersection:	Sandwich St S & Fort St
Municipality:	Amherstburg
Count Date:	Feb 24, 2022
Site Code:	2204400001
Count Categories:	Cars, Trucks, Buses, Bicycles, Pedestrians
Count Period:	07:00-09:00, 16:00-18:00
Weather:	Clear

Traffic Count Map

Intersection:	Sandwich St S & Fort St
Site Code:	2204400001
Municipality:	Amherstburg
Count Date:	Feb 24, 2022



Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Summary

Intersection:	Sandwich St S & Fort St
Site Code:	2204400001
Municipality:	Amherstburg
Count Date:	Feb 24, 2022

Sandwich St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	7	244	0	0	251	1	0	310	18	0	328	0	579
08:00 - 09:00	20	454	0	0	474	1	0	335	46	0	381	0	855
BREAK													
16:00 - 17:00	14	580	0	0	594	1	0	515	77	0	592	1	1186
17:00 - 18:00	8	497	0	0	505	0	0	449	64	0	513	0	1018
GRAND TOTAL	**49**	**1775**	**0**	**0**	**1824**	**3**	**0**	**1609**	**205**	**0**	**1814**	**1**	**3638**

Traffic Count Summary

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

Fort St - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	7	0	7	0	14	1	0	0	0	0	0	0	14
08:00 - 09:00	12	0	15	0	27	5	0	0	0	0	0	0	27
BREAK													
16:00 - 17:00	40	0	22	0	62	6	0	0	0	0	0	0	62
17:00 - 18:00	31	0	9	0	40	2	0	0	0	0	0	0	40
GRAND TOTAL	**90**	**0**	**53**	**0**	**143**	**14**	**0**	**0**	**0**	**0**	**0**	**0**	**143**

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	2	37	0	0	39	0	2	0	0	2	0	1	0	0	1	0	0	0	0	0	0
07:15	1	45	0	0	46	0	2	0	0	2	0	2	0	0	2	0	0	0	0	0	0
07:30	1	62	0	0	63	0	4	0	0	4	0	5	0	0	5	0	0	0	0	0	1
07:45	3	79	0	0	82	0	2	0	0	2	0	3	0	0	3	0	0	0	0	0	0
08:00	11	95	0	0	106	0	1	0	0	1	0	3	0	0	3	0	0	0	0	0	0
08:15	7	117	0	0	124	0	1	0	0	1	0	2	0	0	2	0	0	0	0	0	0
08:30	1	99	0	0	100	0	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0
08:45	1	124	0	0	125	0	6	0	0	6	0	2	0	0	2	0	0	0	0	0	1
SUBTOTAL	27	658	0	0	685	0	22	0	0	22	0	18	0	0	18	0	0	0	0	0	2

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	3	142	0	0	145	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	1
16:15	5	146	0	0	151	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
16:30	1	147	0	0	148	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:45	5	140	0	0	145	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:00	1	127	0	0	128	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:15	2	133	0	0	135	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:30	3	115	0	0	118	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:45	2	119	0	0	121	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
SUBTOTAL	22	1069	0	0	1091	0	5	0	0	5	0	3	0	0	3	0	0	0	0	0	1
GRAND TOTAL	49	1727	0	0	1776	0	27	0	0	27	0	21	0	0	21	0	0	0	0	0	3

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
07:00	0	63	6	0	69	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	0
07:15	0	74	1	0	75	0	3	1	0	4	0	3	0	0	3	0	0	0	0	0	0
07:30	0	84	4	0	88	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
07:45	0	74	5	0	79	0	3	1	0	4	0	1	0	0	1	0	0	0	0	0	0
08:00	0	101	9	0	110	0	3	0	0	3	0	3	0	0	3	0	0	0	0	0	0
08:15	0	73	20	0	93	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0
08:30	0	78	6	0	84	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
08:45	0	72	10	0	82	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	0	619	61	0	680	0	17	3	0	20	0	9	0	0	9	0	0	0	0	0	0

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
16:00	0	111	21	0	132	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
16:15	0	123	17	0	140	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
16:30	0	138	17	0	155	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	1
16:45	0	136	22	0	158	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
17:00	0	145	12	0	157	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
17:15	0	115	19	0	134	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	0	95	17	0	112	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:45	0	92	15	0	107	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	0	955	140	0	1095	0	8	1	0	9	0	1	0	0	1	0	0	0	0	0	1
GRAND TOTAL	0	1574	201	0	1775	0	25	4	0	29	0	10	0	0	10	0	0	0	0	0	1

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - Fort St

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15	3	0	1	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:30	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	3	0	2	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
08:15	5	0	5	0	10	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
08:30	5	0	2	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:45	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
SUBTOTAL	18	0	22	0	40	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	6

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - Fort St

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	13	0	3	0	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
16:15	15	0	10	0	25	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
16:30	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
16:45	11	0	4	0	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:00	9	0	2	0	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:15	4	0	3	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	11	0	3	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:45	7	0	1	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	71	0	31	0	102	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
GRAND TOTAL	89	0	53	0	142	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	14

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Diagram

Specified Period		One Hour Peak	
From:	07:00:00	From:	08:00:00
To:	09:00:00	To:	09:00:00

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
	455	339	794
	12	8	20
	7	3	10
	0	0	0
	474	**350**	**824**

Sandwich St S

	0	0	0
	7	0	0
	12	0	0
	435	20	0
Totals	**454**	**20**	**0**

Peds: 1

Peds: 0

N
W E
S

Peds: 5

Peds: 0

Totals	**335**	**46**	**0**
	324	45	0
	8	1	0
	3	0	0
	0	0	0

Sandwich St S

East Approach

	Out	In	Total
	26	65	91
	1	1	2
	0	0	0
	0	0	0
	27	**66**	**93**

Fort St

	Totals				
	0	0	0	0	0
	15	15	0	0	0
	12	11	1	0	0

South Approach

	Out	In	Total
	369	446	815
	9	13	22
	3	7	10
	0	0	0
	381	**466**	**847**

- Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection:	Sandwich St S & Fort St
Site Code:	2204400001
Count Date:	Feb 24, 2022
Period:	07:00 - 09:00

Peak Hour Data (08:00 - 09:00)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Fort St						West Approach						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
08:00	11	99		0	0	110		107	9	0	0	116	1		5	0	2	6					0		232
08:15	7	120		0	0	127		73	21	0	0	94	6		5	0	1	11					0		232
08:30	1	103		0	0	104		80	6	0	0	86	5		2	0	0	7					0		197
08:45	1	132		0	1	133		75	10	0	0	85	0		3	0	2	3					0		221
Grand Total	**20**	**454**		**0**	**1**	**474**		**335**	**46**	**0**	**0**	**381**	**12**		**15**	**0**	**5**	**27**					**0**	**0**	**882**
Approach %	4.2	95.8		0		-		87.9	12.1	0		-	44.4		55.6	0		-						-	
Totals %	2.3	51.5		0		53.7		38	5.2	0		43.2	1.4		1.7	0		3.1						0	
PHF	**0.45**	**0.86**		**0**		**0.89**		**0.78**	**0.55**	**0**		**0.82**	**0.5**		**0.75**	**0**		**0.61**						**0**	**0.95**
Cars	20	435		0		455		324	45	0		369	11		15	0		26						0	850
% Cars	100	95.8		0		96		96.7	97.8	0		96.9	91.7		100	0		96.3						0	96.4
Trucks	0	12		0		12		8	1	0		9	1		0	0		1						0	22
% Trucks	0	2.6		0		2.5		2.4	2.2	0		2.4	8.3		0	0		3.7						0	2.5
Buses	0	7		0		7		3	0	0		3	0		0	0		0						0	10
% Buses	0	1.5		0		1.5		0.9	0	0		0.8	0		0	0		0						0	1.1
Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Peds					1	-					0	-					5	-					0	-	6
% Peds					16.7	-					0	-					83.3	-					0	-	

Peak Hour Diagram

Specified Period

From: 16:00:00
To: 18:00:00

One Hour Peak

From: 16:15:00
To: 17:15:00

Intersection: Sandwich St S & Fort St
Site Code: 2204400001
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection ****

Major Road: Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	572	563	1135
Trucks	3	8	11
Buses	0	0	0
Bicycles	0	0	0
	575	**571**	**1146**

Sandwich St S

Bicycles	0	0	0
Buses	0	0	0
Trucks	3	0	0
Cars	560	12	0
Totals	**563**	**12**	**0**

Peds: 0

Peds: 0

N
W E
S

Peds: 5

Peds: 1

Totals	**550**	**68**	**0**
Cars	542	68	0
Trucks	8	0	0
Buses	0	0	0
Bicycles	0	0	0

Sandwich St S

East Approach

	Out	In	Total
Cars	57	80	137
Trucks	0	0	0
Buses	0	0	0
Bicycles	0	0	0
	57	**80**	**137**

Fort St

	Totals	Cars	Trucks	Buses	Bicycles
	0	0	0	0	0
	21	21	0	0	0
	36	36	0	0	0

South Approach

	Out	In	Total
Cars	610	596	1206
Trucks	8	3	11
Buses	0	0	0
Bicycles	0	0	0
	618	**599**	**1217**

- Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection:	Sandwich St S & Fort St
Site Code:	2204400001
Count Date:	Feb 24, 2022
Period:	16:00 - 18:00

Peak Hour Data (16:15 - 17:15)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Fort St						West Approach						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
16:15	5	148		0	0	153		124	17	0	0	141	15		10	0	3	25					0		319
16:30	1	147		0	0	148		140	17	0	1	157	1		5	0	1	6					0		311
16:45	5	141		0	0	146		139	22	0	0	161	11		4	0	0	15					0		322
17:00	1	127		0	0	128		147	12	0	0	159	9		2	0	1	11					0		298
Grand Total	**12**	**563**		**0**	**0**	**575**		**550**	**68**	**0**	**1**	**618**	**36**		**21**	**0**	**5**	**57**					**0**	**0**	**1250**
Approach %	2.1	97.9		0		-		89	11	0		-	63.2		36.8	0		-						-	
Totals %	1	45		0		46		44	5.4	0		49.4	2.9		1.7	0		4.6						0	
PHF	**0.6**	**0.95**		**0**		**0.94**		**0.94**	**0.77**	**0**		**0.96**	**0.6**		**0.53**	**0**		**0.57**						**0**	**0.97**
Cars	12	560		0		572		542	68	0		610	36		21	0		57						0	1239
% Cars	100	99.5		0		99.5		98.5	100	0		98.7	100		100	0		100						0	99.1
Trucks	0	3		0		3		8	0	0		8	0		0	0		0						0	11
% Trucks	0	0.5		0		0.5		1.5	0	0		1.3	0		0	0		0						0	0.9
Buses	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Buses	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Peds					0	-					1	-					5	-					0	-	6
% Peds					0	-					16.7	-					83.3	-					0	-	

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

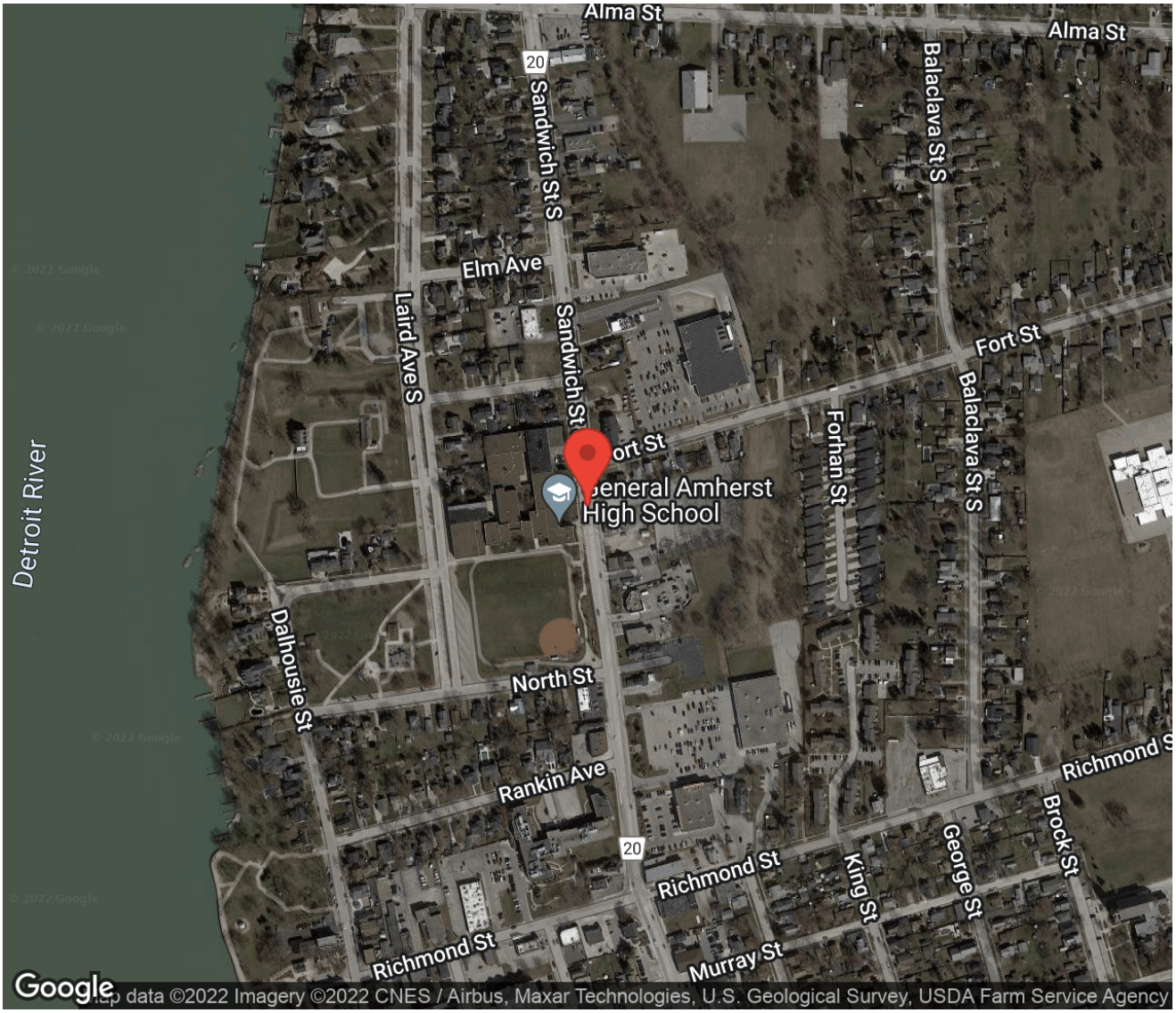
Project #22-044 - CGH Transportation

Intersection Count Report

Intersection:	Sandwich St S & Parking Lot Driveway
Municipality:	Amherstburg
Count Date:	Feb 24, 2022
Site Code:	2204400002
Count Categories:	Cars, Trucks, Buses, Bicycles, Pedestrians
Count Period:	07:00-09:00, 16:00-18:00
Weather:	Clear

Traffic Count Map

Intersection:	Sandwich St S & Parking Lot Driveway
Site Code:	2204400002
Municipality:	Amherstburg
Count Date:	Feb 24, 2022



Ontario Traffic Inc.
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Traffic Count Summary

Intersection:	Sandwich St S & Parking Lot Driveway
Site Code:	2204400002
Municipality:	Amherstburg
Count Date:	Feb 24, 2022

Sandwich St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	8	243	0	0	251	0	0	325	5	0	330	36	581
08:00 - 09:00	13	453	0	0	466	0	0	362	27	0	389	137	855
BREAK													
16:00 - 17:00	2	618	0	0	620	0	0	589	5	0	594	9	1214
17:00 - 18:00	3	525	0	0	528	1	0	510	4	0	514	4	1042
GRAND TOTAL	**26**	**1839**	**0**	**0**	**1865**	**1**	**0**	**1786**	**41**	**0**	**1827**	**186**	**3692**

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Summary

Intersection:	Sandwich St S & Parking Lot Driveway
Site Code:	2204400002
Municipality:	Amherstburg
Count Date:	Feb 24, 2022

Parking Lot Driveway - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	1	0	3	0	4	0	0	0	0	0	0	0	4
08:00 - 09:00	1	0	19	0	20	19	0	0	0	0	0	0	20
BREAK													
16:00 - 17:00	3	0	3	0	6	6	0	0	0	0	0	0	6
17:00 - 18:00	1	0	3	0	4	5	0	0	0	0	0	0	4
GRAND TOTAL	**6**	**0**	**28**	**0**	**34**	**30**	**0**	**0**	**0**	**0**	**0**	**0**	**34**

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
07:00	0	37	0	0	37	0	2	0	0	2	0	1	0	0	1	0	0	0	0	0	0
07:15	0	48	0	0	48	0	2	0	0	2	0	2	0	0	2	0	0	0	0	0	0
07:30	3	60	0	0	63	0	4	0	0	4	0	5	0	0	5	0	0	0	0	0	0
07:45	5	77	0	0	82	0	2	0	0	2	0	3	0	0	3	0	0	0	0	0	0
08:00	5	91	0	0	96	0	1	0	0	1	0	3	0	0	3	0	0	0	0	0	0
08:15	5	117	0	0	122	0	2	0	0	2	0	2	0	0	2	0	0	0	0	0	0
08:30	2	102	0	0	104	0	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0
08:45	1	123	0	0	124	0	6	0	0	6	0	2	0	0	2	0	0	0	0	0	0
SUBTOTAL	21	655	0	0	676	0	23	0	0	23	0	18	0	0	18	0	0	0	0	0	0

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	2	153	0	0	155	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	0
16:15	0	161	0	0	161	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
16:30	0	148	0	0	148	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:45	0	151	0	0	151	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:00	0	136	0	0	136	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:15	0	137	0	0	137	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:30	1	125	0	0	126	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:45	2	124	0	0	126	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
SUBTOTAL	5	1135	0	0	1140	0	5	0	0	5	0	3	0	0	3	0	0	0	0	0	1
GRAND TOTAL	26	1790	0	0	1816	0	28	0	0	28	0	21	0	0	21	0	0	0	0	0	1

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	0	67	0	0	67	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	1
07:15	0	76	1	0	77	0	4	0	0	4	0	3	0	0	3	0	0	0	0	0	1
07:30	0	87	1	0	88	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	9
07:45	0	78	3	0	81	0	4	0	0	4	0	1	0	0	1	0	0	0	0	0	25
08:00	0	99	13	0	112	0	3	0	0	3	0	3	0	0	3	0	0	0	0	0	61
08:15	0	88	9	0	97	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	64
08:30	0	81	2	0	83	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	5
08:45	0	82	3	0	85	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	7
SUBTOTAL	0	658	32	0	690	0	20	0	0	20	0	9	0	0	9	0	0	0	0	0	173

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	0	131	2	0	133	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	5
16:15	0	138	1	0	139	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	2
16:30	0	155	2	0	157	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	2
16:45	0	158	0	0	158	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
17:00	0	157	2	0	159	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
17:15	0	133	1	0	134	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	0	111	0	0	111	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:45	0	106	1	0	107	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	4
SUBTOTAL	0	1089	9	0	1098	0	9	0	0	9	0	1	0	0	1	0	0	0	0	0	13
GRAND TOTAL	0	1747	41	0	1788	0	29	0	0	29	0	10	0	0	10	0	0	0	0	0	186

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - Parking Lot Driveway

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00	0	0	11	0	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
08:15	0	0	5	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
08:30	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
08:45	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	2	0	22	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - Parking Lot Driveway

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
16:15	1	0	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
16:30	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:45	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:15	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:45	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
SUBTOTAL	4	0	6	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11
GRAND TOTAL	6	0	28	0	34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30

Peak Hour Diagram

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Specified Period		One Hour Peak	
From:	07:00:00	From:	08:00:00
To:	09:00:00	To:	09:00:00

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
	446	369	815
	13	9	22
	7	3	10
	0	0	0
	466	**381**	**847**

Sandwich St S

	0	0	0
	7	0	0
	13	0	0
	433	13	0
Totals	**453**	**13**	**0**

Peds: 0

Peds: 0

N
W E
S

Peds: 19

Peds: 137

Totals	**362**	**27**	**0**
	350	27	0
	9	0	0
	3	0	0
	0	0	0

Sandwich St S

East Approach

	Out	In	Total
	20	40	60
	0	0	0
	0	0	0
	0	0	0
	20	**40**	**60**

Parking Lot Driveway

	Totals				
	0	0	0	0	0
	19	19	0	0	0
	1	1	0	0	0

South Approach

	Out	In	Total
	377	434	811
	9	13	22
	3	7	10
	0	0	0
	389	**454**	**843**

- Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Count Date: Feb 24, 2022
Period: 07:00 - 09:00

Peak Hour Data (08:00 - 09:00)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Parking Lot Driveway						West Approach						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
08:00	5	95		0	0	100		105	13	0	61	118	0		11	0	9	11					0		229
08:15	5	121		0	0	126		89	9	0	64	98	0		5	0	8	5					0		229
08:30	2	106		0	0	108		83	2	0	5	85	0		3	0	2	3					0		196
08:45	1	131		0	0	132		85	3	0	7	88	1		0	0	0	1					0		221
Grand Total	**13**	**453**		**0**	**0**	**466**		**362**	**27**	**0**	**137**	**389**	**1**		**19**	**0**	**19**	**20**					**0**	**0**	**875**
Approach %	2.8	97.2		0		-		93.1	6.9	0		-	5		95	0		-						-	
Totals %	1.5	51.8		0		53.3		41.4	3.1	0		44.5	0.1		2.2	0		2.3						0	
PHF	**0.65**	**0.86**		**0**		**0.88**		**0.86**	**0.52**	**0**		**0.82**	**0.25**		**0.43**	**0**		**0.45**						**0**	**0.96**
Cars	13	433		0		446		350	27	0		377	1		19	0		20						0	843
% Cars	100	95.6		0		95.7		96.7	100	0		96.9	100		100	0		100						0	96.3
Trucks	0	13		0		13		9	0	0		9	0		0	0		0						0	22
% Trucks	0	2.9		0		2.8		2.5	0	0		2.3	0		0	0		0						0	2.5
Buses	0	7		0		7		3	0	0		3	0		0	0		0						0	10
% Buses	0	1.5		0		1.5		0.8	0	0		0.8	0		0	0		0						0	1.1
Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Peds					0	-					137	-					19	-					0	-	156
% Peds					0	-					87.8	-					12.2	-					0	-	

Peak Hour Diagram

Specified Period		One Hour Peak	
From:	16:00:00	From:	16:15:00
To:	18:00:00	To:	17:15:00

Intersection: Sandwich St S & Parking Lot Driveway
Site Code: 2204400002
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	596	610	1206
Trucks	3	8	11
Buses	0	0	0
Bicycles	0	0	0
	599	**618**	**1217**

Sandwich St S

Bicycles	0	0	0
Buses	0	0	0
Trucks	3	0	0
Cars	596	0	0
Totals	**599**	**0**	**0**

Peds: 1

Peds: 0

Peds: 4

Peds: 4

Totals	616	5	0
Cars	608	5	0
Trucks	8	0	0
Buses	0	0	0
Bicycles	0	0	0

Sandwich St S

East Approach

	Out	In	Total
Cars	5	5	10
Trucks	0	0	0
Buses	0	0	0
Bicycles	0	0	0
	5	**5**	**10**

Parking Lot Driveway

	Totals	Cars	Trucks	Buses	Bicycles
	0	0	0	0	0
	2	2	0	0	0
	3	3	0	0	0

South Approach

	Out	In	Total
Cars	613	599	1212
Trucks	8	3	11
Buses	0	0	0
Bicycles	0	0	0
	621	**602**	**1223**

Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection:	Sandwich St S & Parking Lot Driveway
Site Code:	2204400002
Count Date:	Feb 24, 2022
Period:	16:00 - 18:00

Peak Hour Data (16:15 - 17:15)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Parking Lot Driveway						West Approach						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
16:15	0	163		0	0	163		139	1	0	2	140	1		2	0	3	3					0		306
16:30	0	148		0	0	148		157	2	0	2	159	1		0	0	0	1					0		308
16:45	0	152		0	0	152		161	0	0	0	161	1		0	0	1	1					0		314
17:00	0	136		0	1	136		159	2	0	0	161	0		0	0	0	0					0		297
Grand Total	**0**	**599**		**0**	**1**	**599**		**616**	**5**	**0**	**4**	**621**	**3**		**2**	**0**	**4**	**5**					**0**	**0**	**1225**
Approach %	0	100		0		-		99.2	0.8	0		-	60		40	0		-						-	
Totals %	0	48.9		0		48.9		50.3	0.4	0		50.7	0.2		0.2	0		0.4						0	
PHF	**0**	**0.92**		**0**		**0.92**		**0.96**	**0.63**	**0**		**0.96**	**0.75**		**0.25**	**0**		**0.42**						**0**	**0.98**
Cars	0	596		0		596		608	5	0		613	3		2	0		5						0	1214
% Cars	0	99.5		0		99.5		98.7	100	0		98.7	100		100	0		100						0	99.1
Trucks	0	3		0		3		8	0	0		8	0		0	0		0						0	11
% Trucks	0	0.5		0		0.5		1.3	0	0		1.3	0		0	0		0						0	0.9
Buses	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Buses	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
% Bicycles	0	0		0		0		0	0	0		0	0		0	0		0						0	0
Peds					1	-					4	-					4	-					0	-	9
% Peds					11.1	-					44.4	-					44.4	-					0	-	

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

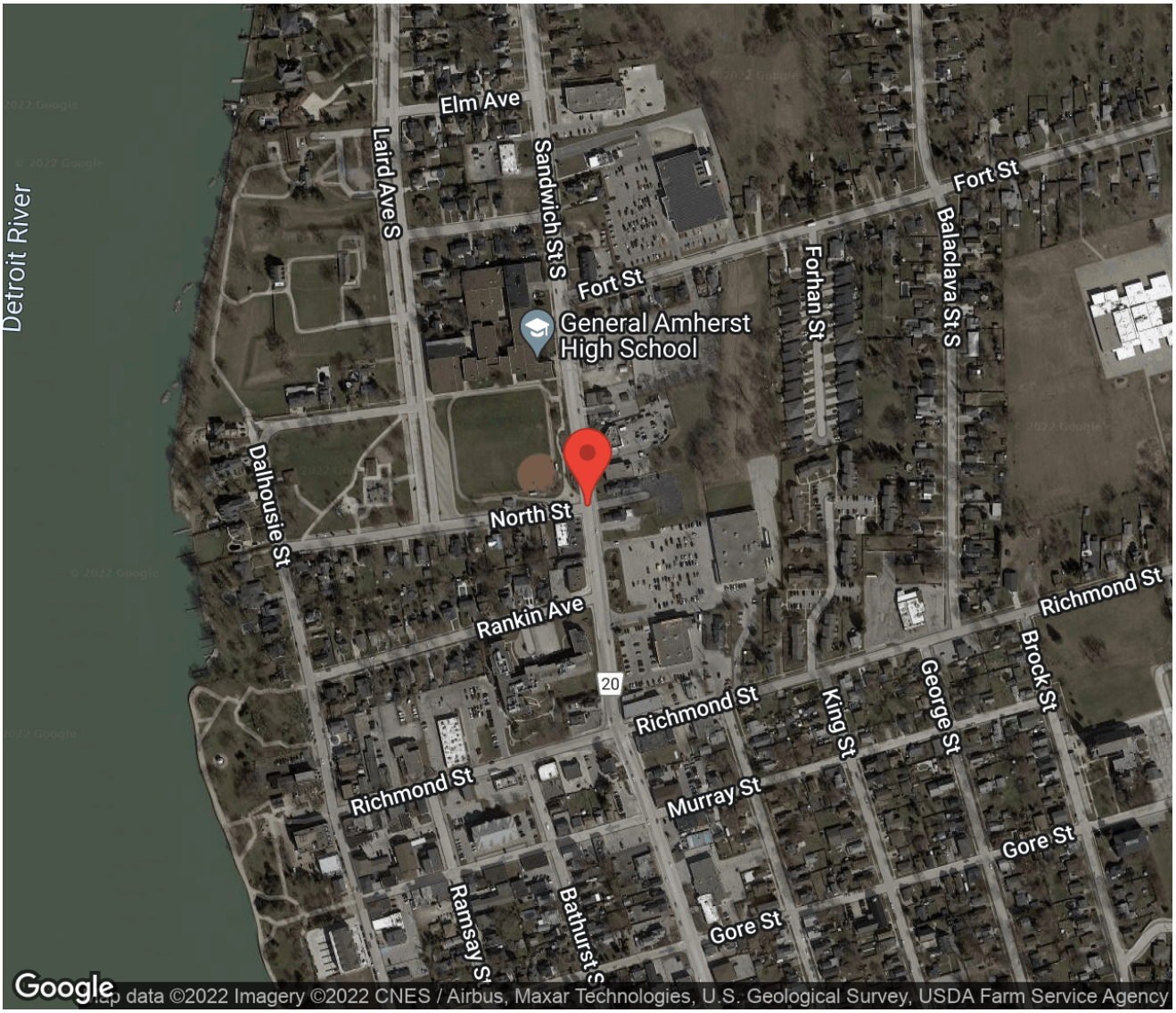
Project #22-044 - CGH Transportation

Intersection Count Report

Intersection:	Sandwich St S & North St-165 Sandwich St S Driveway
Municipality:	Amherstburg
Count Date:	Feb 24, 2022
Site Code:	2204400003
Count Categories:	Cars, Trucks, Buses, Bicycles, Pedestrians
Count Period:	07:00-09:00, 16:00-18:00
Weather:	Clear

Traffic Count Map

Intersection:	Sandwich St S & North St-165 Sandwich St S Driveway
Site Code:	2204400003
Municipality:	Amherstburg
Count Date:	Feb 24, 2022



Traffic Count Summary

Ontario Traffic Inc.
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Intersection:	Sandwich St S & North St-165 Sandwich St S Driveway
Site Code:	2204400003
Municipality:	Amherstburg
Count Date:	Feb 24, 2022

Sandwich St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	5	222	11	0	238	0	5	326	3	0	334	0	572
08:00 - 09:00	5	432	23	0	460	0	53	382	4	0	439	1	899
BREAK													
16:00 - 17:00	2	609	9	0	620	0	2	589	0	0	591	0	1211
17:00 - 18:00	0	525	4	0	529	0	3	515	0	0	518	1	1047
GRAND TOTAL	**12**	**1788**	**47**	**0**	**1847**	**0**	**63**	**1812**	**7**	**0**	**1882**	**2**	**3729**

Traffic Count Summary

Ontario Traffic Inc.
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Intersection:	Sandwich St S & North St-165 Sandwich St S Driveway
Site Code:	2204400003
Municipality:	Amherstburg
Count Date:	Feb 24, 2022

165 Sandwich St S Driveway - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Buses, Bicycles						Includes Cars, Trucks, Buses, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	0	0	0	0	0	4	6	0	1	0	7	1	7
08:00 - 09:00	1	0	0	0	1	26	2	0	15	0	17	9	18
BREAK													
16:00 - 17:00	3	0	3	0	6	1	2	0	3	0	5	6	11
17:00 - 18:00	2	0	1	0	3	1	1	0	4	0	5	4	8
GRAND TOTAL	**6**	**0**	**4**	**0**	**10**	**32**	**11**	**0**	**23**	**0**	**34**	**20**	**44**

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	0	37	2	0	39	0	2	0	0	2	0	1	0	0	1	0	0	0	0	0	0
07:15	1	43	2	0	46	0	2	0	0	2	0	2	0	0	2	0	0	0	0	0	0
07:30	2	55	1	0	58	0	4	0	0	4	0	3	2	0	5	0	0	0	0	0	0
07:45	2	71	2	0	75	0	1	0	0	1	0	1	2	0	3	0	0	0	0	0	0
08:00	0	84	12	0	96	0	2	0	0	2	0	2	1	0	3	0	0	0	0	0	0
08:15	0	111	5	0	116	0	2	0	0	2	0	2	0	0	2	0	0	0	0	0	0
08:30	2	99	2	0	103	0	5	0	0	5	0	0	0	0	0	0	0	0	0	0	0
08:45	3	118	3	0	124	0	5	0	0	5	0	2	0	0	2	0	0	0	0	0	0
SUBTOTAL	10	618	29	0	657	0	23	0	0	23	0	13	5	0	18	0	0	0	0	0	0

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	0	148	3	0	151	0	0	0	0	0	0	1	1	0	2	0	0	0	0	0	0
16:15	1	159	1	0	161	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
16:30	1	147	2	0	150	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
16:45	0	151	2	0	153	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:00	0	134	1	0	135	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:15	0	138	1	0	139	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
17:30	0	126	1	0	127	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
17:45	0	123	1	0	124	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
SUBTOTAL	2	1126	12	0	1140	0	6	0	0	6	0	2	1	0	3	0	0	0	0	0	0
GRAND TOTAL	12	1744	41	0	1797	0	29	0	0	29	0	15	6	0	21	0	0	0	0	0	0

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	2	68	0	0	70	0	1	0	0	1	0	2	0	0	2	0	0	0	0	0	0
07:15	0	74	0	0	74	0	3	0	0	3	0	3	0	0	3	0	0	0	0	0	0
07:30	0	82	0	0	82	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
07:45	3	85	3	0	91	0	4	0	0	4	0	1	0	0	1	0	0	0	0	0	0
08:00	22	112	2	0	136	2	2	0	0	4	2	3	0	0	5	0	0	0	0	0	0
08:15	21	94	1	0	116	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	1
08:30	5	83	1	0	89	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
08:45	1	82	0	0	83	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	54	680	7	0	741	2	19	0	0	21	2	9	0	0	11	0	0	0	0	0	1

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	1	135	0	0	136	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
16:15	1	138	0	0	139	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
16:30	0	157	0	0	157	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
16:45	0	152	0	0	152	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
17:00	2	160	0	0	162	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
17:15	0	132	0	0	132	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	1	110	0	0	111	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1
17:45	0	109	0	0	109	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	5	1093	0	0	1098	0	10	0	0	10	0	1	0	0	1	0	0	0	0	0	1
GRAND TOTAL	59	1773	7	0	1839	2	29	0	0	31	2	10	0	0	12	0	0	0	0	0	2

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - 165 Sandwich St S Driveway

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
07:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
08:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15
08:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
08:30	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
08:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
SUBTOTAL	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

East Approach - 165 Sandwich St S Driveway

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
16:00	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:30	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
16:45	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:00	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:15	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17:45	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	5	0	4	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
GRAND TOTAL	6	0	4	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

West Approach - North St

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30	3	0	1	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
08:00	2	0	8	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
08:15	0	0	4	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
08:30	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
SUBTOTAL	8	0	16	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Municipality: Amherstburg
Count Date: Feb 24, 2022

West Approach - North St

Start Time	Cars					Trucks					Buses					Bicycles					Total Peds
					Total					Total					Total					Total	
16:00	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
16:30	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
16:45	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
17:00	1	0	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
17:15	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:30	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
17:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	3	0	7	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
GRAND TOTAL	11	0	23	0	34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20

Peak Hour Diagram

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Specified Period		One Hour Peak	
From:	07:00:00	From:	08:00:00
To:	09:00:00	To:	09:00:00

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	439	373	812
Trucks	14	8	22
Buses	7	3	10
Bicycles	0	0	0
	460	**384**	**844**

Sandwich St S

Bicycles	0	0	0	0
Buses	1	6	0	0
Trucks	0	14	0	0
Cars	22	412	5	0
Totals	**23**	**432**	**5**	**0**

Peds: 0

East Approach

	Out	In	Total
Cars	1	9	10
Trucks	0	0	0
Buses	0	0	0
Bicycles	0	0	0
	1	**9**	**10**

North St

Bicycles	Buses	Trucks	Cars	Totals
0	0	0	0	**0**
0	0	0	2	**2**
0	0	0	0	**0**
0	0	0	15	**15**

Peds: 9

Peds: 26

165 Sandwich St S Driveway

Totals	Cars	Trucks	Buses	Bicycles
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
1	1	0	0	0

Peds: 1

West Approach

	Out	In	Total
Cars	17	71	88
Trucks	0	2	2
Buses	0	3	3
Bicycles	0	0	0
	17	**76**	**93**

Totals	**53**	**382**	**4**	**0**
Cars	49	371	4	0
Trucks	2	8	0	0
Buses	2	3	0	0
Bicycles	0	0	0	0

Sandwich St S

South Approach

	Out	In	Total
Cars	424	428	852
Trucks	10	14	24
Buses	5	6	11
Bicycles	0	0	0
	439	**448**	**887**

Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Count Date: Feb 24, 2022
Period: 07:00 - 09:00

Peak Hour Data (08:00 - 09:00)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach 165 Sandwich St S Driveway						West Approach North St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
08:00	0	88	13	0	0	101	26	117	2	0	0	145	0	0	0	0	15	0	2	0	8	0	4	10	256
08:15	0	115	5	0	0	120	21	96	1	0	1	118	0	0	0	0	8	0	0	0	4	0	3	4	242
08:30	2	104	2	0	0	108	5	85	1	0	0	91	1	0	0	0	1	1	0	0	3	0	0	3	203
08:45	3	125	3	0	0	131	1	84	0	0	0	85	0	0	0	0	2	0	0	0	0	0	2	0	216
Grand Total	**5**	**432**	**23**	**0**	**0**	**460**	**53**	**382**	**4**	**0**	**1**	**439**	**1**	**0**	**0**	**0**	**26**	**1**	**2**	**0**	**15**	**0**	**9**	**17**	**917**
Approach %	1.1	93.9	5	0		-	12.1	87	0.9	0		-	100	0	0	0		-	11.8	0	88.2	0		-	
Totals %	0.5	47.1	2.5	0		50.2	5.8	41.7	0.4	0		47.9	0.1	0	0	0		0.1	0.2	0	1.6	0		1.9	
PHF	**0.42**	**0.86**	**0.44**	**0**		**0.88**	**0.51**	**0.82**	**0.5**	**0**		**0.76**	**0.25**	**0**	**0**	**0**		**0.25**	**0.25**	**0**	**0.47**	**0**		**0.43**	**0.9**
Cars	5	412	22	0		439	49	371	4	0		424	1	0	0	0		1	2	0	15	0		17	881
% Cars	100	95.4	95.7	0		95.4	92.5	97.1	100	0		96.6	100	0	0	0		100	100	0	100	0		100	96.1
Trucks	0	14	0	0		14	2	8	0	0		10	0	0	0	0		0	0	0	0	0		0	24
% Trucks	0	3.2	0	0		3	3.8	2.1	0	0		2.3	0	0	0	0		0	0	0	0	0		0	2.6
Buses	0	6	1	0		7	2	3	0	0		5	0	0	0	0		0	0	0	0	0		0	12
% Buses	0	1.4	4.3	0		1.5	3.8	0.8	0	0		1.1	0	0	0	0		0	0	0	0	0		0	1.3
Bicycles	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
% Bicycles	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
Peds					0	-					1	-					26	-					9	-	36
% Peds					0	-					2.8	-					72.2	-					25	-	

Peak Hour Diagram

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Specified Period		One Hour Peak	
From:	16:00:00	From:	16:15:00
To:	18:00:00	To:	17:15:00

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Count Date: Feb 24, 2022

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	599	613	1212
Trucks	3	8	11
Buses	0	0	0
Bicycles	0	0	0
	602	**621**	**1223**

Sandwich St S

Bicycles	0	0	0	0
Buses	0	0	0	0
Trucks	0	3	0	0
Cars	6	591	2	0
Totals	**6**	**594**	**2**	**0**

Peds: 0

East Approach

	Out	In	Total
Cars	6	2	8
Trucks	0	0	0
Buses	0	0	0
Bicycles	0	0	0
	6	**2**	**8**

North St

Bicycles	Buses	Trucks	Cars	Totals
0	0	0	0	**0**
0	0	0	3	**3**
0	0	0	0	**0**
0	0	0	4	**4**

Peds: 8

Peds: 1

165 Sandwich St S Driveway

Totals	Cars	Trucks	Buses	Bicycles
0	0	0	0	0
3	3	0	0	0
0	0	0	0	0
3	3	0	0	0

Peds: 0

Totals	**3**	**615**	**0**	**0**
Cars	3	607	0	0
Trucks	0	8	0	0
Buses	0	0	0	0
Bicycles	0	0	0	0

Sandwich St S

West Approach

	Out	In	Total
Cars	7	9	16
Trucks	0	0	0
Buses	0	0	0
Bicycles	0	0	0
	7	**9**	**16**

South Approach

	Out	In	Total
Cars	610	598	1208
Trucks	8	3	11
Buses	0	0	0
Bicycles	0	0	0
	618	**601**	**1219**

- Cars - Trucks - Buses - Bicycles

Comments

Ontario Traffic Inc.
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Peak Hour Summary

Intersection: Sandwich St S & North St-165 Sandwich St S Driveway
Site Code: 2204400003
Count Date: Feb 24, 2022
Period: 16:00 - 18:00

Peak Hour Data (16:15 - 17:15)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach 165 Sandwich St S Driveway						West Approach North St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
16:15	1	160	1	0	0	162	1	140	0	0	0	141	1	0	1	0	0	2	0	0	1	0	2	1	306
16:30	1	148	2	0	0	151	0	158	0	0	0	158	0	0	1	0	1	1	1	0	0	0	1	1	311
16:45	0	152	2	0	0	154	0	155	0	0	0	155	1	0	1	0	0	2	1	0	1	0	3	2	313
17:00	0	134	1	0	0	135	2	162	0	0	0	164	1	0	0	0	0	1	1	0	2	0	2	3	303
Grand Total	**2**	**594**	**6**	**0**	**0**	**602**	**3**	**615**	**0**	**0**	**0**	**618**	**3**	**0**	**3**	**0**	**1**	**6**	**3**	**0**	**4**	**0**	**8**	**7**	**1233**
Approach %	0.3	98.7	1	0		-	0.5	99.5	0	0		-	50	0	50	0		-	42.9	0	57.1	0		-	
Totals %	0.2	48.2	0.5	0		48.8	0.2	49.9	0	0		50.1	0.2	0	0.2	0		0.5	0.2	0	0.3	0		0.6	
PHF	**0.5**	**0.93**	**0.75**	**0**		**0.93**	**0.38**	**0.95**	**0**	**0**		**0.94**	**0.75**	**0**	**0.75**	**0**		**0.75**	**0.75**	**0**	**0.5**	**0**		**0.58**	**0.98**
Cars	2	591	6	0		599	3	607	0	0		610	3	0	3	0		6	3	0	4	0		7	1222
% Cars	100	99.5	100	0		99.5	100	98.7	0	0		98.7	100	0	100	0		100	100	0	100	0		100	99.1
Trucks	0	3	0	0		3	0	8	0	0		8	0	0	0	0		0	0	0	0	0		0	11
% Trucks	0	0.5	0	0		0.5	0	1.3	0	0		1.3	0	0	0	0		0	0	0	0	0		0	0.9
Buses	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
% Buses	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
Bicycles	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
% Bicycles	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0	0	0	0		0	0
Peds					0	-					0	-					1	-					8	-	9
% Peds					0	-					0	-					11.1	-					88.9	-	

Ontario Traffic Inc.
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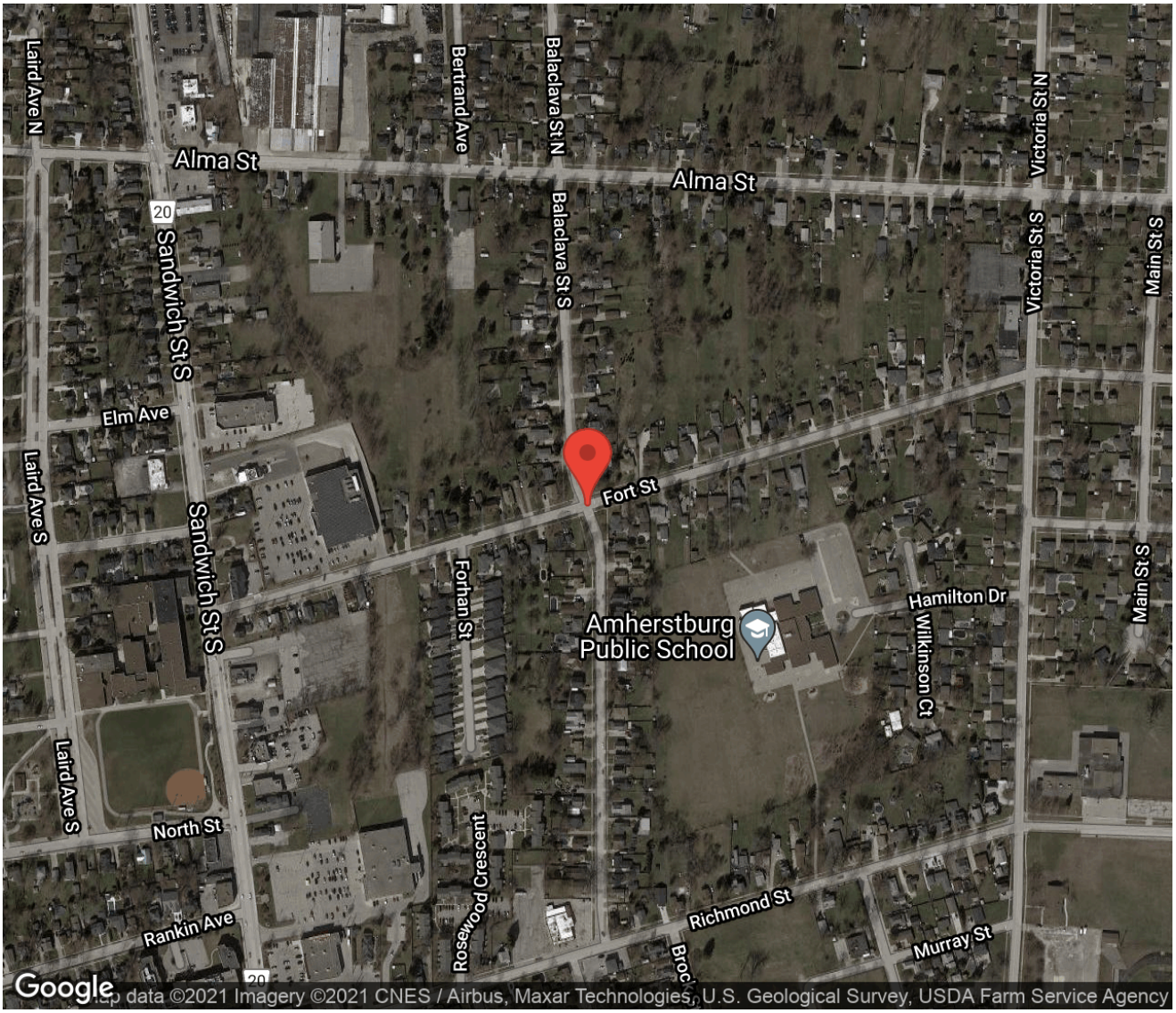
Project #21-078 - Golder Associates

Intersection Count Report

Intersection:	Balaclava St S & Fort St
Municipality:	Amherstburg
Count Date:	Jun 16, 2021
Site Code:	2107800021
Count Categories:	Cars, Trucks, Bicycles, Pedestrians
Count Period:	07:00-09:00, 11:00-14:00, 15:00-18:00
Weather:	Clear

Traffic Count Map

Intersection:	Balaclava St S & Fort St
Site Code:	2107800021
Municipality:	Amherstburg
Count Date:	Jun 16, 2021



Ontario Traffic Inc.
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Traffic Count Summary

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

Balaclava St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	Left	Thru	Right	U-Turn	Total	Peds	Left	Thru	Right	U-Turn	Total	Peds	Total
07:00 - 08:00	2	9	1	0	12	1	1	14	0	0	15	3	27
08:00 - 09:00	3	11	6	0	20	0	2	16	3	0	21	3	41
BREAK													
11:00 - 12:00	5	11	11	0	27	1	6	22	8	0	36	2	63
12:00 - 13:00	0	25	10	0	35	0	6	12	3	0	21	3	56
13:00 - 14:00	3	20	12	0	35	1	7	20	6	0	33	3	68
BREAK													
15:00 - 16:00	7	37	8	0	52	1	4	26	6	0	36	3	88
16:00 - 17:00	3	36	13	1	53	1	12	20	2	0	34	0	87
17:00 - 18:00	2	13	21	0	36	0	14	14	4	0	32	2	68
GRAND TOTAL	25	162	82	1	270	5	52	144	32	0	228	19	498

Ontario Traffic Inc.
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Traffic Count Summary

Intersection:	Balaclava St S & Fort St
Site Code:	2107800021
Municipality:	Amherstburg
Count Date:	Jun 16, 2021

Fort St - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Left**	**Thru**	**Right**	**U-Turn**	**Total**	**Peds**	**Total**
07:00 - 08:00	3	11	4	0	18	1	4	4	4	0	12	0	30
08:00 - 09:00	5	17	2	0	24	0	6	18	7	0	31	2	55
BREAK													
11:00 - 12:00	6	24	0	0	30	3	6	38	16	0	60	1	90
12:00 - 13:00	5	29	1	0	35	3	13	43	19	0	75	0	110
13:00 - 14:00	6	19	2	0	27	3	14	38	19	0	71	1	98
BREAK													
15:00 - 16:00	5	33	4	0	42	1	17	51	20	0	88	2	130
16:00 - 17:00	8	36	5	0	49	2	9	53	23	0	85	3	134
17:00 - 18:00	4	21	7	0	32	0	11	52	24	0	87	0	119
GRAND TOTAL	**42**	**190**	**25**	**0**	**257**	**13**	**80**	**297**	**132**	**0**	**509**	**9**	**766**

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

North Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
07:00	1	1	0	0	2	0	0	0	0	0	0	0	0	0	0	0
07:15	0	4	0	0	4	0	0	0	0	0	0	0	0	0	0	1
07:30	1	2	0	0	3	0	0	0	0	0	0	0	0	0	0	0
07:45	0	2	1	0	3	0	0	0	0	0	0	0	0	0	0	0
08:00	0	1	2	0	3	0	0	0	0	0	0	0	0	0	0	0
08:15	2	6	2	0	10	0	0	0	0	0	0	0	0	0	0	0
08:30	1	1	1	0	3	0	0	0	0	0	0	0	0	0	0	0
08:45	0	3	1	0	4	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	5	20	7	0	32	0	0	0	0	0	0	0	0	0	0	1

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

North Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
11:00	2	1	4	0	7	0	0	0	0	0	0	0	0	0	0	0
11:15	1	4	4	0	9	0	0	0	0	0	1	0	0	0	1	0
11:30	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	1
11:45	1	3	3	0	7	0	0	0	0	0	0	0	0	0	0	0
12:00	0	5	2	0	7	0	0	0	0	0	0	0	0	0	0	0
12:15	0	4	1	0	5	0	0	0	0	0	0	2	0	0	2	0
12:30	0	8	3	0	11	0	0	0	0	0	0	0	0	0	0	0
12:45	0	6	4	0	10	0	0	0	0	0	0	0	0	0	0	0
13:00	2	5	4	0	11	0	0	0	0	0	0	0	0	0	0	0
13:15	1	3	3	0	7	0	1	0	0	1	0	0	0	0	0	0
13:30	0	4	1	0	5	0	0	0	0	0	0	0	2	0	2	0
13:45	0	7	1	0	8	0	0	0	0	0	0	0	1	0	1	1
SUBTOTAL	7	53	30	0	90	0	1	0	0	1	1	2	3	0	6	2

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

North Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
15:00	2	12	0	0	14	0	0	0	0	0	0	0	1	0	1	0
15:15	1	9	3	0	13	0	0	0	0	0	0	1	1	0	2	0
15:30	4	7	1	0	12	0	0	0	0	0	0	0	0	0	0	0
15:45	0	8	2	0	10	0	0	0	0	0	0	0	0	0	0	1
16:00	1	8	3	0	12	0	0	0	0	0	0	0	0	0	0	0
16:15	0	13	3	0	16	0	0	0	0	0	0	0	0	0	0	0
16:30	1	8	2	0	11	1	0	0	0	1	0	0	0	0	0	0
16:45	0	7	5	0	12	0	0	0	0	0	0	0	0	1	1	1
17:00	0	5	9	0	14	0	0	0	0	0	0	0	0	0	0	0
17:15	0	3	6	0	9	0	0	0	0	0	0	0	0	0	0	0
17:30	2	3	4	0	9	0	0	0	0	0	0	0	0	0	0	0
17:45	0	2	2	0	4	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	11	85	40	0	136	1	0	0	0	1	0	1	2	1	4	2
GRAND TOTAL	23	158	77	0	258	1	1	0	0	2	1	3	5	1	10	5

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

South Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	1	2	0	0	3	0	0	0	0	0	0	0	0	0	0	1
07:15	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
07:30	0	7	0	0	7	0	0	0	0	0	0	0	0	0	0	0
07:45	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	2
08:00	1	8	0	0	9	0	0	0	0	0	0	0	0	0	0	1
08:15	0	4	1	0	5	0	0	0	0	0	0	0	0	0	0	2
08:30	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0
08:45	0	4	0	0	4	0	0	0	0	0	1	0	0	0	1	0
SUBTOTAL	2	30	3	0	35	0	0	0	0	0	1	0	0	0	1	6

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

South Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
11:00	1	4	2	0	7	0	0	0	0	0	0	1	0	0	1	1
11:15	1	2	2	0	5	1	0	0	0	1	0	0	0	0	0	0
11:30	1	5	0	0	6	0	0	0	0	0	0	0	0	0	0	1
11:45	2	9	4	0	15	0	1	0	0	1	0	0	0	0	0	0
12:00	5	3	2	0	10	0	0	0	0	0	0	0	0	0	0	0
12:15	0	4	1	0	5	0	0	0	0	0	0	0	0	0	0	0
12:30	1	2	0	0	3	0	0	0	0	0	0	0	0	0	0	1
12:45	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	2
13:00	0	7	4	0	11	0	0	0	0	0	0	0	0	0	0	2
13:15	1	3	0	0	4	0	0	0	0	0	0	0	0	0	0	0
13:30	1	7	2	0	10	0	0	0	0	0	0	0	0	0	0	0
13:45	5	3	0	0	8	0	0	0	0	0	0	0	0	0	0	1
SUBTOTAL	18	52	17	0	87	1	1	0	0	2	0	1	0	0	1	8

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

South Approach - Balaclava St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
15:00	1	6	0	0	7	0	0	0	0	0	0	0	0	0	0	0
15:15	1	10	2	0	13	0	1	0	0	1	0	0	0	0	0	1
15:30	0	3	2	0	5	0	1	0	0	1	0	0	0	0	0	2
15:45	2	5	2	0	9	0	0	0	0	0	0	0	0	0	0	0
16:00	4	5	1	0	10	1	0	0	0	1	2	0	0	0	2	0
16:15	2	6	1	0	9	0	0	0	0	0	0	0	0	0	0	0
16:30	1	4	0	0	5	0	0	0	0	0	0	0	0	0	0	0
16:45	2	5	0	0	7	0	0	0	0	0	0	0	0	0	0	0
17:00	4	8	2	0	14	0	0	0	0	0	0	0	0	0	0	1
17:15	2	1	0	0	3	0	0	0	0	0	0	0	0	0	0	0
17:30	3	2	1	0	6	0	0	0	0	0	0	0	0	0	0	1
17:45	5	3	1	0	9	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	27	58	12	0	97	1	2	0	0	3	2	0	0	0	2	5
GRAND TOTAL	47	140	32	0	219	2	3	0	0	5	3	1	0	0	4	19

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Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

East Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
07:00	1	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0
07:15	0	5	0	0	5	0	0	0	0	0	0	0	0	0	0	0
07:30	1	1	1	0	3	0	0	1	0	1	0	0	0	0	0	1
07:45	1	5	1	0	7	0	0	0	0	0	0	0	0	0	0	0
08:00	1	7	0	0	8	0	0	0	0	0	0	0	0	0	0	0
08:15	2	7	0	0	9	0	1	0	0	1	0	0	0	0	0	0
08:30	0	1	1	0	2	0	0	0	0	0	0	0	0	0	0	0
08:45	2	1	1	0	4	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	8	27	5	0	40	0	1	1	0	2	0	0	0	0	0	1

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

East Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
11:00	1	7	0	0	8	0	0	0	0	0	0	0	0	0	0	3
11:15	2	7	0	0	9	0	0	0	0	0	0	0	0	0	0	0
11:30	2	6	0	0	8	0	0	0	0	0	0	0	0	0	0	0
11:45	1	4	0	0	5	0	0	0	0	0	0	0	0	0	0	0
12:00	1	5	0	0	6	0	0	0	0	0	0	0	0	0	0	0
12:15	1	9	0	0	10	0	0	0	0	0	0	0	0	0	0	0
12:30	1	9	1	0	11	0	0	0	0	0	0	0	0	0	0	1
12:45	2	5	0	0	7	0	0	0	0	0	0	1	0	0	1	2
13:00	0	3	0	0	3	0	1	0	0	1	0	0	0	0	0	0
13:15	2	7	0	0	9	0	0	0	0	0	0	0	0	0	0	2
13:30	1	2	2	0	5	0	0	0	0	0	0	0	0	0	0	0
13:45	3	6	0	0	9	0	0	0	0	0	0	0	0	0	0	1
SUBTOTAL	17	70	3	0	90	0	1	0	0	1	0	1	0	0	1	9

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

East Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
15:00	2	8	1	0	11	0	0	0	0	0	0	4	0	0	4	0
15:15	0	6	1	0	7	1	0	0	0	1	0	0	1	0	1	1
15:30	1	3	0	0	4	0	0	0	0	0	0	4	0	0	4	0
15:45	1	8	1	0	10	0	0	0	0	0	0	0	0	0	0	0
16:00	2	11	1	0	14	0	0	0	0	0	1	0	0	0	1	0
16:15	1	9	2	0	12	0	0	0	0	0	0	0	0	0	0	1
16:30	3	12	2	0	17	0	0	0	0	0	0	0	0	0	0	0
16:45	1	4	0	0	5	0	0	0	0	0	0	0	0	0	0	1
17:00	1	5	2	0	8	0	0	0	0	0	0	0	0	0	0	0
17:15	1	4	0	0	5	0	0	0	0	0	0	0	1	0	1	0
17:30	1	5	1	0	7	0	0	0	0	0	0	0	0	0	0	0
17:45	1	7	2	0	10	0	0	0	0	0	0	0	1	0	1	0
SUBTOTAL	15	82	13	0	110	1	0	0	0	1	1	8	3	0	12	3
GRAND TOTAL	40	179	21	0	240	1	2	1	0	4	1	9	3	0	13	13

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

West Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
07:00	1	1	0	0	2	0	0	0	0	0	0	0	0	0	0	0
07:15	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
07:30	1	2	0	0	3	0	0	0	0	0	0	0	0	0	0	0
07:45	0	1	4	0	5	0	0	0	0	0	0	0	0	0	0	0
08:00	1	5	2	0	8	0	0	0	0	0	0	0	0	0	0	0
08:15	1	4	3	0	8	0	0	0	0	0	0	0	0	0	0	2
08:30	0	3	1	0	4	0	1	0	0	1	0	0	0	0	0	0
08:45	4	5	1	0	10	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	10	21	11	0	42	0	1	0	0	1	0	0	0	0	0	2

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

West Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
11:00	0	12	8	0	20	0	0	0	0	0	0	0	0	0	0	0
11:15	2	4	1	0	7	0	0	0	0	0	0	0	0	0	0	0
11:30	1	11	3	0	15	0	0	0	0	0	0	0	0	0	0	1
11:45	3	11	4	0	18	0	0	0	0	0	0	0	0	0	0	0
12:00	3	12	5	0	20	0	0	0	0	0	0	1	0	0	1	0
12:15	3	11	5	0	19	0	0	0	0	0	0	0	0	0	0	0
12:30	5	8	3	0	16	0	0	0	0	0	0	0	0	0	0	0
12:45	2	11	6	0	19	0	0	0	0	0	0	0	0	0	0	0
13:00	7	9	7	0	23	0	1	0	0	1	0	0	0	0	0	0
13:15	3	8	5	0	16	0	0	0	0	0	0	0	0	0	0	1
13:30	4	11	2	0	17	0	0	0	0	0	0	0	0	0	0	0
13:45	0	9	5	0	14	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	33	117	54	0	204	0	1	0	0	1	0	1	0	0	1	2

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Municipality: Amherstburg
Count Date: Jun 16, 2021

West Approach - Fort St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
15:00	4	16	6	0	26	0	0	0	0	0	0	0	0	0	0	0
15:15	8	11	0	0	19	0	0	0	0	0	0	0	0	0	0	0
15:30	0	11	9	0	20	0	0	0	0	0	0	2	0	0	2	0
15:45	5	11	5	0	21	0	0	0	0	0	0	0	0	0	0	2
16:00	2	16	3	0	21	0	0	0	0	0	0	0	1	0	1	1
16:15	4	8	9	0	21	0	0	0	0	0	0	1	0	0	1	2
16:30	2	16	2	0	20	0	0	0	0	0	0	0	0	0	0	0
16:45	1	12	8	0	21	0	0	0	0	0	0	0	0	0	0	0
17:00	4	12	6	0	22	0	0	0	0	0	0	0	1	0	1	0
17:15	2	14	5	0	21	0	0	0	0	0	0	3	0	0	3	0
17:30	5	11	6	0	22	0	0	0	0	0	0	0	0	0	0	0
17:45	0	12	6	0	18	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	37	150	65	0	252	0	0	0	0	0	0	6	2	0	8	5
GRAND TOTAL	80	288	130	0	498	0	2	0	0	2	0	7	2	0	9	9

Peak Hour Diagram

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Specified Period		One Hour Peak	
From:	07:00:00	From:	08:00:00
To:	09:00:00	To:	09:00:00

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Fort St runs E/W

North Approach

	Out	In	Total
Cars	20	24	44
Trucks	0	0	0
Bicycles	0	0	0
	20	**24**	**44**

Balaclava St S

Bicycles	0	0	0	0
Trucks	0	0	0	0
Cars	6	11	3	0
Totals	**6**	**11**	**3**	**0**

Peds: 0

East Approach

	Out	In	Total
Cars	23	23	46
Trucks	1	1	2
Bicycles	0	0	0
	24	**24**	**48**

Fort St

Bicycles	Trucks	Cars	Totals
0	0	0	**0**
0	0	6	**6**
0	1	17	**18**
0	0	7	**7**

Peds: 2

Peds: 0

Fort St

Totals	Cars	Trucks	Bicycles
0	0	0	0
2	2	0	0
17	16	1	0
5	5	0	0

Peds: 3

West Approach

	Out	In	Total
Cars	30	23	53
Trucks	1	1	2
Bicycles	0	1	1
	31	**25**	**56**

Totals	**2**	**16**	**3**	**0**
Cars	1	16	3	0
Trucks	0	0	0	0
Bicycles	1	0	0	0

Balaclava St S

South Approach

	Out	In	Total
Cars	20	23	43
Trucks	0	0	0
Bicycles	1	0	1
	21	**23**	**44**

Cars - Trucks - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021
Period: 07:00 - 09:00

Peak Hour Data (08:00 - 09:00)

Start Time	North Approach Balaclava St S						South Approach Balaclava St S						East Approach Fort St						West Approach Fort St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
08:00	0	1	2	0	0	3	1	8	0	0	1	9	1	7	0	0	0	8	1	5	2	0	0	8	28
08:15	2	6	2	0	0	10	0	4	1	0	2	5	2	8	0	0	0	10	1	4	3	0	2	8	33
08:30	1	1	1	0	0	3	0	0	2	0	0	2	0	1	1	0	0	2	0	4	1	0	0	5	12
08:45	0	3	1	0	0	4	1	4	0	0	0	5	2	1	1	0	0	4	4	5	1	0	0	10	23
Grand Total	**3**	**11**	**6**	**0**	**0**	**20**	**2**	**16**	**3**	**0**	**3**	**21**	**5**	**17**	**2**	**0**	**0**	**24**	**6**	**18**	**7**	**0**	**2**	**31**	**96**
Approach %	15	55	30	0		-	9.5	76.2	14.3	0		-	20.8	70.8	8.3	0		-	19.4	58.1	22.6	0		-	
Totals %	3.1	11.5	6.3	0		20.8	2.1	16.7	3.1	0		21.9	5.2	17.7	2.1	0		25	6.3	18.8	7.3	0		32.3	
PHF	**0.38**	**0.46**	**0.75**	**0**		**0.5**	**0.5**	**0.5**	**0.38**	**0**		**0.58**	**0.63**	**0.53**	**0.5**	**0**		**0.6**	**0.38**	**0.9**	**0.58**	**0**		**0.78**	**0.73**
Cars	3	11	6	0		20	1	16	3	0		20	5	16	2	0		23	6	17	7	0		30	93
% Cars	100	100	100	0		100	50	100	100	0		95.2	100	94.1	100	0		95.8	100	94.4	100	0		96.8	96.9
Trucks	0	0	0	0		0	0	0	0	0		0	0	1	0	0		1	0	1	0	0		1	2
% Trucks	0	0	0	0		0	0	0	0	0		0	0	5.9	0	0		4.2	0	5.6	0	0		3.2	2.1
Bicycles	0	0	0	0		0	1	0	0	0		1	0	0	0	0		0	0	0	0	0		0	1
% Bicycles	0	0	0	0		0	50	0	0	0		4.8	0	0	0	0		0	0	0	0	0		0	1
Peds					0	-					3	-					0	-					2	-	5
% Peds					0	-					60	-					0	-					40	-	

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Diagram

Specified Period		One Hour Peak	
From:	11:00:00	From:	11:45:00
To:	14:00:00	To:	12:45:00

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Fort St runs E/W

North Approach

	Out	In	Total
Cars	30	33	63
Trucks	0	1	1
Bicycles	2	0	2
	32	**34**	**66**

Balaclava St S

Bicycles	0	2	0	0
Trucks	0	0	0	0
Cars	9	20	1	0
Totals	**9**	**22**	**1**	**0**

East Approach

	Out	In	Total
Cars	32	50	82
Trucks	0	0	0
Bicycles	0	1	1
	32	**51**	**83**

Fort St

Bicycles	Trucks	Cars	Totals
0	0	0	**0**
0	0	14	**14**
1	0	42	**43**
0	0	17	**17**

Peds: 0

Peds: 0

Peds: 1

Peds: 1

Fort St

	Totals	Cars	Trucks	Bicycles
	0	0	0	0
	1	1	0	0
	27	27	0	0
	4	4	0	0

West Approach

	Out	In	Total
Cars	73	44	117
Trucks	0	0	0
Bicycles	1	0	1
	74	**44**	**118**

Balaclava St S

Totals	**8**	**19**	**7**	**0**
Cars	8	18	7	0
Trucks	0	1	0	0
Bicycles	0	0	0	0

South Approach

	Out	In	Total
Cars	33	41	74
Trucks	1	0	1
Bicycles	0	2	2
	34	**43**	**77**

- Cars - Trucks - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021
Period: 11:00 - 14:00

Peak Hour Data (11:45 - 12:45)

Start Time	North Approach Balaclava St S						South Approach Balaclava St S						East Approach Fort St						West Approach Fort St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
11:45	1	3	3	0	0	7	2	10	4	0	0	16	1	4	0	0	0	5	3	11	4	0	0	18	46
12:00	0	5	2	0	0	7	5	3	2	0	0	10	1	5	0	0	0	6	3	13	5	0	0	21	44
12:15	0	6	1	0	0	7	0	4	1	0	0	5	1	9	0	0	0	10	3	11	5	0	0	19	41
12:30	0	8	3	0	0	11	1	2	0	0	1	3	1	9	1	0	1	11	5	8	3	0	0	16	41
Grand Total	**1**	**22**	**9**	**0**	**0**	**32**	**8**	**19**	**7**	**0**	**1**	**34**	**4**	**27**	**1**	**0**	**1**	**32**	**14**	**43**	**17**	**0**	**0**	**74**	**172**
Approach %	3.1	68.8	28.1	0		-	23.5	55.9	20.6	0		-	12.5	84.4	3.1	0		-	18.9	58.1	23	0		-	
Totals %	0.6	12.8	5.2	0		18.6	4.7	11	4.1	0		19.8	2.3	15.7	0.6	0		18.6	8.1	25	9.9	0		43	
PHF	**0.25**	**0.69**	**0.75**	**0**		**0.73**	**0.4**	**0.48**	**0.44**	**0**		**0.53**	**1**	**0.75**	**0.25**	**0**		**0.73**	**0.7**	**0.83**	**0.85**	**0**		**0.88**	**0.93**
Cars	1	20	9	0		30	8	18	7	0		33	4	27	1	0		32	14	42	17	0		73	168
% Cars	100	90.9	100	0		93.8	100	94.7	100	0		97.1	100	100	100	0		100	100	97.7	100	0		98.6	97.7
Trucks	0	0	0	0		0	0	1	0	0		1	0	0	0	0		0	0	0	0	0		0	1
% Trucks	0	0	0	0		0	0	5.3	0	0		2.9	0	0	0	0		0	0	0	0	0		0	0.6
Bicycles	0	2	0	0		2	0	0	0	0		0	0	0	0	0		0	0	1	0	0		1	3
% Bicycles	0	9.1	0	0		6.3	0	0	0	0		0	0	0	0	0		0	0	2.3	0	0		1.4	1.7
Peds					0	-					1	-					1	-					0	-	2
% Peds					0	-					50	-					50	-					0	-	

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Diagram

Specified Period		One Hour Peak	
From:	15:00:00	From:	15:45:00
To:	18:00:00	To:	16:45:00

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021

Weather conditions: Clear

**** Unsignalized Intersection **** **Major Road:** Fort St runs E/W

North Approach

	Out	In	Total
Cars	49	39	88
Trucks	1	0	1
Bicycles	0	0	0
	50	**39**	**89**

Balaclava St S

Bicycles	0	0	0	0
Trucks	0	0	1	0
Cars	10	37	2	0
Totals	**10**	**37**	**3**	**0**

East Approach

	Out	In	Total
Cars	53	57	110
Trucks	0	1	1
Bicycles	1	1	2
	54	**59**	**113**

Fort St

Bicycles	Trucks	Cars	Totals
0	0	0	**0**
0	0	13	**13**
1	0	51	**52**
1	0	19	**20**

Peds: 5

Peds: 1

Peds: 1

Peds: 0

Fort St

Totals	Cars	Trucks	Bicycles
0	0	0	0
6	6	0	0
40	40	0	0
8	7	0	1

West Approach

	Out	In	Total
Cars	83	59	142
Trucks	0	1	1
Bicycles	2	2	4
	85	**62**	**147**

Balaclava St S

Totals	**12**	**20**	**4**	**0**
Cars	9	20	4	0
Trucks	1	0	0	0
Bicycles	2	0	0	0

South Approach

	Out	In	Total
Cars	33	63	96
Trucks	1	0	1
Bicycles	2	2	4
	36	**65**	**101**

Cars - Trucks - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Balaclava St S & Fort St
Site Code: 2107800021
Count Date: Jun 16, 2021
Period: 15:00 - 18:00

Peak Hour Data (15:45 - 16:45)

Start Time	North Approach Balaclava St S						South Approach Balaclava St S						East Approach Fort St						West Approach Fort St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
15:45	0	8	2	0	1	10	2	5	2	0	0	9	1	8	1	0	0	10	5	11	5	0	2	21	50
16:00	1	8	3	0	0	12	7	5	1	0	0	13	3	11	1	0	0	15	2	16	4	0	1	22	62
16:15	0	13	3	0	0	16	2	6	1	0	0	9	1	9	2	0	1	12	4	9	9	0	2	22	59
16:30	2	8	2	0	0	12	1	4	0	0	0	5	3	12	2	0	0	17	2	16	2	0	0	20	54
Grand Total	**3**	**37**	**10**	**0**	**1**	**50**	**12**	**20**	**4**	**0**	**0**	**36**	**8**	**40**	**6**	**0**	**1**	**54**	**13**	**52**	**20**	**0**	**5**	**85**	**225**
Approach %	6	74	20	0		-	33.3	55.6	11.1	0		-	14.8	74.1	11.1	0		-	15.3	61.2	23.5	0		-	
Totals %	1.3	16.4	4.4	0		22.2	5.3	8.9	1.8	0		16	3.6	17.8	2.7	0		24	5.8	23.1	8.9	0		37.8	
PHF	**0.38**	**0.71**	**0.83**	**0**		**0.78**	**0.43**	**0.83**	**0.5**	**0**		**0.69**	**0.67**	**0.83**	**0.75**	**0**		**0.79**	**0.65**	**0.81**	**0.56**	**0**		**0.97**	**0.91**
Cars	2	37	10	0		49	9	20	4	0		33	7	40	6	0		53	13	51	19	0		83	218
% Cars	66.7	100	100	0		98	75	100	100	0		91.7	87.5	100	100	0		98.1	100	98.1	95	0		97.6	96.9
Trucks	1	0	0	0		1	1	0	0	0		1	0	0	0	0		0	0	0	0	0		0	2
% Trucks	33.3	0	0	0		2	8.3	0	0	0		2.8	0	0	0	0		0	0	0	0	0		0	0.9
Bicycles	0	0	0	0		0	2	0	0	0		2	1	0	0	0		1	0	1	1	0		2	5
% Bicycles	0	0	0	0		0	16.7	0	0	0		5.6	12.5	0	0	0		1.9	0	1.9	5	0		2.4	2.2
Peds					1	-					0	-					1	-					5	-	7
% Peds					14.3	-					0	-					14.3	-					71.4	-	

P: 437-242-5183
E: robin.marinac@cghtransportation.com

From: Robin Marinac
Sent: January 13, 2022 11:49 AM
To: fgarardo@amherstburg.ca
Subject: Traffic Data Request - Sandwich Street TIS and Parking Study

Hi Frank,

I am a traffic consultant looking to obtain traffic and transportation data for use in a TIS for 131 Sandwich Street – a site I believe you are familiar with. I apologize if you are not the correct person to contact for this information and ask that you please forward my request to the appropriate individual.

Could you please provide the following data if available:

- TMC at Sandwich Street South and Fort Street We do not track this
- TMC at North Street and Sandwich Street South We do not track this
- TMC at Sandwich Street South and the parking lot access shown in the figure below We do not track this
- STP for the Signalized Pedestrian Crossing on Sandwich Street, approximately 75 metres south of Fort Street Unfamiliar with STP terminology
- Any ATR/AADT counts along Sandwich Street between Maple Avenue and Rankin Avenue Refer to County of Essex mapping data for Sandwich Street information (if any)
- Any ATR/AADT counts along Fort Street between Sandwich Street and Balaclava Street 1400 – 2016 (2021 counts skewed by pandemic)
- Any ATR/AADT counts along North Street between Sandwich Street and Dalhousie Street 700 – 2016 (2021 counts skewed by pandemic)
- Any collision data (preferably over the past 5 years) at the intersections of Sandwich Street at Fort Street and Sandwich Street and North Street. Do not track
- Any collision data (preferably over the past 5 years) along Sandwich Street between Maple Avenue and Rankin Avenue Do not track
- Any collision data (preferably over the past 5 years) along Fort Street between Sandwich Street and Balaclava Street Do not track
- Any collision data (preferably over the past 5 years) along North Street between Sandwich Street and Dalhousie Street Do not track

Thank you very much in advance for your help.

Kind regards,
Robin Marinac

Robin Marinac, EIT
CGH Transportation Inc.
P: 437-242-5183
E: robin.marinac@cghtransportation.com

Appendix D

Heavy Vehicle Percentage Calculations

[1] Sandwich Street S & Fort Street												
AM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	0	11	1	0	19	0	0	0	0	1	0	0
Total Volume	0	335	46	20	454	0	0	0	0	12	0	15
HV%	-	3%	2%	0%	4%	-	-	-	-	8%	-	0%
PM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	0	8	0	0	3	0	0	0	0	0	0	0
Total Volume	0	550	68	12	563	0	0	0	0	36	0	21
HV%	-	1%	0%	0%	1%	-	-	-	-	0%	-	0%

[2] Sandwich Street S & Parking Lot Driveway												
AM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	0	12	0	0	20	0	0	0	0	0	0	0
Total Volume	0	362	27	13	453	0	0	0	0	1	0	19
HV%	-	3%	0%	0%	4%	-	-	-	-	0%	-	0%
PM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	0	8	0	0	3	0	0	0	0	0	0	0
Total Volume	0	616	5	0	599	0	0	0	0	3	0	2
HV%	-	1%	0%	#DIV/0!	1%	-	-	-	-	0%	-	0%

[3] Sandwich Street S & North Street / 165 Sandwich Street S												
AM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	4	11	0	0	20	1	0	0	0	0	0	0
Total Volume	53	382	4	5	432	23	2	0	15	1	0	0
HV%	8%	3%	0%	0%	5%	4%	0%	-	0%	0%	-	-
PM												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
HV Volume	0	8	0	0	3	0	0	0	0	0	0	0
Total Volume	3	615	0	2	594	6	3	0	4	3	0	3
HV%	0%	1%	-	0%	1%	0%	0%	-	0%	0%	-	0%

Appendix E

2022 Existing Synchro & SimTraffic Worksheets

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	14	18	386	53	23	523
Future Volume (vph)	14	18	386	53	23	523
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.984			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1653	1566	1797	0	1750	1807
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1653	1566	1797	0	1750	1807
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)		1		5	5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	8%	2%	3%	2%	2%	4%
Adj. Flow (vph)	15	19	406	56	24	551
Shared Lane Traffic (%)						
Lane Group Flow (vph)	15	19	462	0	24	551
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 37.9%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	14	18	386	53	23	523
Future Vol, veh/h	14	18	386	53	23	523
Conflicting Peds, #/hr	0	1	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	8	2	3	2	2	4
Mvmt Flow	15	19	406	56	24	551

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1038	440	0	0	467	0
Stage 1	439	-	-	-	-	-
Stage 2	599	-	-	-	-	-
Critical Hdwy	6.48	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.48	-	-	-	-	-
Critical Hdwy Stg 2	5.48	-	-	-	-	-
Follow-up Hdwy	3.572	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	249	617	-	-	1094	-
Stage 1	637	-	-	-	-	-
Stage 2	537	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	242	614	-	-	1089	-
Mov Cap-2 Maneuver	371	-	-	-	-	-
Stage 1	634	-	-	-	-	-
Stage 2	525	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.8	0	0.4
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	371	614	1089	-
HCM Lane V/C Ratio	-	-	0.04	0.031	0.022	-
HCM Control Delay (s)	-	-	15.1	11.1	8.4	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0.1	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	2	22	417	32	15	521
Future Volume (vph)	2	22	417	32	15	521
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.876		0.990			
Flt Protected	0.996				0.950	
Satd. Flow (prot)	1607	0	1807	0	1750	1807
Flt Permitted	0.996				0.950	
Satd. Flow (perm)	1607	0	1807	0	1750	1807
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		37.5			44.2
Travel Time (s)	16.0		2.7			3.2
Confl. Peds. (#/hr)				19	19	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	2%	3%	2%	2%	4%
Adj. Flow (vph)	2	23	434	33	16	543
Shared Lane Traffic (%)						
Lane Group Flow (vph)	25	0	467	0	16	543
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 37.4%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	2	22	417	32	15	521
Future Vol, veh/h	2	22	417	32	15	521
Conflicting Peds, #/hr	0	0	0	19	19	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	3	2	2	4
Mvmt Flow	2	23	434	33	16	543

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1045	470	0	0	486	0
Stage 1	470	-	-	-	-	-
Stage 2	575	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	253	594	-	-	1077	-
Stage 1	629	-	-	-	-	-
Stage 2	563	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	245	583	-	-	1058	-
Mov Cap-2 Maneuver	378	-	-	-	-	-
Stage 1	618	-	-	-	-	-
Stage 2	555	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.8	0	0.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	558	1058	-
HCM Lane V/C Ratio	-	-	0.045	0.015	-
HCM Control Delay (s)	-	-	11.8	8.5	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	3	0	18	2	0	0	61	440	5	6	497	27
Future Volume (vph)	3	0	18	2	0	0	61	440	5	6	497	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.883						0.998			0.992	
Flt Protected		0.994			0.950		0.950			0.950		
Satd. Flow (prot)	0	1455	0	0	1750	0	1653	1821	0	1750	1776	0
Flt Permitted		0.994			0.950		0.950			0.950		
Satd. Flow (perm)	0	1455	0	0	1750	0	1653	1821	0	1750	1776	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			121.9	
Travel Time (s)		9.2			7.1			6.2			8.8	
Confl. Peds. (#/hr)			1	1			9		26	26		9
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%	8%	3%	2%	2%	5%	4%
Parking (#/hr)		0										
Adj. Flow (vph)	3	0	20	2	0	0	68	489	6	7	552	30
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	23	0	0	2	0	68	495	0	7	582	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 44.9%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	3	0	18	2	0	0	61	440	5	6	497	27
Future Vol, veh/h	3	0	18	2	0	0	61	440	5	6	497	27
Conflicting Peds, #/hr	0	0	1	1	0	0	9	0	26	26	0	9
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	8	3	2	2	5	4
Mvmt Flow	3	0	20	2	0	0	68	489	6	7	552	30

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1218	1247	577	1246	1259	518	591	0	0	521	0	0
Stage 1	590	590	-	654	654	-	-	-	-	-	-	-
Stage 2	628	657	-	592	605	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.18	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.272	-	-	2.218	-	-
Pot Cap-1 Maneuver	157	173	516	151	171	558	956	-	-	1045	-	-
Stage 1	494	495	-	456	463	-	-	-	-	-	-	-
Stage 2	471	462	-	493	487	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	146	154	511	133	153	544	948	-	-	1020	-	-
Mov Cap-2 Maneuver	146	154	-	133	153	-	-	-	-	-	-	-
Stage 1	454	488	-	413	419	-	-	-	-	-	-	-
Stage 2	437	419	-	470	480	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	15.2	32.5	1.1	0.1
HCM LOS	C	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	948	-	-	377	133	1020	-	-
HCM Lane V/C Ratio	0.071	-	-	0.062	0.017	0.007	-	-
HCM Control Delay (s)	9.1	-	-	15.2	32.5	8.6	-	-
HCM Lane LOS	A	-	-	C	D	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.2	0.1	0	-	-

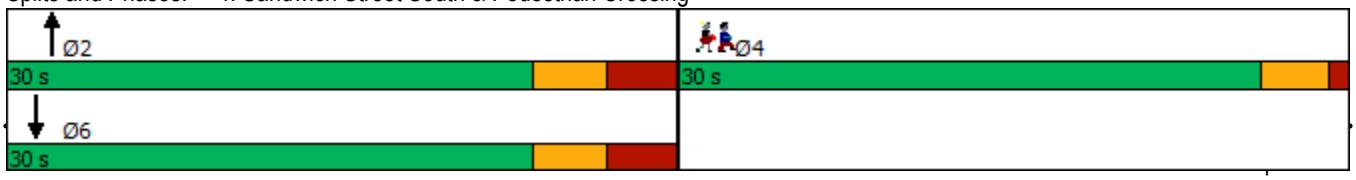
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	449	0	0	523	0
Future Volume (vph)	0	0	0	0	0	0	0	449	0	0	523	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		27.0			26.6			121.9			37.5	
Travel Time (s)		1.9			1.9			8.8			2.7	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	0	0	0	0	0	0	468	0	0	545	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	468	0	0	545	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								24.5			24.5	
Total Split (s)								30.0			30.0	
Total Split (%)								50.0%			50.0%	
Maximum Green (s)								23.5			23.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								42.1			42.1	
Actuated g/C Ratio								0.61			0.61	
v/c Ratio								0.42			0.48	
Control Delay								12.5			13.5	
Queue Delay								0.0			0.0	
Total Delay								12.5			13.5	
LOS								B			B	
Approach Delay								12.5			13.5	
Approach LOS								B			B	
Queue Length 50th (m)								40.5			49.9	
Queue Length 95th (m)								63.8			77.9	
Internal Link Dist (m)		3.0			2.6			97.9			13.5	
Turn Bay Length (m)												
Base Capacity (vph)								1124			1124	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.42			0.48	

Intersection Summary	
Area Type:	Other
Cycle Length: 60	
Actuated Cycle Length: 69	
Natural Cycle: 60	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.48	
Intersection Signal Delay: 13.1	Intersection LOS: B
Intersection Capacity Utilization 32.9%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	50%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	137
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	42	25	633	79	14	648
Future Volume (vph)	42	25	633	79	14	648
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.985			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1750	1566	1814	0	1750	1842
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1750	1566	1814	0	1750	1842
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)	1			5	5	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	43	26	653	81	14	668
Shared Lane Traffic (%)						
Lane Group Flow (vph)	43	26	734	0	14	668
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 48.2%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	42	25	633	79	14	648
Future Vol, veh/h	42	25	633	79	14	648
Conflicting Peds, #/hr	1	0	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	43	26	653	81	14	668

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1396	699	0	0	739	0
Stage 1	699	-	-	-	-	-
Stage 2	697	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	156	440	-	-	867	-
Stage 1	493	-	-	-	-	-
Stage 2	494	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	153	438	-	-	863	-
Mov Cap-2 Maneuver	293	-	-	-	-	-
Stage 1	491	-	-	-	-	-
Stage 2	486	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	17.3	0	0.2
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	293	438	863	-
HCM Lane V/C Ratio	-	-	0.148	0.059	0.017	-
HCM Control Delay (s)	-	-	19.4	13.7	9.2	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.5	0.2	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	4	3	709	6	0	689
Future Volume (vph)	4	3	709	6	0	689
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.942		0.999			
Flt Protected	0.972					
Satd. Flow (prot)	1687	0	1840	0	1842	1842
Flt Permitted	0.972					
Satd. Flow (perm)	1687	0	1840	0	1842	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		35.2			44.2
Travel Time (s)	16.0		2.5			3.2
Confl. Peds. (#/hr)	4	1		4	4	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	4	3	723	6	0	703
Shared Lane Traffic (%)						
Lane Group Flow (vph)	7	0	729	0	0	703
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization	48.0%	ICU Level of Service	A
Analysis Period (min)	15		

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	4	3	709	6	0	689
Future Vol, veh/h	4	3	709	6	0	689
Conflicting Peds, #/hr	4	1	0	4	4	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	4	3	723	6	0	703

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1437	731	0	0	733	0
Stage 1	730	-	-	-	-	-
Stage 2	707	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	147	422	-	-	872	-
Stage 1	477	-	-	-	-	-
Stage 2	489	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	146	420	-	-	869	-
Mov Cap-2 Maneuver	286	-	-	-	-	-
Stage 1	475	-	-	-	-	-
Stage 2	487	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	16.1	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	331	869	-
HCM Lane V/C Ratio	-	-	0.022	-	-
HCM Control Delay (s)	-	-	16.1	0	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	4	0	5	4	0	4	4	708	0	3	684	7
Future Volume (vph)	4	0	5	4	0	4	4	708	0	3	684	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.925			0.932						0.999	
Flt Protected		0.978			0.976		0.950			0.950		
Satd. Flow (prot)	0	1500	0	0	1676	0	1750	1842	0	1750	1840	0
Flt Permitted		0.978			0.976		0.950			0.950		
Satd. Flow (perm)	0	1500	0	0	1676	0	1750	1842	0	1750	1840	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			124.2	
Travel Time (s)		9.2			7.1			6.2			8.9	
Confl. Peds. (#/hr)							8		1	1		8
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Parking (#/hr)		0										
Adj. Flow (vph)	4	0	5	4	0	4	4	722	0	3	698	7
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	9	0	0	8	0	4	722	0	3	705	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 47.3%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	4	0	5	4	0	4	4	708	0	3	684	7
Future Vol, veh/h	4	0	5	4	0	4	4	708	0	3	684	7
Conflicting Peds, #/hr	0	0	0	0	0	0	8	0	1	1	0	8
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	0	5	4	0	4	4	722	0	3	698	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1448	1447	710	1441	1450	723	713	0	0	723	0	0
Stage 1	716	716	-	731	731	-	-	-	-	-	-	-
Stage 2	732	731	-	710	719	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	109	131	434	110	131	426	887	-	-	879	-	-
Stage 1	421	434	-	413	427	-	-	-	-	-	-	-
Stage 2	413	427	-	424	433	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	106	129	431	108	129	426	880	-	-	878	-	-
Mov Cap-2 Maneuver	106	129	-	108	129	-	-	-	-	-	-	-
Stage 1	416	430	-	411	424	-	-	-	-	-	-	-
Stage 2	407	424	-	418	429	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	25.8	27	0.1	0
HCM LOS	D	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	880	-	-	182	172	878	-	-
HCM Lane V/C Ratio	0.005	-	-	0.05	0.047	0.003	-	-
HCM Control Delay (s)	9.1	-	-	25.8	27	9.1	-	-
HCM Lane LOS	A	-	-	D	D	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.2	0.1	0	-	-

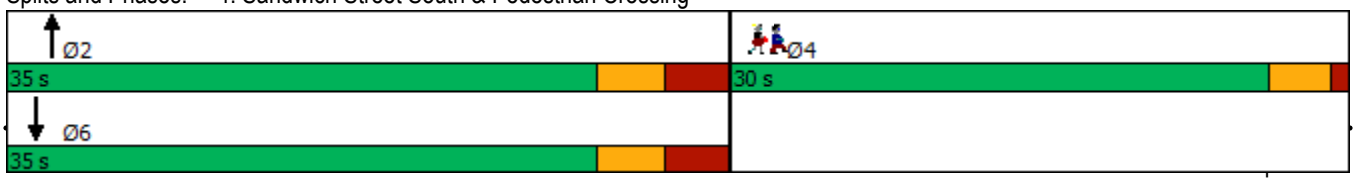
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	715	0	0	693	0
Future Volume (vph)	0	0	0	0	0	0	0	715	0	0	693	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		31.3			34.9			124.2			35.2	
Travel Time (s)		2.3			2.5			8.9			2.5	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	0	0	0	0	0	0	0	730	0	0	707	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	730	0	0	707	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								32.5			24.5	
Total Split (s)								35.0			35.0	
Total Split (%)								53.8%			53.8%	
Maximum Green (s)								28.5			28.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								50.9			50.9	
Actuated g/C Ratio								0.91			0.91	
v/c Ratio								0.44			0.42	
Control Delay								5.5			5.3	
Queue Delay								0.0			0.0	
Total Delay								5.5			5.3	
LOS								A			A	
Approach Delay								5.5			5.3	
Approach LOS								A			A	
Queue Length 50th (m)								0.0			0.0	
Queue Length 95th (m)								119.8			113.5	
Internal Link Dist (m)		7.3			10.9			100.2			11.2	
Turn Bay Length (m)												
Base Capacity (vph)								1674			1674	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.44			0.42	

Intersection Summary	
Area Type:	Other
Cycle Length: 65	
Actuated Cycle Length: 56	
Natural Cycle: 65	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.44	
Intersection Signal Delay: 5.4	Intersection LOS: A
Intersection Capacity Utilization 43.0%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	46%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	4
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	16.6	11.5	2.7	12.8	39.2
Average Queue (m)	3.1	4.1	0.1	2.8	2.4
95th Queue (m)	10.8	11.7	1.7	10.1	17.5
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)					0
Queuing Penalty (veh)					0
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	1	0			0
Queuing Penalty (veh)	0	0			0

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	12.7	1.8	17.4	54.6
Average Queue (m)	4.9	0.1	1.3	14.2
95th Queue (m)	12.4	1.3	8.3	42.4
Link Distance (m)	124.3	25.9		30.4
Upstream Blk Time (%)			0	4
Queuing Penalty (veh)			0	19
Storage Bay Dist (m)			15.0	
Storage Blk Time (%)			0	7
Queuing Penalty (veh)			0	1

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South Driveway

Movement	EB	WB	NB	NB	SB	SB
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (m)	12.8	7.3	18.8	10.2	8.9	2.9
Average Queue (m)	4.3	0.5	6.2	0.3	0.6	0.1
95th Queue (m)	12.0	3.8	15.9	4.7	4.4	1.5
Link Distance (m)	118.7	50.2		79.6		111.9
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (m)			10.0		30.0	
Storage Blk Time (%)			6	0		
Queuing Penalty (veh)			24	0		

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	80.1	50.0
Average Queue (m)	40.5	38.7
95th Queue (m)	67.0	54.3
Link Distance (m)	111.9	25.9
Upstream Blk Time (%)		22
Queuing Penalty (veh)		117
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 162

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	18.7	14.3	7.9	10.3	3.3
Average Queue (m)	7.3	5.4	0.4	2.6	0.1
95th Queue (m)	15.9	13.8	3.9	9.4	1.7
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	1	0			
Queuing Penalty (veh)	0	0			

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB
Directions Served	LR	TR	T
Maximum Queue (m)	10.0	10.3	19.8
Average Queue (m)	1.7	0.5	2.3
95th Queue (m)	7.3	5.1	13.9
Link Distance (m)	124.3	24.5	30.4
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	1
Storage Bay Dist (m)			
Storage Blk Time (%)			1
Queuing Penalty (veh)			0

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South Driveway

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (m)	9.2	13.1	9.0	3.5
Average Queue (m)	2.8	2.7	0.7	0.2
95th Queue (m)	9.5	10.2	4.5	2.5
Link Distance (m)	118.7	50.2		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (m)			10.0	30.0
Storage Blk Time (%)			0	
Queuing Penalty (veh)			2	

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	66.5	39.4
Average Queue (m)	5.2	3.6
95th Queue (m)	31.8	22.1
Link Distance (m)	114.0	24.5
Upstream Blk Time (%)		1
Queuing Penalty (veh)		8
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 12

Appendix F

Signal Warrants

Sandwich St S & Fort St
2023 FB

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	627	87%	22%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	38	22%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	602	84%	19%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	14	19%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & Parking Lot Driveway
2023 FB

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	617	86%	7%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	12	7%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	609	85%	2%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	2	2%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & North St
2023 FB

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	633	88%	6%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	10	6%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	623	86%	4%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	3	4%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & Fort St
2023 FT

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	635	88%	23%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	39	23%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	609	85%	20%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	15	20%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & Parking Lot Driveway
2023 FT

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	629	87%	11%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	18	11%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	617	86%	5%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	4	5%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & North St
2023 FT

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	643	89%	6%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	11	6%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	632	88%	5%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	4	5%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & Access #1
2023 FT

Justification #7

Justification	Description	Minimum Requirement 1 Lane Highway		Minimum Requirement 2 or More Lanes		Compliance Sectional		Compliance Entire %	Signal
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	617	86%	3%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	6	3%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	613	85%	3%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	2	3%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Sandwich St S & Access #2
2023 FT

Justification #7

Justification	Description	Minimum Requirement		Minimum Requirement		Compliance			Signal
		1 Lane Highway		2 or More Lanes		Sectional		Entire %	
		Free Flow	Restr. Flow	Free Flow	Restr. Flow	Numerical	%		
1. Minimum Vehicular Volume	A. Vehicle volume, all approaches (average hour)	480	720	600	900	621	86%	3%	No
	B. Vehicle volume, along minor streets (average hour)	120	170	120	170	5	3%		
2. Delay to Cross Traffic	A. Vehicle volumes, major street (average hour)	480	720	600	900	618	86%	2%	No
	B. Combined vehicle and pedestrian volume crossing artery from minor streets (average hour)	50	75	50	75	2	2%		

Notes
1. Refer to OTM Book 12, pg 92, Mar 2012
2. Lowest section percentage governs justification
3. Average hourly volumes estimated from peak hour volumes, AHV = PM/2 or (AM + PM) / 4, including amplifcation factors
4. T-intersection factor corrected, applies only to 1B

Appendix G

2023 Future Background Synchro & SimTraffic Worksheets

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	14	18	394	54	23	533
Future Volume (vph)	14	18	394	54	23	533
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.984			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1653	1566	1797	0	1750	1807
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1653	1566	1797	0	1750	1807
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)		1		5	5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	8%	2%	3%	2%	2%	4%
Adj. Flow (vph)	15	19	415	57	24	561
Shared Lane Traffic (%)						
Lane Group Flow (vph)	15	19	472	0	24	561
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 38.4%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	14	18	394	54	23	533
Future Vol, veh/h	14	18	394	54	23	533
Conflicting Peds, #/hr	0	1	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	8	2	3	2	2	4
Mvmt Flow	15	19	415	57	24	561

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1058	450	0	0	477	0
Stage 1	449	-	-	-	-	-
Stage 2	609	-	-	-	-	-
Critical Hdwy	6.48	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.48	-	-	-	-	-
Critical Hdwy Stg 2	5.48	-	-	-	-	-
Follow-up Hdwy	3.572	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	242	609	-	-	1085	-
Stage 1	631	-	-	-	-	-
Stage 2	531	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	235	606	-	-	1080	-
Mov Cap-2 Maneuver	365	-	-	-	-	-
Stage 1	628	-	-	-	-	-
Stage 2	519	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.9	0	0.3
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	365	606	1080	-
HCM Lane V/C Ratio	-	-	0.04	0.031	0.022	-
HCM Control Delay (s)	-	-	15.3	11.1	8.4	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0.1	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	2	22	425	33	15	531
Future Volume (vph)	2	22	425	33	15	531
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.876		0.990			
Flt Protected	0.996				0.950	
Satd. Flow (prot)	1607	0	1807	0	1750	1807
Flt Permitted	0.996				0.950	
Satd. Flow (perm)	1607	0	1807	0	1750	1807
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		37.5			44.2
Travel Time (s)	16.0		2.7			3.2
Confl. Peds. (#/hr)				19	19	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	2%	3%	2%	2%	4%
Adj. Flow (vph)	2	23	443	34	16	553
Shared Lane Traffic (%)						
Lane Group Flow (vph)	25	0	477	0	16	553
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 37.9%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	2	22	425	33	15	531
Future Vol, veh/h	2	22	425	33	15	531
Conflicting Peds, #/hr	0	0	0	19	19	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	3	2	2	4
Mvmt Flow	2	23	443	34	16	553

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1064	479	0	0	496	0
Stage 1	479	-	-	-	-	-
Stage 2	585	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	247	587	-	-	1068	-
Stage 1	623	-	-	-	-	-
Stage 2	557	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	239	577	-	-	1049	-
Mov Cap-2 Maneuver	373	-	-	-	-	-
Stage 1	612	-	-	-	-	-
Stage 2	549	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.8	0	0.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	552	1049	-
HCM Lane V/C Ratio	-	-	0.045	0.015	-
HCM Control Delay (s)	-	-	11.8	8.5	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	3	0	18	2	0	0	62	449	5	6	507	28
Future Volume (vph)	3	0	18	2	0	0	62	449	5	6	507	28
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.883						0.998			0.992	
Flt Protected		0.994			0.950		0.950			0.950		
Satd. Flow (prot)	0	1455	0	0	1750	0	1653	1821	0	1750	1776	0
Flt Permitted		0.994			0.950		0.950			0.950		
Satd. Flow (perm)	0	1455	0	0	1750	0	1653	1821	0	1750	1776	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			121.9	
Travel Time (s)		9.2			7.1			6.2			8.8	
Confl. Peds. (#/hr)			1	1			9		26	26		9
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%	8%	3%	2%	2%	5%	4%
Parking (#/hr)		0										
Adj. Flow (vph)	3	0	20	2	0	0	69	499	6	7	563	31
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	23	0	0	2	0	69	505	0	7	594	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 45.5%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	3	0	18	2	0	0	62	449	5	6	507	28
Future Vol, veh/h	3	0	18	2	0	0	62	449	5	6	507	28
Conflicting Peds, #/hr	0	0	1	1	0	0	9	0	26	26	0	9
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	8	3	2	2	5	4
Mvmt Flow	3	0	20	2	0	0	69	499	6	7	563	31

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1242	1271	589	1270	1283	528	603	0	0	531	0	0
Stage 1	602	602	-	666	666	-	-	-	-	-	-	-
Stage 2	640	669	-	604	617	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.18	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.272	-	-	2.218	-	-
Pot Cap-1 Maneuver	152	168	508	145	165	550	946	-	-	1036	-	-
Stage 1	486	489	-	449	457	-	-	-	-	-	-	-
Stage 2	464	456	-	485	481	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	142	150	503	127	147	537	938	-	-	1011	-	-
Mov Cap-2 Maneuver	142	150	-	127	147	-	-	-	-	-	-	-
Stage 1	447	482	-	406	413	-	-	-	-	-	-	-
Stage 2	430	412	-	462	474	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	15.4	33.9	1.1	0.1
HCM LOS	C	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	938	-	-	369	127	1011	-	-
HCM Lane V/C Ratio	0.073	-	-	0.063	0.017	0.007	-	-
HCM Control Delay (s)	9.1	-	-	15.4	33.9	8.6	-	-
HCM Lane LOS	A	-	-	C	D	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.2	0.1	0	-	-

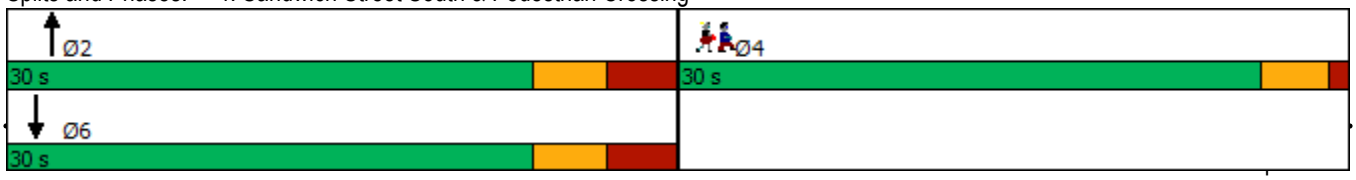
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	458	0	0	533	0
Future Volume (vph)	0	0	0	0	0	0	0	458	0	0	533	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		27.0			26.6			121.9			37.5	
Travel Time (s)		1.9			1.9			8.8			2.7	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	0	0	0	0	0	0	477	0	0	555	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	477	0	0	555	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								24.5			24.5	
Total Split (s)								30.0			30.0	
Total Split (%)								50.0%			50.0%	
Maximum Green (s)								23.5			23.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								42.1			42.1	
Actuated g/C Ratio								0.61			0.61	
v/c Ratio								0.42			0.49	
Control Delay								12.6			13.7	
Queue Delay								0.0			0.0	
Total Delay								12.6			13.7	
LOS								B			B	
Approach Delay								12.6			13.7	
Approach LOS								B			B	
Queue Length 50th (m)								41.5			51.3	
Queue Length 95th (m)								65.1			79.9	
Internal Link Dist (m)		3.0			2.6			97.9			13.5	
Turn Bay Length (m)												
Base Capacity (vph)								1124			1124	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.42			0.49	

Intersection Summary	
Area Type:	Other
Cycle Length: 60	
Actuated Cycle Length: 69	
Natural Cycle: 60	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.49	
Intersection Signal Delay: 13.2	Intersection LOS: B
Intersection Capacity Utilization 33.5%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	50%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	137
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	43	26	646	81	14	661
Future Volume (vph)	43	26	646	81	14	661
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.985			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1750	1566	1814	0	1750	1842
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1750	1566	1814	0	1750	1842
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)	1			5	5	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	44	27	666	84	14	681
Shared Lane Traffic (%)						
Lane Group Flow (vph)	44	27	750	0	14	681
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization	49.0%	ICU Level of Service	A
Analysis Period (min)	15		

Intersection	
Int Delay, s/veh	0.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	43	26	646	81	14	661
Future Vol, veh/h	43	26	646	81	14	661
Conflicting Peds, #/hr	1	0	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	44	27	666	84	14	681

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1423	713	0	0	755	0
Stage 1	713	-	-	-	-	-
Stage 2	710	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	150	432	-	-	855	-
Stage 1	486	-	-	-	-	-
Stage 2	487	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	147	430	-	-	851	-
Mov Cap-2 Maneuver	287	-	-	-	-	-
Stage 1	484	-	-	-	-	-
Stage 2	479	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	17.6	0	0.2
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	287	430	851	-
HCM Lane V/C Ratio	-	-	0.154	0.062	0.017	-
HCM Control Delay (s)	-	-	19.8	13.9	9.3	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.5	0.2	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	4	3	723	6	0	703
Future Volume (vph)	4	3	723	6	0	703
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.942		0.999			
Flt Protected	0.972					
Satd. Flow (prot)	1687	0	1840	0	1842	1842
Flt Permitted	0.972					
Satd. Flow (perm)	1687	0	1840	0	1842	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		35.2			44.2
Travel Time (s)	16.0		2.5			3.2
Confl. Peds. (#/hr)	4	1		4	4	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	4	3	738	6	0	717
Shared Lane Traffic (%)						
Lane Group Flow (vph)	7	0	744	0	0	717
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 48.7%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	4	3	723	6	0	703
Future Vol, veh/h	4	3	723	6	0	703
Conflicting Peds, #/hr	4	1	0	4	4	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	4	3	738	6	0	717

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1466	746	0	0	748	0
Stage 1	745	-	-	-	-	-
Stage 2	721	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	141	413	-	-	861	-
Stage 1	469	-	-	-	-	-
Stage 2	482	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	140	411	-	-	858	-
Mov Cap-2 Maneuver	280	-	-	-	-	-
Stage 1	467	-	-	-	-	-
Stage 2	480	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	16.4	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	324	858	-
HCM Lane V/C Ratio	-	-	0.022	-	-
HCM Control Delay (s)	-	-	16.4	0	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	4	0	5	4	0	4	4	722	0	3	698	7
Future Volume (vph)	4	0	5	4	0	4	4	722	0	3	698	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.925			0.932						0.999	
Flt Protected		0.978			0.976		0.950			0.950		
Satd. Flow (prot)	0	1500	0	0	1676	0	1750	1842	0	1750	1840	0
Flt Permitted		0.978			0.976		0.950			0.950		
Satd. Flow (perm)	0	1500	0	0	1676	0	1750	1842	0	1750	1840	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			124.2	
Travel Time (s)		9.2			7.1			6.2			8.9	
Confl. Peds. (#/hr)							8		1	1		8
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Parking (#/hr)		0										
Adj. Flow (vph)	4	0	5	4	0	4	4	737	0	3	712	7
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	9	0	0	8	0	4	737	0	3	719	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 48.0%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	4	0	5	4	0	4	4	722	0	3	698	7
Future Vol, veh/h	4	0	5	4	0	4	4	722	0	3	698	7
Conflicting Peds, #/hr	0	0	0	0	0	0	8	0	1	1	0	8
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	0	5	4	0	4	4	737	0	3	712	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1477	1476	724	1470	1479	738	727	0	0	738	0	0
Stage 1	730	730	-	746	746	-	-	-	-	-	-	-
Stage 2	747	746	-	724	733	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	104	126	426	105	126	418	876	-	-	868	-	-
Stage 1	414	428	-	405	421	-	-	-	-	-	-	-
Stage 2	405	421	-	417	426	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	102	124	423	103	124	418	869	-	-	867	-	-
Mov Cap-2 Maneuver	102	124	-	103	124	-	-	-	-	-	-	-
Stage 1	409	424	-	403	418	-	-	-	-	-	-	-
Stage 2	399	418	-	411	422	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26.6	28	0.1	0
HCM LOS	D	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	869	-	-	176	165	867	-	-
HCM Lane V/C Ratio	0.005	-	-	0.052	0.049	0.004	-	-
HCM Control Delay (s)	9.2	-	-	26.6	28	9.2	-	-
HCM Lane LOS	A	-	-	D	D	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.2	0.2	0	-	-

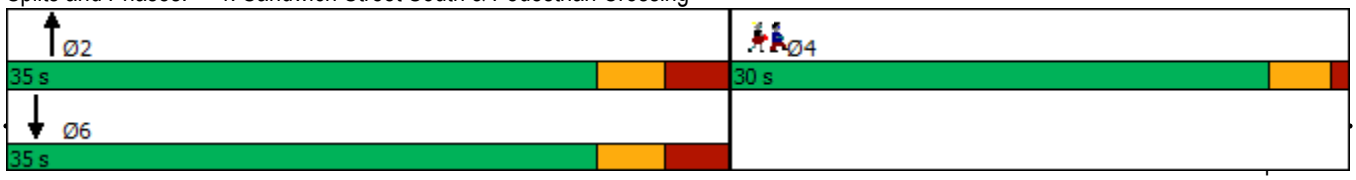
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	729	0	0	707	0
Future Volume (vph)	0	0	0	0	0	0	0	729	0	0	707	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		31.3			34.9			124.2			35.2	
Travel Time (s)		2.3			2.5			8.9			2.5	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	0	0	0	0	0	0	0	744	0	0	721	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	744	0	0	721	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								32.5			24.5	
Total Split (s)								35.0			35.0	
Total Split (%)								53.8%			53.8%	
Maximum Green (s)								28.5			28.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								50.9			50.9	
Actuated g/C Ratio								0.91			0.91	
v/c Ratio								0.44			0.43	
Control Delay								5.6			5.4	
Queue Delay								0.0			0.0	
Total Delay								5.6			5.4	
LOS								A			A	
Approach Delay								5.6			5.4	
Approach LOS								A			A	
Queue Length 50th (m)								0.0			0.0	
Queue Length 95th (m)								124.1			117.2	
Internal Link Dist (m)		7.3			10.9			100.2			11.2	
Turn Bay Length (m)												
Base Capacity (vph)								1674			1674	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.44			0.43	

Intersection Summary	
Area Type:	Other
Cycle Length: 65	
Actuated Cycle Length: 56	
Natural Cycle: 65	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.44	
Intersection Signal Delay: 5.5	Intersection LOS: A
Intersection Capacity Utilization 43.8%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	46%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	4
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	14.8	10.0	3.2	11.5	16.5
Average Queue (m)	2.7	3.9	0.2	2.4	0.9
95th Queue (m)	9.5	11.2	1.9	9.2	8.9
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	0				0
Queuing Penalty (veh)	0				0

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	15.5	2.0	25.6	48.0
Average Queue (m)	5.3	0.1	2.9	12.3
95th Queue (m)	13.0	1.4	13.0	38.1
Link Distance (m)	124.3	25.9		30.4
Upstream Blk Time (%)			0	3
Queuing Penalty (veh)			0	14
Storage Bay Dist (m)			15.0	
Storage Blk Time (%)			0	5
Queuing Penalty (veh)			0	1

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South

Movement	EB	WB	NB	NB	SB	SB
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (m)	11.7	7.2	19.0	16.3	5.4	7.2
Average Queue (m)	4.6	0.6	6.8	0.7	0.6	0.2
95th Queue (m)	12.0	4.3	16.7	9.1	4.1	3.4
Link Distance (m)	118.7	50.2		79.6		111.9
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (m)			10.0		30.0	
Storage Blk Time (%)			7	0		
Queuing Penalty (veh)			31	0		

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	80.8	49.8
Average Queue (m)	39.3	38.0
95th Queue (m)	68.2	55.5
Link Distance (m)	111.9	25.9
Upstream Blk Time (%)		21
Queuing Penalty (veh)		112
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 157

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	21.6	20.4	5.0	9.2	13.1
Average Queue (m)	8.6	6.6	0.2	2.4	0.6
95th Queue (m)	17.6	15.4	2.1	9.1	7.4
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	2	0			0
Queuing Penalty (veh)	0	0			0

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB
Directions Served	LR	TR	T
Maximum Queue (m)	10.1	8.0	28.2
Average Queue (m)	1.7	0.5	2.4
95th Queue (m)	7.4	5.5	14.4
Link Distance (m)	124.3	24.5	30.4
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	1
Storage Bay Dist (m)			
Storage Blk Time (%)			1
Queuing Penalty (veh)			0

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (m)	10.5	10.4	7.2	5.3
Average Queue (m)	2.5	3.2	0.7	0.2
95th Queue (m)	9.2	10.3	4.7	2.6
Link Distance (m)	118.7	50.2		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (m)			10.0	30.0
Storage Blk Time (%)			0	
Queuing Penalty (veh)			2	

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	68.5	44.0
Average Queue (m)	8.0	6.0
95th Queue (m)	40.5	29.5
Link Distance (m)	114.0	24.5
Upstream Blk Time (%)		2
Queuing Penalty (veh)		15
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 19

Appendix H

2023 Future Total Synchro & SimTraffic Worksheets

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	15	18	395	55	23	534
Future Volume (vph)	15	18	395	55	23	534
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.983			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1653	1566	1795	0	1750	1807
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1653	1566	1795	0	1750	1807
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)		1		5	5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	8%	2%	3%	2%	2%	4%
Adj. Flow (vph)	16	19	416	58	24	562
Shared Lane Traffic (%)						
Lane Group Flow (vph)	16	19	474	0	24	562
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 38.4%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	15	18	395	55	23	534
Future Vol, veh/h	15	18	395	55	23	534
Conflicting Peds, #/hr	0	1	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	8	2	3	2	2	4
Mvmt Flow	16	19	416	58	24	562

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1060	451	0	0	479	0
Stage 1	450	-	-	-	-	-
Stage 2	610	-	-	-	-	-
Critical Hdwy	6.48	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.48	-	-	-	-	-
Critical Hdwy Stg 2	5.48	-	-	-	-	-
Follow-up Hdwy	3.572	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	242	608	-	-	1083	-
Stage 1	630	-	-	-	-	-
Stage 2	531	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	235	605	-	-	1078	-
Mov Cap-2 Maneuver	365	-	-	-	-	-
Stage 1	627	-	-	-	-	-
Stage 2	519	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	13	0	0.3
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	365	605	1078	-
HCM Lane V/C Ratio	-	-	0.043	0.031	0.022	-
HCM Control Delay (s)	-	-	15.3	11.1	8.4	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0.1	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	3	23	426	34	16	532
Future Volume (vph)	3	23	426	34	16	532
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.880		0.990			
Flt Protected	0.994				0.950	
Satd. Flow (prot)	1611	0	1807	0	1750	1807
Flt Permitted	0.994				0.950	
Satd. Flow (perm)	1611	0	1807	0	1750	1807
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		15.2			44.2
Travel Time (s)	16.0		1.1			3.2
Confl. Peds. (#/hr)				19	19	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	2%	2%	3%	2%	2%	4%
Adj. Flow (vph)	3	24	444	35	17	554
Shared Lane Traffic (%)						
Lane Group Flow (vph)	27	0	479	0	17	554
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 38.0%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	23	426	34	16	532
Future Vol, veh/h	3	23	426	34	16	532
Conflicting Peds, #/hr	0	0	0	19	19	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	3	2	2	4
Mvmt Flow	3	24	444	35	17	554

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1069	481	0	0	498	0
Stage 1	481	-	-	-	-	-
Stage 2	588	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	245	585	-	-	1066	-
Stage 1	622	-	-	-	-	-
Stage 2	555	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	237	575	-	-	1047	-
Mov Cap-2 Maneuver	371	-	-	-	-	-
Stage 1	611	-	-	-	-	-
Stage 2	546	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12	0	0.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	541	1047	-
HCM Lane V/C Ratio	-	-	0.05	0.016	-
HCM Control Delay (s)	-	-	12	8.5	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.2	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	4	0	18	2	0	0	62	451	5	7	508	29
Future Volume (vph)	4	0	18	2	0	0	62	451	5	7	508	29
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.887						0.998			0.992	
Flt Protected		0.992			0.950		0.950			0.950		
Satd. Flow (prot)	0	1459	0	0	1750	0	1653	1821	0	1750	1776	0
Flt Permitted		0.992			0.950		0.950			0.950		
Satd. Flow (perm)	0	1459	0	0	1750	0	1653	1821	0	1750	1776	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			107.9	
Travel Time (s)		9.2			7.1			6.2			7.8	
Confl. Peds. (#/hr)			1	1			9		26	26		9
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%	8%	3%	2%	2%	5%	4%
Parking (#/hr)		0										
Adj. Flow (vph)	4	0	20	2	0	0	69	501	6	8	564	32
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	24	0	0	2	0	69	507	0	8	596	0
Enter Blocked Intersection	No	No	No	No	No	No	No	Yes	No	No	Yes	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 45.6%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	4	0	18	2	0	0	62	451	5	7	508	29
Future Vol, veh/h	4	0	18	2	0	0	62	451	5	7	508	29
Conflicting Peds, #/hr	0	0	1	1	0	0	9	0	26	26	0	9
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	8	3	2	2	5	4
Mvmt Flow	4	0	20	2	0	0	69	501	6	8	564	32

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1247	1276	590	1275	1289	530	605	0	0	533	0	0
Stage 1	605	605	-	668	668	-	-	-	-	-	-	-
Stage 2	642	671	-	607	621	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.18	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.272	-	-	2.218	-	-
Pot Cap-1 Maneuver	150	167	508	144	164	549	944	-	-	1035	-	-
Stage 1	485	487	-	448	456	-	-	-	-	-	-	-
Stage 2	463	455	-	483	479	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	140	148	503	126	146	536	936	-	-	1010	-	-
Mov Cap-2 Maneuver	140	148	-	126	146	-	-	-	-	-	-	-
Stage 1	446	479	-	405	412	-	-	-	-	-	-	-
Stage 2	429	411	-	460	471	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.3	34.1	1.1	0.1
HCM LOS	C	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	936	-	-	342	126	1010	-	-
HCM Lane V/C Ratio	0.074	-	-	0.071	0.018	0.008	-	-
HCM Control Delay (s)	9.2	-	-	16.3	34.1	8.6	-	-
HCM Lane LOS	A	-	-	C	D	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.2	0.1	0	-	-

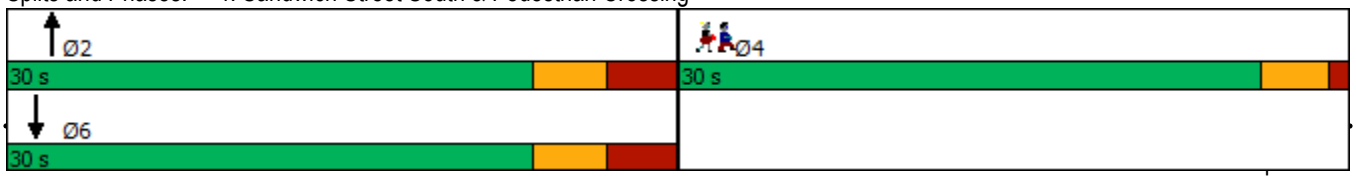
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	460	0	0	535	0
Future Volume (vph)	0	0	0	0	0	0	0	460	0	0	535	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		27.0			26.6			14.0			22.4	
Travel Time (s)		1.9			1.9			1.0			1.6	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	0	0	0	0	0	0	479	0	0	557	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	479	0	0	557	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								24.5			24.5	
Total Split (s)								30.0			30.0	
Total Split (%)								50.0%			50.0%	
Maximum Green (s)								23.5			23.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								42.1			42.1	
Actuated g/C Ratio								0.61			0.61	
v/c Ratio								0.43			0.50	
Control Delay								12.6			13.7	
Queue Delay								0.0			0.0	
Total Delay								12.6			13.7	
LOS								B			B	
Approach Delay								12.6			13.7	
Approach LOS								B			B	
Queue Length 50th (m)								41.7			51.4	
Queue Length 95th (m)								65.5			80.2	
Internal Link Dist (m)		3.0			2.6			0.1			0.1	
Turn Bay Length (m)												
Base Capacity (vph)								1124			1124	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.43			0.50	

Intersection Summary	
Area Type:	Other
Cycle Length: 60	
Actuated Cycle Length: 69	
Natural Cycle: 60	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.50	
Intersection Signal Delay: 13.2	Intersection LOS: B
Intersection Capacity Utilization 38.2%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	50%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	137
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	0	0	460	0	0	535
Future Volume (vph)	0	0	460	0	0	535
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt						
Flt Protected						
Satd. Flow (prot)	1842	0	1842	0	0	1842
Flt Permitted						
Satd. Flow (perm)	1842	0	1842	0	0	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	44.7		22.4			15.2
Travel Time (s)	5.4		1.6			1.1
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	0	479	0	0	557
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	0	479	0	0	557
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 38.2%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	0	460	0	0	535
Future Vol, veh/h	0	0	460	0	0	535
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	479	0	0	557

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1036	479	0	-	-	-
Stage 1	479	-	-	-	-	-
Stage 2	557	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	-	-
Pot Cap-1 Maneuver	256	587	-	0	0	-
Stage 1	623	-	-	0	0	-
Stage 2	574	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	256	587	-	-	-	-
Mov Cap-2 Maneuver	389	-	-	-	-	-
Stage 1	623	-	-	-	-	-
Stage 2	574	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	WBLn1	SBT
Capacity (veh/h)	-	-	-
HCM Lane V/C Ratio	-	-	-
HCM Control Delay (s)	-	0	-
HCM Lane LOS	-	A	-
HCM 95th %tile Q(veh)	-	-	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	1	1	459	1	1	534
Future Volume (vph)	1	1	459	1	1	534
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	5.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.932					
Flt Protected	0.976				0.950	
Satd. Flow (prot)	1676	0	1842	0	1750	1842
Flt Permitted	0.976				0.950	
Satd. Flow (perm)	1676	0	1842	0	1750	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	35.1		107.9			14.0
Travel Time (s)	4.2		7.8			1.0
Confl. Peds. (#/hr)				5	5	
Confl. Bikes (#/hr)				5		
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	1	1	478	1	1	556
Shared Lane Traffic (%)						
Lane Group Flow (vph)	2	0	479	0	1	556
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 38.1%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	1	459	1	1	534
Future Vol, veh/h	1	1	459	1	1	534
Conflicting Peds, #/hr	0	0	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	50	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	1	478	1	1	556

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1042	484	0	0	484	0
Stage 1	484	-	-	-	-	-
Stage 2	558	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	254	583	-	-	1079	-
Stage 1	620	-	-	-	-	-
Stage 2	573	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	252	580	-	-	1074	-
Mov Cap-2 Maneuver	386	-	-	-	-	-
Stage 1	617	-	-	-	-	-
Stage 2	572	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.8	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	464	1074	-
HCM Lane V/C Ratio	-	-	0.004	0.001	-
HCM Control Delay (s)	-	-	12.8	8.4	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0	0	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	44	26	658	83	14	675
Future Volume (vph)	44	26	658	83	14	675
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	20.0	0.0		0.0	30.0	
Storage Lanes	1	1		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt		0.850	0.985			
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1750	1566	1814	0	1750	1842
Flt Permitted	0.950				0.950	
Satd. Flow (perm)	1750	1566	1814	0	1750	1842
Link Speed (k/h)	40		50			50
Link Distance (m)	238.1		44.2			71.5
Travel Time (s)	21.4		3.2			5.1
Confl. Peds. (#/hr)	1			5	5	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	45	27	678	86	14	696
Shared Lane Traffic (%)						
Lane Group Flow (vph)	45	27	764	0	14	696
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 49.7%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	44	26	658	83	14	675
Future Vol, veh/h	44	26	658	83	14	675
Conflicting Peds, #/hr	1	0	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	200	0	-	-	300	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	45	27	678	86	14	696

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1451	726	0	0	769	0
Stage 1	726	-	-	-	-	-
Stage 2	725	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	144	425	-	-	845	-
Stage 1	479	-	-	-	-	-
Stage 2	479	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	141	423	-	-	841	-
Mov Cap-2 Maneuver	280	-	-	-	-	-
Stage 1	477	-	-	-	-	-
Stage 2	470	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	18	0	0.2
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	280	423	841	-
HCM Lane V/C Ratio	-	-	0.162	0.063	0.017	-
HCM Control Delay (s)	-	-	20.3	14.1	9.4	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	0.6	0.2	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	12	11	728	16	7	709
Future Volume (vph)	12	11	728	16	7	709
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	15.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.935		0.997			
Flt Protected	0.975				0.950	
Satd. Flow (prot)	1679	0	1837	0	1750	1842
Flt Permitted	0.975				0.950	
Satd. Flow (perm)	1679	0	1837	0	1750	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	133.6		15.0			44.2
Travel Time (s)	16.0		1.1			3.2
Confl. Peds. (#/hr)	4	1		4	4	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	12	11	743	16	7	723
Shared Lane Traffic (%)						
Lane Group Flow (vph)	23	0	759	0	7	723
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 49.6%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	12	11	728	16	7	709
Future Vol, veh/h	12	11	728	16	7	709
Conflicting Peds, #/hr	4	1	0	4	4	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	12	11	743	16	7	723

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1496	756	0	0	763	0
Stage 1	755	-	-	-	-	-
Stage 2	741	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	135	408	-	-	850	-
Stage 1	464	-	-	-	-	-
Stage 2	471	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	133	406	-	-	847	-
Mov Cap-2 Maneuver	272	-	-	-	-	-
Stage 1	462	-	-	-	-	-
Stage 2	465	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	17	0	0.1
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	323	847	-
HCM Lane V/C Ratio	-	-	0.073	0.008	-
HCM Control Delay (s)	-	-	17	9.3	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	0.2	0	-

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	0	5	4	0	4	4	738	0	4	712	8
Future Volume (vph)	5	0	5	4	0	4	4	738	0	4	712	8
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	0.0		0.0	10.0		0.0	30.0		0.0
Storage Lanes	0		0	0		0	1		0	1		0
Taper Length (m)	15.0			15.0			15.0			15.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.932			0.932						0.998	
Flt Protected		0.976			0.976		0.950			0.950		
Satd. Flow (prot)	0	1508	0	0	1676	0	1750	1842	0	1750	1838	0
Flt Permitted		0.976			0.976		0.950			0.950		
Satd. Flow (perm)	0	1508	0	0	1676	0	1750	1842	0	1750	1838	0
Link Speed (k/h)		50			30			50			50	
Link Distance (m)		127.1			58.9			86.3			107.9	
Travel Time (s)		9.2			7.1			6.2			7.8	
Confl. Peds. (#/hr)							8		1	1		8
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Parking (#/hr)		0										
Adj. Flow (vph)	5	0	5	4	0	4	4	753	0	4	727	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	10	0	0	8	0	4	753	0	4	735	0
Enter Blocked Intersection	No	No	No	No	No	No	No	Yes	No	No	Yes	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.16	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 48.8%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	0	5	4	0	4	4	738	0	4	712	8
Future Vol, veh/h	5	0	5	4	0	4	4	738	0	4	712	8
Conflicting Peds, #/hr	0	0	0	0	0	0	8	0	1	1	0	8
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	100	-	-	300	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	98	98	98	98	98	98	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	5	0	5	4	0	4	4	753	0	4	727	8

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1510	1509	739	1504	1513	754	743	0	0	754	0	0
Stage 1	747	747	-	762	762	-	-	-	-	-	-	-
Stage 2	763	762	-	742	751	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	99	120	417	100	120	409	864	-	-	856	-	-
Stage 1	405	420	-	397	414	-	-	-	-	-	-	-
Stage 2	397	414	-	408	418	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	97	118	414	98	118	409	858	-	-	855	-	-
Mov Cap-2 Maneuver	97	118	-	98	118	-	-	-	-	-	-	-
Stage 1	400	415	-	395	412	-	-	-	-	-	-	-
Stage 2	391	412	-	401	413	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	29.5	29	0	0.1
HCM LOS	D	D		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	858	-	-	157	158	855	-	-
HCM Lane V/C Ratio	0.005	-	-	0.065	0.052	0.005	-	-
HCM Control Delay (s)	9.2	-	-	29.5	29	9.2	-	-
HCM Lane LOS	A	-	-	D	D	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.2	0.2	0	-	-

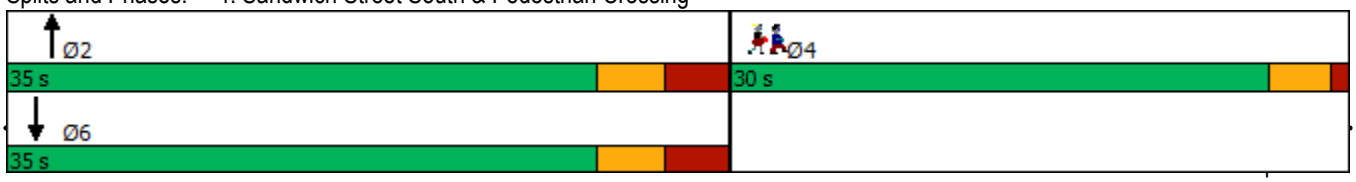
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	0	0	0	0	0	744	0	0	721	0
Future Volume (vph)	0	0	0	0	0	0	0	744	0	0	721	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt												
Flt Protected												
Satd. Flow (prot)	0	0	0	0	0	0	0	1842	0	0	1842	0
Flt Permitted												
Satd. Flow (perm)	0	0	0	0	0	0	0	1842	0	0	1842	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)												
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		31.3			34.9			16.4			20.2	
Travel Time (s)		2.3			2.5			1.2			1.5	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	0	0	0	0	0	0	0	759	0	0	736	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	0	0	0	0	0	759	0	0	736	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.5			3.5	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		3.0			3.0			3.0			3.0	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Number of Detectors								2			2	
Detector Template								Thru			Thru	
Leading Detector (m)								10.0			10.0	
Trailing Detector (m)								0.0			0.0	
Detector 1 Position(m)								0.0			0.0	
Detector 1 Size(m)								0.6			0.6	
Detector 1 Type								Cl+Ex			Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)								0.0			0.0	
Detector 1 Queue (s)								0.0			0.0	
Detector 1 Delay (s)								0.0			0.0	
Detector 2 Position(m)								9.4			9.4	
Detector 2 Size(m)								0.6			0.6	
Detector 2 Type								Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)								0.0			0.0	
Turn Type								NA			NA	
Protected Phases								2			6	
Permitted Phases												
Detector Phase								2			6	
Switch Phase												
Minimum Initial (s)								10.0			10.0	

Lane Group	Ø4
Lane Configurations	
Traffic Volume (vph)	
Future Volume (vph)	
Ideal Flow (vphpl)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Right Turn on Red	
Satd. Flow (RTOR)	
Link Speed (k/h)	
Link Distance (m)	
Travel Time (s)	
Peak Hour Factor	
Adj. Flow (vph)	
Shared Lane Traffic (%)	
Lane Group Flow (vph)	
Enter Blocked Intersection	
Lane Alignment	
Median Width(m)	
Link Offset(m)	
Crosswalk Width(m)	
Two way Left Turn Lane	
Headway Factor	
Turning Speed (k/h)	
Number of Detectors	
Detector Template	
Leading Detector (m)	
Trailing Detector (m)	
Detector 1 Position(m)	
Detector 1 Size(m)	
Detector 1 Type	
Detector 1 Channel	
Detector 1 Extend (s)	
Detector 1 Queue (s)	
Detector 1 Delay (s)	
Detector 2 Position(m)	
Detector 2 Size(m)	
Detector 2 Type	
Detector 2 Channel	
Detector 2 Extend (s)	
Turn Type	
Protected Phases	4
Permitted Phases	
Detector Phase	
Switch Phase	
Minimum Initial (s)	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)								32.5			24.5	
Total Split (s)								35.0			35.0	
Total Split (%)								53.8%			53.8%	
Maximum Green (s)								28.5			28.5	
Yellow Time (s)								3.3			3.3	
All-Red Time (s)								3.2			3.2	
Lost Time Adjust (s)								0.0			0.0	
Total Lost Time (s)								6.5			6.5	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)								3.0			3.0	
Recall Mode								Max			Max	
Walk Time (s)								7.0			7.0	
Flash Dont Walk (s)								11.0			11.0	
Pedestrian Calls (#/hr)								0			0	
Act Effct Green (s)								50.9			50.9	
Actuated g/C Ratio								0.91			0.91	
v/c Ratio								0.45			0.44	
Control Delay								5.7			5.5	
Queue Delay								0.0			0.0	
Total Delay								5.7			5.5	
LOS								A			A	
Approach Delay								5.7			5.5	
Approach LOS								A			A	
Queue Length 50th (m)								0.0			0.0	
Queue Length 95th (m)								128.4			121.5	
Internal Link Dist (m)		7.3			10.9			0.1			0.1	
Turn Bay Length (m)												
Base Capacity (vph)								1674			1674	
Starvation Cap Reductn								0			0	
Spillback Cap Reductn								0			0	
Storage Cap Reductn								0			0	
Reduced v/c Ratio								0.45			0.44	

Intersection Summary	
Area Type:	Other
Cycle Length: 65	
Actuated Cycle Length: 56	
Natural Cycle: 70	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.45	
Intersection Signal Delay: 5.6	Intersection LOS: A
Intersection Capacity Utilization 48.8%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 4: Sandwich Street South & Pedestrian Crossing



Lane Group	Ø4
Minimum Split (s)	30.0
Total Split (s)	30.0
Total Split (%)	46%
Maximum Green (s)	26.0
Yellow Time (s)	3.0
All-Red Time (s)	1.0
Lost Time Adjust (s)	
Total Lost Time (s)	
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	None
Walk Time (s)	7.0
Flash Dont Walk (s)	19.0
Pedestrian Calls (#/hr)	4
Act Effct Green (s)	
Actuated g/C Ratio	
v/c Ratio	
Control Delay	
Queue Delay	
Total Delay	
LOS	
Approach Delay	
Approach LOS	
Queue Length 50th (m)	
Queue Length 95th (m)	
Internal Link Dist (m)	
Turn Bay Length (m)	
Base Capacity (vph)	
Starvation Cap Reductn	
Spillback Cap Reductn	
Storage Cap Reductn	
Reduced v/c Ratio	

Intersection Summary

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	8	7	737	0	0	721
Future Volume (vph)	8	7	737	0	0	721
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.937					
Flt Protected	0.974					
Satd. Flow (prot)	1681	0	1842	0	0	1842
Flt Permitted	0.974					
Satd. Flow (perm)	1681	0	1842	0	0	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	45.8		20.2			15.0
Travel Time (s)	5.5		1.5			1.1
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	8	7	752	0	0	736
Shared Lane Traffic (%)						
Lane Group Flow (vph)	15	0	752	0	0	736
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 48.8%		ICU Level of Service A	
Analysis Period (min) 15			

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	8	7	737	0	0	721
Future Vol, veh/h	8	7	737	0	0	721
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	8	7	752	0	0	736

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1488	752	0	-	-	-
Stage 1	752	-	-	-	-	-
Stage 2	736	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	-	-
Pot Cap-1 Maneuver	137	410	-	0	0	-
Stage 1	466	-	-	0	0	-
Stage 2	474	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	137	410	-	-	-	-
Mov Cap-2 Maneuver	277	-	-	-	-	-
Stage 1	466	-	-	-	-	-
Stage 2	474	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	16.6	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	WBLn1	SBT
Capacity (veh/h)	-	326	-
HCM Lane V/C Ratio	-	0.047	-
HCM Control Delay (s)	-	16.6	-
HCM Lane LOS	-	C	-
HCM 95th %tile Q(veh)	-	0.1	-

Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	5	5	732	14	13	716
Future Volume (vph)	5	5	732	14	13	716
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0	0.0		0.0	5.0	
Storage Lanes	1	0		0	1	
Taper Length (m)	15.0				15.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.932		0.998			
Flt Protected	0.976				0.950	
Satd. Flow (prot)	1676	0	1838	0	1750	1842
Flt Permitted	0.976				0.950	
Satd. Flow (perm)	1676	0	1838	0	1750	1842
Link Speed (k/h)	30		50			50
Link Distance (m)	52.1		107.9			16.4
Travel Time (s)	6.3		7.8			1.2
Confl. Peds. (#/hr)				5	5	
Confl. Bikes (#/hr)				5		
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	5	5	747	14	13	731
Shared Lane Traffic (%)						
Lane Group Flow (vph)	10	0	761	0	13	731
Enter Blocked Intersection	No	No	Yes	No	No	Yes
Lane Alignment	Left	Right	Left	Right	Left	Left
Median Width(m)	3.5		3.5			3.5
Link Offset(m)	0.0		0.0			0.0
Crosswalk Width(m)	3.0		3.0			3.0
Two way Left Turn Lane			Yes			Yes
Headway Factor	1.01	1.01	1.01	1.01	1.01	1.01
Turning Speed (k/h)	25	15		15	25	
Sign Control	Stop		Free			Free

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 49.4%	ICU Level of Service A
Analysis Period (min) 15	

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	5	5	732	14	13	716
Future Vol, veh/h	5	5	732	14	13	716
Conflicting Peds, #/hr	0	0	0	5	5	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	50	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	98	98	98	98	98	98
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	5	5	747	14	13	731

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1516	759	0	0	766	0
Stage 1	759	-	-	-	-	-
Stage 2	757	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	131	406	-	-	847	-
Stage 1	462	-	-	-	-	-
Stage 2	463	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	128	404	-	-	843	-
Mov Cap-2 Maneuver	267	-	-	-	-	-
Stage 1	460	-	-	-	-	-
Stage 2	456	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	16.5	0	0.2
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	322	843	-
HCM Lane V/C Ratio	-	-	0.032	0.016	-
HCM Control Delay (s)	-	-	16.5	9.3	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	18.4	9.0	13.0	12.0	12.6
Average Queue (m)	4.5	3.8	0.4	2.3	1.0
95th Queue (m)	13.5	11.0	7.2	9.3	8.0
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)			0		
Queuing Penalty (veh)			0		
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	1				0
Queuing Penalty (veh)	0				0

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	12.9	6.8	18.8	48.8
Average Queue (m)	4.9	0.4	2.0	13.8
95th Queue (m)	12.4	4.6	10.0	40.5
Link Distance (m)	124.3	1.9		30.4
Upstream Blk Time (%)		0	0	3
Queuing Penalty (veh)		0	0	17
Storage Bay Dist (m)			15.0	
Storage Blk Time (%)			0	7
Queuing Penalty (veh)			1	1

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South

Movement	EB	WB	NB	NB	SB	SB
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (m)	10.5	5.4	16.7	4.8	7.2	4.2
Average Queue (m)	3.9	0.3	5.8	0.2	0.8	0.2
95th Queue (m)	11.2	3.0	15.1	2.5	4.9	2.0
Link Distance (m)	118.7	50.2		79.6		93.0
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (m)			10.0		30.0	
Storage Blk Time (%)			5	0		
Queuing Penalty (veh)			24	0		

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	28.1	39.2
Average Queue (m)	22.7	28.6
95th Queue (m)	28.7	35.7
Link Distance (m)	5.6	14.1
Upstream Blk Time (%)	40	39
Queuing Penalty (veh)	182	210
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 5: Sandwich Street South & Access #1

Movement	SB
Directions Served	T
Maximum Queue (m)	26.8
Average Queue (m)	16.4
95th Queue (m)	28.1
Link Distance (m)	1.9
Upstream Blk Time (%)	12
Queuing Penalty (veh)	62
Storage Bay Dist (m)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 6: Sandwich Street South & Site Access #2

Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	8.9	52.1	2.2	21.8
Average Queue (m)	0.4	19.6	0.1	16.5
95th Queue (m)	3.5	42.4	1.1	20.4
Link Distance (m)	26.3	93.0		5.6
Upstream Blk Time (%)			0	0
Queuing Penalty (veh)			0	1
Storage Bay Dist (m)			5.0	
Storage Blk Time (%)			0	0
Queuing Penalty (veh)			0	0

Network Summary

Network wide Queuing Penalty: 499

Intersection: 1: Sandwich Street South & Fort Street

Movement	WB	WB	NB	SB	SB
Directions Served	L	R	TR	L	T
Maximum Queue (m)	21.7	19.7	9.6	10.6	6.4
Average Queue (m)	7.9	6.9	0.4	2.6	0.2
95th Queue (m)	16.6	16.0	4.2	9.4	4.5
Link Distance (m)		228.3	30.4		61.8
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (m)	20.0			30.0	
Storage Blk Time (%)	1	0			0
Queuing Penalty (veh)	0	0			0

Intersection: 2: Sandwich Street South & Parking Lot Driveway

Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	14.2	14.5	9.3	23.1
Average Queue (m)	4.7	2.8	1.1	2.2
95th Queue (m)	12.6	11.9	6.0	14.5
Link Distance (m)	124.3	1.4		30.4
Upstream Blk Time (%)		0		0
Queuing Penalty (veh)		1		2
Storage Bay Dist (m)			15.0	
Storage Blk Time (%)			0	1
Queuing Penalty (veh)			0	0

Intersection: 3: Sandwich Street South & North Street/165 Sandwich Street South

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (m)	14.2	10.2	8.9	8.8
Average Queue (m)	3.1	2.1	0.6	0.6
95th Queue (m)	10.7	8.5	4.3	4.2
Link Distance (m)	118.7	50.2		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (m)			10.0	30.0
Storage Blk Time (%)			0	
Queuing Penalty (veh)			2	

Intersection: 4: Sandwich Street South & Pedestrian Crossing

Movement	NB	SB
Directions Served	T	T
Maximum Queue (m)	20.4	24.2
Average Queue (m)	2.0	3.2
95th Queue (m)	12.7	16.3
Link Distance (m)	7.2	12.9
Upstream Blk Time (%)	1	2
Queuing Penalty (veh)	10	13
Storage Bay Dist (m)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 5: Sandwich Street South & Access #1

Movement	WB	NB	SB
Directions Served	LR	T	T
Maximum Queue (m)	15.1	10.0	15.8
Average Queue (m)	4.2	0.3	1.6
95th Queue (m)	13.1	4.2	9.9
Link Distance (m)	36.4	12.9	1.4
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	1
Storage Bay Dist (m)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 6: Sandwich Street South & Access #2

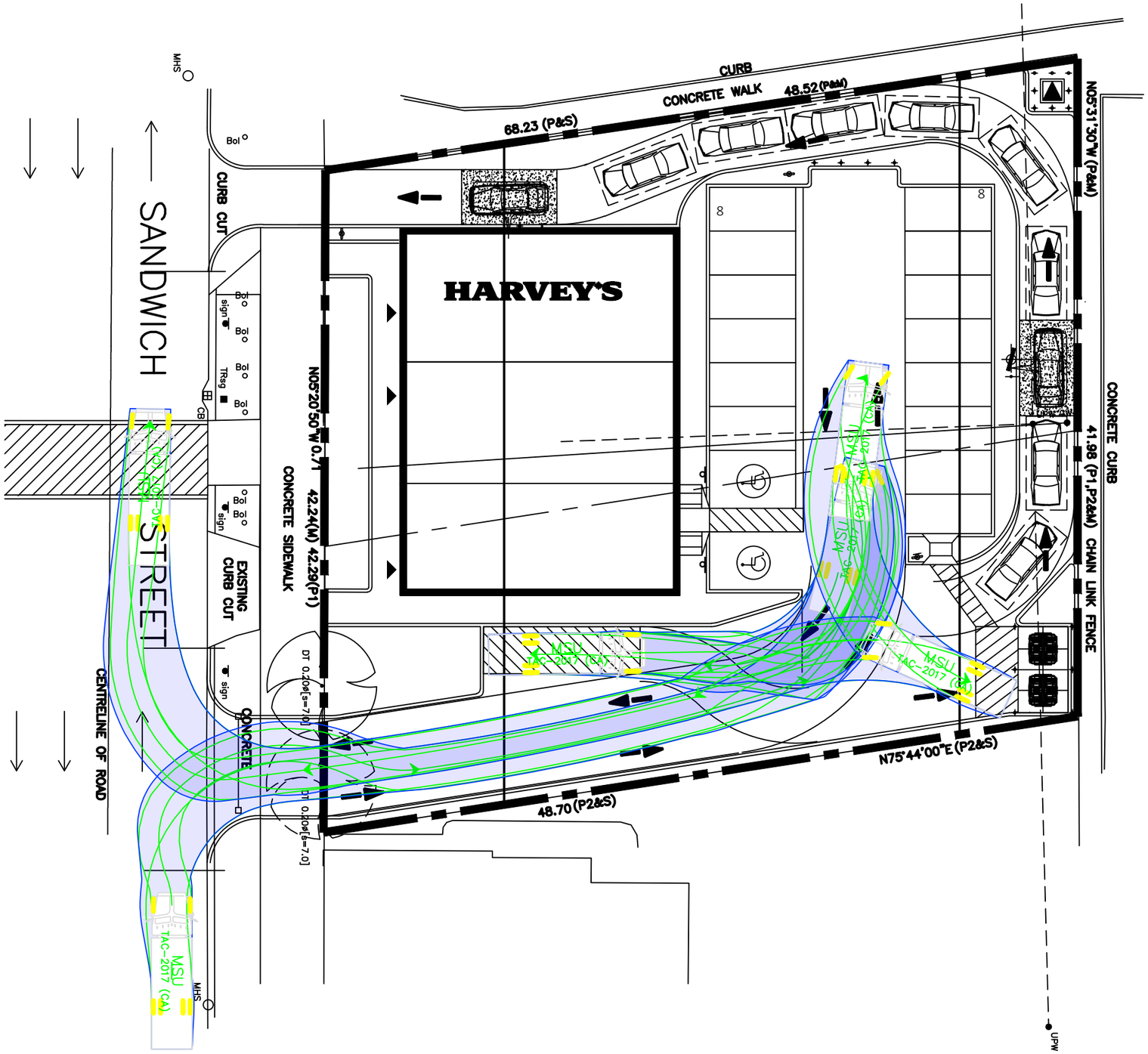
Movement	WB	NB	SB	SB
Directions Served	LR	TR	L	T
Maximum Queue (m)	10.3	29.7	7.0	13.6
Average Queue (m)	2.6	2.6	1.6	2.3
95th Queue (m)	9.4	17.5	6.3	9.4
Link Distance (m)	43.0	93.1		7.2
Upstream Blk Time (%)			1	0
Queuing Penalty (veh)			0	3
Storage Bay Dist (m)			5.0	
Storage Blk Time (%)			1	0
Queuing Penalty (veh)			7	0

Network Summary

Network wide Queuing Penalty: 40

Appendix I

Turning Templates



Notes:

REV:	DESCRIPTION:	BY:	DATE:
A	description	by	xx/xx/xx

STATUS: status

CGH Transportation
628 Haines Road
Newmarket, ON
L3Y 6V5
(905) 251-4070

CLIENT: Dino Soltani
131&135 Sandwich Street
Amherstburg, ON
N9V 1Z9

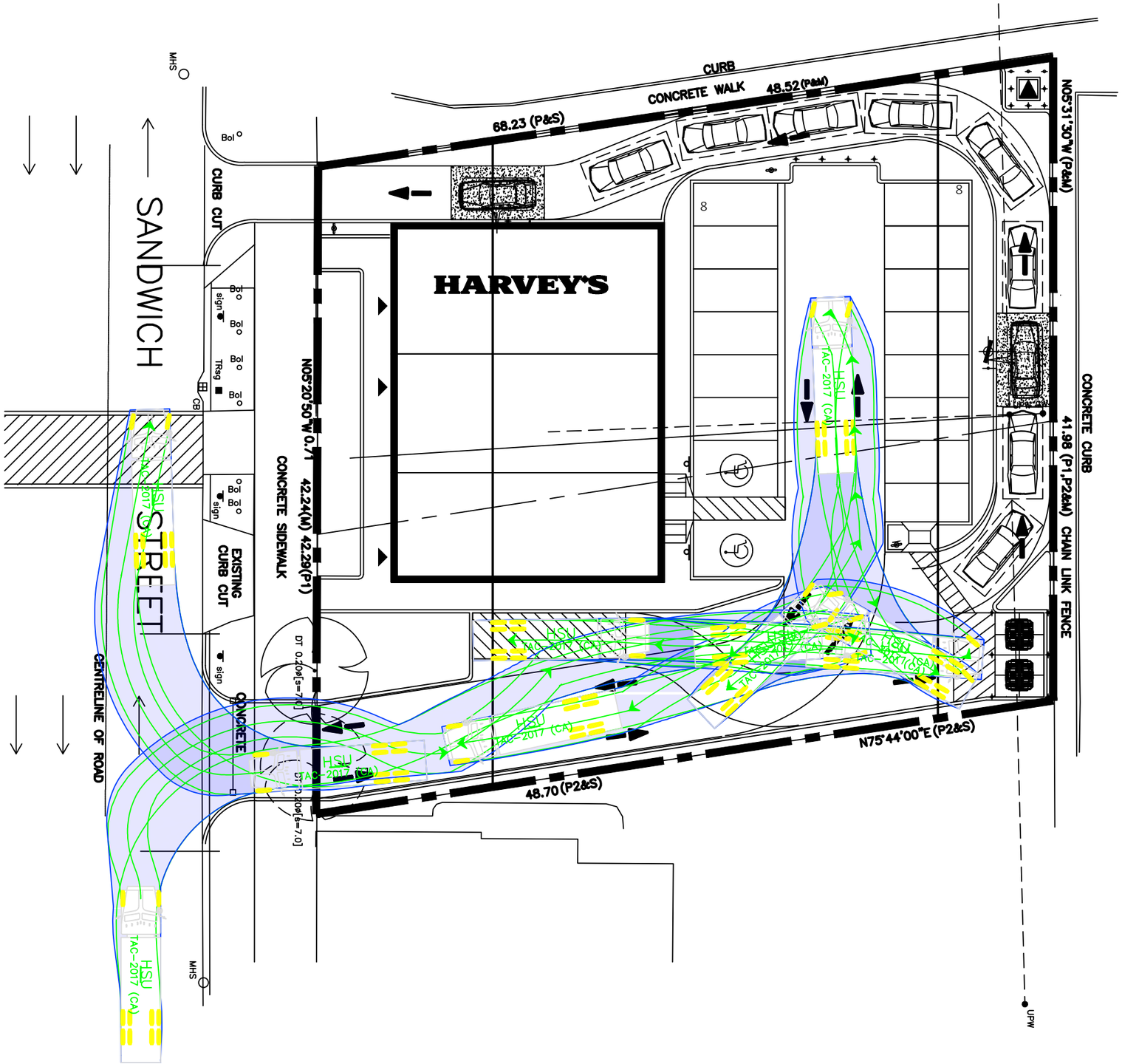
ARCHITECT: NCA
137 Pamila Street
Ottawa, ON
K1S 3K9

SITE: 131 Sandwich Street

TITLE: Medium Single Unit (MSU)

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
NTS	2022-02-04	MC	checked

PROJECT NO:	DRAWING NO:	REVISION:
2021-139	001	



Notes:

REV:	DESCRIPTION:	BY:	DATE:
A	description	by	xx/xx/xx

STATUS: status

CGH Transportation
628 Haines Road
Newmarket, ON
L3Y 6V5
(905) 251-4070

CLIENT: Dino Soltani
131&135 Sandwich Street
Amherstburg, ON
N9V 1Z9

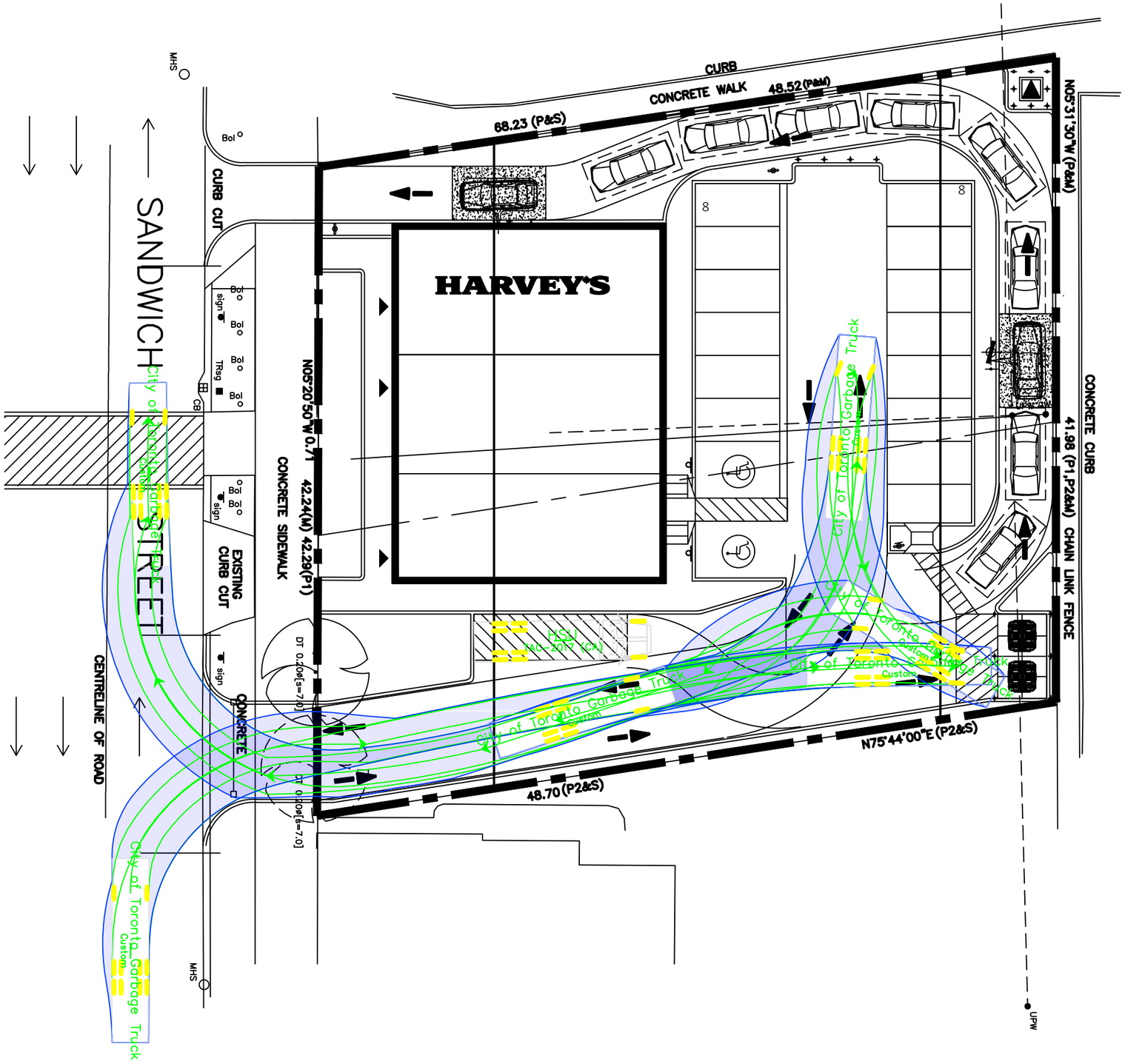
ARCHITECT: NCA
137 Pamila Street
Ottawa, ON
K1S 3K9

SITE: 131 Sandwich Street

TITLE: Heavy Single Unit HSU

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
NTS	2022-02-04	MC	checked

PROJECT NO:	DRAWING NO:	REVISION:
2021-139	002	



Notes:

REV:	DESCRIPTION:	BY:	DATE:
A	description	by	xx/xx/xx

STATUS: status

CGH Transportation
628 Haines Road
Newmarket, ON
L3Y 6V5
(905) 251-4070

CLIENT: Dino Soltani
131&135 Sandwich Street
Amherstburg, ON
N9V 1Z9

ARCHITECT: NCA
137 Pamila Street
Ottawa, ON
K1S 3K9

SITE: 131 Sandwich Street

TITLE: Garbage

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
NTS	2022-02-04	MC	checked

PROJECT NO:	DRAWING NO:	REVISION:
2021-139	003	

Appendix J

Parking Count Survey

Ontario Traffic Inc - Parking Counts

Location: Sandwich Street S

Date: Thursday, February 24, 2022

Time			Parked Vehicles
11:30	to	12:00	54
12:00	to	12:30	55
12:30	to	13:00	56
13:00	to	13:30	55

16:00	to	16:30	6
16:30	to	17:00	4
17:00	to	17:30	3
17:30	to	18:00	2
Available Spaces =			153

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

131 & 135 Sandwich Street

Town of Amherstburg,
County of Essex

Date:

April 2022 (Revised July 2022)

Prepared for:

Daei Foods Inc.

Prepared by:
MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)
540 Bingemans Centre Drive, Suite 200
Kitchener, Ontario
T: 519.576.3650
F: 519.576.0121

Our File 21320A

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Appendix A: **Preliminary Building Elevations**

1.0

INTRODUCTION

1.1 Overview

1.1.1 Development Proposal

MHBC has been retained by Daei Foods Inc. to assist with an application to amend the Town of Amherstburg Official Plan and Zoning By-Law in order to support a commercial development planned for lands addressed collectively as 131 and 135 Sandwich Street South, in the community of Amherstburg. The subject lands (the 'Site') are located on the east side of Sandwich Street South between Fort Street and Richmond Street. The Site measures approximately 2,065 m^2 in area, and has approximately 42.2 m of frontage on Sandwich Street South.

The Proposed Site Plan enclosed with this submission illustrates the intended building design and lot layout for the planned commercial development. As presented, the proposed development incorporates one multiple-unit commercial building integrating shared accesses and common parking areas. Additionally, a drive-through facility is integrated into the proposed restaurant (conceptualized as a Harvey's). In total, the development proposes 390 m^2 of service/retail commercial space (gross floor area).

Additional consideration of urban design opportunities have been implemented into the proposed layout to promote an attractive urban streetscape, including building positioning, contemporary building façades, landscaping enhancements and convenient pedestrian connections. The intent of these design elements is to support an active street frontage and a positive pedestrian experience along the Sandwich Street South corridor.

1.1.2 Planning Applications

As discussed in this Report, the subject lands are located in within a defined Settlement Area in the County of Essex Official Plan and are designated General Commercial pursuant to the Town of Amherstburg Official Plan. The General Commercial designation permits commercial retail uses, including eating establishments; however drive-through facilities are not permitted in this designation.

The lands are zoned Commercial General (CG) pursuant to the Town of Amherstburg Zoning By-law No. 1999-52 (Zoning By-law), which permits restaurant uses including fast food restaurants and drive-through facilities. Notwithstanding, the CG Zone does not permit drive-through restaurants as defined in the Zoning By-law. In addition, the Proposed Site Plan does not comply with certain CG Zone regulations (e.g., minimum front yard setback, minimum parking requirements).

In light of these considerations and direction provided by Town of Amherstburg staff, Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications are being advanced to permit the proposed commercial development.

1.2 Report Framework

1.2.1 General Components

This Planning Justification Report includes a detailed description of the subject lands, the existing policy framework and the rationale for the OPA/ZBA application. The Report focuses on matters relating to the nature and intent of the Official Plan Amendment and rezoning application, and includes the following primary components:

- An introduction and general overview of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational context;

- A description of the overall development concept including highlights regarding land use, building form and urban design components, as well as an overview of technical studies completed in support of the development concept; and

- A review of the existing policy framework (Provincial and County) relating to the proposed development and an assessment of conformity with the Provincial Policy Statement, the County Official Plan and the Town's Official Plan and Zoning By-law.

The following represent key references for this planning analysis:

- 2020 Provincial Policy Statement (PPS);
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-law No. 1999-52;
- Downtown Amherstburg Urban Design Guidelines (Draft).

In addition to a detailed review of these documents, an assessment of the subject lands and the surrounding land uses was also conducted as part of the evaluation.

1.2.2 Complete Application

Town of Amherstburg staff advised in correspondence that the following reports and plans are required to support a complete OPA/ZBA application

- Planning Justification Report;
- Traffic Impact Assessment;
- Conceptual Landscape Plan;
- Conceptual Site Plan; and
- Preliminary Building Elevations.

The required materials has been prepared and are enclosed with the planning application submitted for this proposal.

2.0

SITE LOCATION AND SURROUNDING LAND USES

2.1 Site Description

As discussed, the subject lands are addressed as 131 and135 Sandwich Street South, in the Town of Amherstburg (County of Essex). The Site currently comprises two parcels, generally described as Part of Lots 6, 7 and 8, Registered Plan 6. **Figure 1** of this Report illustrates the location of these lands. The Site is currently developed with a family-style restaurant and attached residence contained on 135 Sandwich Street South, while 131 Sandwich Street South is utilized for accessory parking and an accessory outbuilding is also located on that parcel. The restaurant/residence has a gross floor area (GFA) of approximately 310 m^2, the accessory building has a GFA of approximately 58 m^2.

The subject lands, which measure approximately 0.21 ha in area, are generally rectangular in shape and incorporate approximately 42 m of frontage along Sandwich Street South. These lands form part of the Town's Central Sandwich District and are identified as being within the Central Sandwich Community Improvement Planning Area under the Town's draft Downtown Amherstburg Urban Design Guidelines (October 2018) and draft Community Improvement Plan (December 2020).

At this location, Sandwich Street South (County of Essex Road 20) has two through traffic lanes and a continuous northbound left turn lane. This street is designated as an Arterial Road pursuant to Schedule D (Road Classification) of the Town of Amherstburg Official Plan. The Site has two existing full-turn street accesses.

The following images illustrate site features from the adjacent street frontages.

Figure 1

General Location Map

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING

200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: February 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 1 - General Location Map - Feb. 08, 2022

- **Subject Lands: View Southeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

- **Subject Lands: View Northeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

2.2 Surrounding Land Uses/Neighbourhood Compatibility

The Site fronts the east side of Sandwich Street South, generally north of the Amherstburg Central Business Area as delineated in the Town's Official Plan. Directly to the west, and across the street from these lands is an existing secondary school (General Amherst High School) and adjacent park with baseball fields. A signalized crosswalk is provided at this location connecting the school lands with the sidewalk extending along the east side of the Sandwich Street South corridor. North of the subject lands and north of Fort Street is a large format grocery store with ancillary drug store. A fast-food style restaurant with a drive through facility is also approved for this plaza. Additionally, a mix of commercial plaza uses and residential uses are located between the grocery store plaza and the subject lands including combined office/residential type uses. Further south along Sandwich Street South are a mix of

office/commercial uses, as well as a restaurant with a drive-through facility. Directly east of the subject lands is a parking lot that is accessed via a driveway directly adjacent to the north of the Site. Further east is a largely low-density residential community which incorporates a central public school, parks and institutional uses.

Table 1.0 identifies the land uses surrounding the Site.

Table 1.0 – Surrounding Land Uses

Relative Location	Existing Land Uses
TO THE NORTH:	Public parking lot, mix of commercial and residential uses including a large format grocery store and drug store
TO THE EAST:	Public parking lot, low density residential forms, institutional uses
TO THE SOUTH:	Commercial and office uses including restaurant with drive-through
TO THE WEST:	Road right-of-way, secondary school, sports fields, community park

3.0

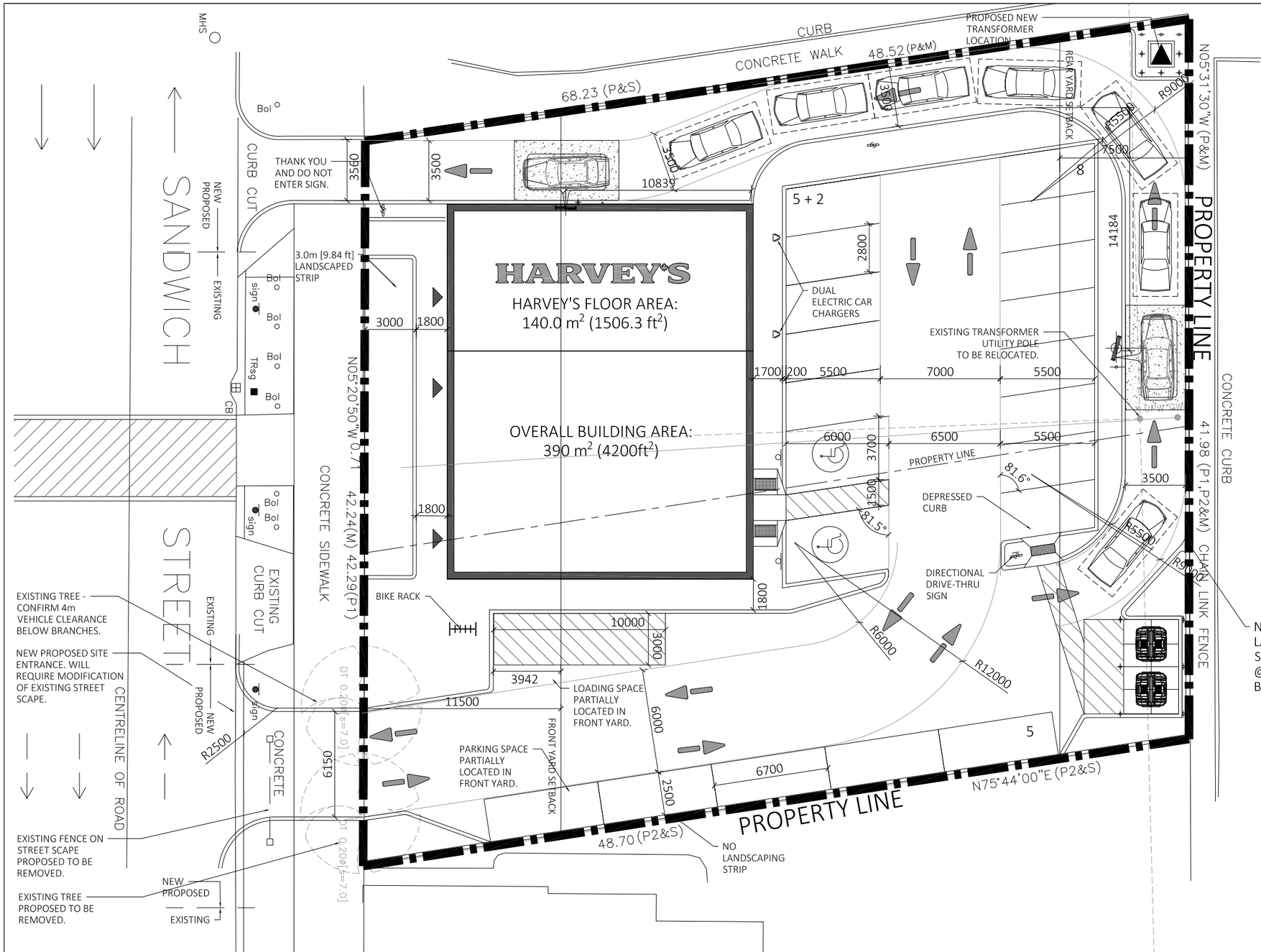
DESCRIPTION OF THE PROPOSAL

3.1 Proposed Site Plan

Figure 2 of this Report illustrates the Proposed Site Plan prepared by Nicholas Caragianis Architect Inc. (NC Architect). In our opinion, the proposed building positioning and site layout address a number of comments provided by Town staff received through the pre-application consultation stage of project planning.

The following sets out in the primary components of the Proposed Site Plan:

- A multiple-unit commercial building integrating a drive-through facility to accommodate the restaurant intended for the north commercial unit. The commercial building has a total GFA) of approximately 390 m^2, and the proposed restaurant, conceptualized as a Harvey's, has a GFA of approximately 140 m^2;
- Two vehicular accesses from Sandwich Street South, with the southerly access accommodating all way traffic movements and the northerly access providing an exit only from the drive-through facility servicing the proposed restaurant. This mutual driveway arrangement is intended to support effective maneuverability through the Site and to limit driveway entrances to Sandwich Street South;
- A total of 20 surface parking spaces, including two accessible spaces. An additional nine queuing spaces are provided in the drive-through aisle.
- Enhanced building design, landscaping and pedestrian access, including a concrete sidewalk along the east side of Sandwich Street frontage. Pedestrian accesses to commercial units are provided via by way entrances from Sandwich Street South, and from the parking area;
- Provision of an enhanced 3.0 m wide landscape strip positioned along the front of the building; and
- Building and site design elements in keeping with the Commercial Special Policy Area of the Town of Amherstburg Official Plan and the Town's proposed draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.



NOTE:

LOT AREAS & DIMENSIONS TAKEN FROM CLIENT SUPPLIED SURVEY DATED 20-10-2021

PROVISIONAL SUMMARY ONLY - ALL PARKING REQUIREMENTS TO BE CONFIRMED WITH FINAL OCCUPANCY IN PROPOSED BUILDING.

*NET FLOOR AREA USED FOR PARKING CALCULATIONS, AS PER CONVERSATION WITH AMHERSTBURG PLANNER - EXTERIOR WALL AREAS NOT IN CALCULATIONS

PARKING SUMMARY

BUILDING FOOTPRINT AREA = 390 sq. m [4200 sq. ft]

	PROPOSED DRIVE-THROUGH RESTAURANT	PROPOSED RETAIL SPACE
NET FLOOR AREA* - ESTIMATE ONLY TO BE CONFIRMED	140.0 sq. m [1506.3 sq. ft]	247 sq. m [2659 sq. ft]
ZONING PARKING REQUIREMENT	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m	SECTION 3 (23) Amherstburg Zoning: 1 / 25 sq. m
REQUIRED PARKING SPACES PER OCCUPANCY TYPE & AREA	140.0 sq. m / 10 sq. m = 14 SPACES	247 sq. m / 15 sq. m = 10 SPACES
DRIVE-THROUGH QUEUING SPACE REQUIREMENT	6 Queuing Spaces / Drive-thru	N/A
ACCESSIBLE ZONING PARKING REQUIREMENT	1 Accessible / First 20 Spaces + 1 Accessible / 100 Spaces	
LOADING SPACE REQUIREMENT	1 Required to Serve all 3 Building Occupants.	
TOTAL REQUIRED PARKING	24 PARKING SPACES (+ 2 ACCESSIBLE) 6 QUEUING SPACES 1 LOADING SPACE	
PROVIDED NUMBER OF SPACES	20 PARKING SPACES (INCLUDING 2 ACCESSIBLE) 9 QUEUING SPACES 1 LOADING SPACE	
PARKING DEFICIENCY	4 PARKING SPACES	
ADDITIONAL PARKING AMENITIES PROVIDED	2 X DUAL EV CHARGERS 5 BICYCLE PARKING SPACES	

nicholas caragianis architect inc.

PROJECT NAME:
HAR AMHRTSAND131
NCA #21055

ADDRESS:
131 & 135 SANDWICH ST. S
AMHERSTBURG, ON

PROPOSED IDEAS FOR PARKING REDUCTION - SECOND UNIT OCCUPANCY CHANGED TO RETAIL, REDUCED BUILDING FOOTPRINT BY APPROX. 310 SQ. FT, ADDITIONAL PARKING ADDED AT SOUTH PERIMETER OF SITE, PARKING AREA AT REAR ANGLED TO 81.6°

Figure 2

DSK-004-R6: PROPOSED SITE PLAN

DRAFT - FOR DISCUSSION

DATE: 2022-07-22
SCALE: 1:250
DWG.: **DSK-004-R6**
1 OF 1

Appendix A to this Report includes preliminary building elevations prepared by NC Architect.

3.2 Design Considerations

In accordance with the Commercial Special Policy Areas provisions contained in the Town of Amherstburg Official Plan, in conjunction with this OPA/ZBA application, the Town will seek the advice of its Municipal Heritage Committee when evaluating the merits of this development proposals. In particular, as discussed in Section 4.3 of this Report, given that the Site is located within the Gateway to Amherstburg Special Policy Area, the Committee will evaluate this proposal in relation to matters such as roof line, height, building material and window placement (in order to maintain the historic small town appearance of this area).

The Proposed Site Plan was designed with due consideration for the urban design objectives as provided by way of Special Policy Area provisions within the Official Plan and identified through preliminary comments received by Town Planning staff. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives as contemplated for the applicable Central Sandwich District in the draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.

As set out in Section 1.8.2 of the draft Guidelines, key objectives for the Central Sandwich District are "…to promote infill development on vacant and underutilized lots, conserve and maintain heritage features of buildings, create an attractive pedestrian environment and reduce commercial vacancies." A similar objective is defined for this District in Section 1.8.2 of the draft Community Improvement Plan.

Additionally, the following design direction has been identified within the draft Guidelines relating to commercial developments in the Central Sandwich District:

- Commercial buildings should be oriented towards the street with entranceways and sidewalks to provide access for pedestrians;
- Building setbacks are expected to generally follow those of adjacent properties to promote a continuous street wall;
- Parking should be located in the rear or side yard;
- Utilize materials that contribute to the historic character typified by red brick facades with wooden window frames, and cornices;
- Avoid materials that are not compatible with the traditional commercial character such as stucco, vinyl, and tinted glass;

- Utilize colours that contribute to the historic character of the area and compliment adjacent facades;

- Locate loading and service areas away from the street frontages and visually screen such areas from public views and adjacent residential properties; and

- Locate waste storage areas inside buildings wherever possible. Where outside, ensure that waste disposal areas and containers are not visible from the street.

The following identifies several key design elements that are contemplated in the site layout to align with the urban design direction of the aforementioned policy documents.

Key design elements:

- The street wall plane proposed along Sandwich Street South incorporates a consistent design that integrates the commercial units into a cohesive 'main street' façade and helps to achieve a pedestrian-oriented streetscape;
- The drive-through component of the proposed restaurant which will occupy the northerly unit is located at the rear of the property and screened from street-view;
- An enhanced landscaping program has been developed along the Sandwich Street South frontage is to incorporate high quality features including a wide selection of trees, shrubs and plants. Landscaping features and the building positioning will help to screen rear parking and loading areas from the public street;
- An integrated walkway system is planned to provide continuous access between the planned commercial units and the public street, as well as provide connections to the surface parking area;
- The proposed building designs integrates parapet elements that increase the building height for the street-facing elevations; having regard for the proposed massing and height guidelines contemplated in the draft Urban Design Guidelines;
- Preliminary elevations designed for the proposed building include complimentary materials, such as red brick cladding and decorative lighting;
- Façade articulation is enhanced through the provision of large windows, overhead lighting and repetition of canopies above entryways intended to create a sense of rhythm. These elements are intended to promote an inviting street front façade to encourage pedestrian access to the Site; and
- Waste receptacles are at the rear of the property screened from the street view and are proposed as an earth bin waste storage system.

In light of these considerations and further commentary provided in this Report, in our opinion, the proposed building design and site layout demonstrate close alignment with the urban design objectives identified for the Gateway to Amherstburg Special Policy Area in the Town's Official Plan, and consideration for the direction provided in the Town's draft Downtown Design Guidelines and draft Community Improvement Plan.

4.0

PLANNING ANALYSIS

The proposed Concept Plan has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement, the County of Essex Official Plan and the Town of Amherstburg Official Plan. The following outlines the merits of the proposed development relative to this framework of planning policy and with consideration for comments received from Town staff in conjunction with pre-application consultation. Additionally, the analysis has consideration for the regulations of the Town of Amherstburg Zoning By-law.

4.1 Provincial Policy Statement, 2020

The current Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The PPS provides overall policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. Part IV of the PPS sets out that this policy instrument provides a vision for land use planning in Ontario that focuses growth within settlement areas, and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities.

The proposed development plan summarized in Section 3.1 of this Report has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement. Based on this analysis, it is our opinion that specific policies in Section 1.0 (Building Strong Healthy Communities) and Section 2.0 (Wise Use and Management of Resources) are particularly relevant to this proposal. Commentary regarding these policies is provided in the following section of this Report.

Table 2.0 – Consistency with Provincial Policy Statement

PPS Policy	Response
1.1.1 Healthy, livable and safe communities are sustained by: **a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;**	This commercial development proposal promotes an efficient land use pattern that would support the long-term financial well-being of the Province of Ontario and the Town of Amherstburg (in the form of increased property tax

PPS Policy	Response
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; **c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;** **e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;** **g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;**	assessment and the optimization of existing and planned infrastructure). Additionally, employees of this development would help support the overall viability of the Central Sandwich District. Economic benefits would also be derived from construction of the proposed multiple-unit commercial development. The subject lands are located within a local development area containing a variety of service/retail commercial activities, institutional uses, and established residential neighbourhoods. Implementation of this proposal would be compatible with this development context and would help diversify the range and mix of commercial activities available in this community. The proposed development should not result in environmental or public health and safety concerns. Preliminary servicing reviews have been completed by Dillon Consulting to confirm that (1) the development can proceed in a cost-effective manner and (2) the necessary servicing infrastructure would be available to meet projected needs. It is anticipated that public service facilities available in the vicinity of the Site would accommodate the demands of this development.
1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established	This redevelopment plan proposes additional commercial space on lands located within an identified settlement area designated for commercial purposes pursuant to the County of Essex Official Plan and the Town of Amherstburg

PPS Policy	Response
for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. **Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.**	Official Plan (as discussed in Sections 4.2 and 4.3 of this Report, respectively). In effect, this proposal would introduce additional commercial space on the Site to help meet market demands and support the overall vitality of the Town's Central Sandwich District.
1.1.3.1 Settlement areas shall be the focus of growth and development.	The Site is situated within a Primary Settlement Area pursuant to the County of Essex Official Plan and is therefore considered part of a settlement area, as defined by the PPS.
1.1.3.2 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;**	Implementation of this proposal would help to promote a compact land use pattern that supports the efficient use of land and services. As noted, preliminary servicing reviews have been carried out and confirm that adequate servicing capacity is available to accommodate the intended development and that storm water quality and quantity controls can be addressed during final design. It is anticipated that future employees and patrons of this development would support existing public service programs and facilities available in proximity to the Site. Where practical and appropriate, the project would incorporate sustainable development principles to help minimize environmental impacts. The site layout promotes active transportation through the provision of multiple pedestrian connections to the Sandwich Street South corridor. Bicycle parking will also be contemplated as part of the Site Plan Approval process for this development.

PPS Policy	Response
1.5.1 Healthy, active communities should be promoted by: **a) Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.**	The proposal incorporates walkway connections to the municipal sidewalk system to help support healthy, active communities (by promoting active transportation and social interaction).
1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	Preliminary servicing reviews have been carried out to confirm that the development can proceed in a cost-effective manner, and to ensure that the necessary infrastructure is available to meet projected needs. As discussed, it is anticipated that the development can be accommodated by existing public service facilities.
1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The close proximity of the Site to service/retail commercial uses, established residential neighbourhoods, employment opportunities, schools and community facilities would help future employees and patrons of this development minimize the length and frequency of vehicle trips.
1.7.1 Long-term economic prosperity should be supported by: **d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;**	Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.
1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: **a) promote compact form and a structure of nodes and corridors;**	The project supports the more intensive use of designated commercial lands situated: within an established development corridor; directly connected to the Town's arterial road system; and located in proximity to residential neighbourhoods, employment areas, educational institutions and parkland. In addition to the compact design of this

PPS Policy	Response
b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;	project, the close proximity of the subject lands to this mix of land uses would also help to reduce commuting requirements and thereby decrease transportation congestion.
2.1.1 Natural features and areas shall be protected for the long-term.	The subject lands do not contain any designated natural areas.
2.4.1 Minerals and petroleum resources shall be protected for long-term use.	The subject lands do not contain any known mineral or petroleum resources.
2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.	The subject lands do not contain any known mineral aggregate resources.

In light of these considerations and our broader evaluation of this proposal relative to the policies of the PPS, it is our opinion that this proposal is consistent with this policy document.

4.2 County of Essex Official Plan

The County of Essex Official Plan (County Official Plan) was adopted by County of Essex Council on February 19, 2014 and approved by the Minister of Municipal Affairs and Housing on April 24, 2014. Section 1.1 of the County Official Plan identifies that its purpose is to establish a policy framework for managing growth, protecting resources and providing direction on land use decisions during the planning period to 2031. Generally, this Official Plan contains policies related to land use development within the County in Sections 2 and 3, with applicable provisions related to growth management set out in Sections 2.2 and 3.2 as discussed below.

Collectively, Section 2.2, Section 3.2.4 and Schedule A2 (Settlement Structure Plan) of the County Official Plan identify that Amherstburg is a defined Primary Settlement Area in the context of this Plan and that the Site is located with the limits of this Settlement Area. Sections 2.2 and 3.2.4 also direct that future growth and development is to be encouraged to locate within Primary Settlement Areas.

Section 3.2.2 of the County Official Plan identifies several goals for Settlement Areas which reflect PPS Policies referenced in this Report and, in our opinion, are satisfied by this proposal. The following goals have particular relevance to this redevelopment plan:

"a) Support and promote public and private re-investment in the *Primary Settlement Areas.*

b) To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

c) To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other *infrastructure* and *public service facilities* including schools as provided for in the growth management policies contained within this Plan.

f) To increase the opportunity for job creation within each *local municipality* by attracting and maintaining industries and businesses closer to where County residents live."

Section 3.2.4 h) also prescribes that all types of land uses are permitted within these communities subject to site specific land use policies in local Official Plans. Further, Section 3.2.6 f) also encourages local Official Plans to provide, "… opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure."

Given the foregoing discussion and our broader review of the County Official Plan, it is our opinion that the proposal complies with the policy direction and permissions of this Official Plan. In this regard, in our opinion, the proposed commercial redevelopment plan proposes a land use that supports the broad goals and permissions set out for Primary Settlement Areas.

4.3 Town of Amherstburg Official Plan

4.3.1 Overview

The Town of Amherstburg Official Plan (Amherstburg Official Plan) was approved on July 15, 2009, with modifications, by the County of Essex and was subsequently approved by way of a settlement as set out in an Ontario Municipal Board Order, dated February 16, 2010. The Office Consolidation of this Official Plan, dated February 3, 2014, integrates several amendments following approval.

Section 1.6 of the Amherstburg Official Plan identifies the relationship with the PPS and the County Official Plan:

"The Planning Act requires that Official Plans be consistent with the Provincial Policy Statement (PPS) that came into force on March 1, 2005. In addition the new PPS directs that no amendments occur to the Settlement Boundary unless the change is supported by a comprehensive analysis of land needs undertaken by the Town. The Planning Act

also requires that the Town of Amherstburg Official Plan conform to the County of Essex Official Plan."

Furthermore, this Section outlines several elements of the Official Plan's purpose and policy direction, which, in our opinion, are encapsulated in the following two policies:

"(1) identify and establish policies for the desired direction and order of all future development within the Town to the year 2025;

(2) guide future economic, social, environmental, and land use changes within the municipality to the year 2025;"

4.3.2 General Commercial Policies

The Site is designated General Commercial on the Schedule B-2 (Land Use Plan) of the Amherstburg Official Plan. Section 4.4.2 of this Official Plan prescribes that a wide variety of commercial activities offering goods and services are permitted in this designation, including retail commercial establishments, eating establishments, convenience stores and places of entertainment. However, the proposed drive-through restaurant establishment is not currently permitted under the existing General Commercial policy framework. Specifically, this Section restricts drive-through restaurants to locations on Sandwich Street, north of Alma Street or south of Pike Street.

Section 4.4.2 also defines several policies addressing built form, including the following access and parking policies which, in our opinion, have relevance to this redevelopment proposal:

"Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control."

"Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P.13 provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning by-Law. …Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied."

"Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern."

Additionally, Section 4.4.3 (2) of this Official Plan identifies that the Site is located within the Gateway to Amherstburg Commercial Special Policy Area (SPA). This SPA includes the development area along the Sandwich Street corridor between Texas Road and Fort Street. As identified in this Section, the intent of this SPA is to: "… ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg …"

The SPA detailed in this Section provides direction on two primary matters as set out in this Section:

1. Development Regulations. The SPA allows for additional landscaping requirements to be identified as part of Site Plan Approval, with special attention to be given to lighting, fencing, and location of garbage disposal. This policy will also allow Town Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law.

2. Municipal Heritage Committee Consultation. As outlined in this Report, the SPA also directs that Town Council to seek the advice of Amherstburg's Municipal Heritage Committee when dealing with development in this area. The Committee is to provide commentary on matters such as roof line, height, building material, and window placement as a means to maintain the historic small town appearance.

In relation to Item 1 above, this SPA also provides specific direction on development regulations as prescribed in Section 4.4.3 (2)

> "Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. …Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street ..."

Sections 3.1 and 3.2 of this Report addresses the design considerations associated with this redevelopment plan, including those set out for the General Commercial designation and the above-referenced SPA. In particular, the Proposed Site Plan identifies that the building would be setback approximately 4.8 m from Sandwich Street South, a 3.0 m wide landscape strip would be established along the street corridor and off-street parking is proposed in the rear yard. In our opinion, these project components, the plans and elevations enclosed with this Report and the discussion included in the aforementioned Report Sections demonstrate that the project is designed in general alignment with Official Plan direction.

The proposed parking, loading and access arrangement has been designed to promote safe and efficient ingress/egress consistent with SPA policies. With respect to parking supply, Figure 2 and Table 3 of this Report illustrate that the proposed parking allocation (20 stalls)

does not achieve the required parking requirement (24 stalls). To address this deficiency, Daei Foods Inc. is proposing a payment in lieu of parking to the Town consistent with applicable municipal requirements. Section 4.4.2 of the Official Plan states that, "… the Town may exempt part or all of the parking space requirement of the Zoning By-Law in return for a cash payment … Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied." We understand that the Town is satisfied with the application of a payment in lieu of parking exemption to progress this development. Additionally, CGH Transportation Inc. (CGH) has prepared a Transportation Impact Assessment, dated March 2022 which confirms the two proposed access arrangements for the development will meet acceptable level of service standards and that no signals are warranted at either of the these accesses. In light of these considerations, in our opinion this proposal aligns with the associated policies of Section 4.4.2 and the SPA.

4.3.3 Proposed Special Policy Area

As discussed, the proposed redevelopment plan requires that the Amherstburg Official Plan be amended to permit a drive-through restaurant on the northerly portion of the Site, as this Plan only permits this use within the Sandwich Street corridor, north of Alma Street or south of Pike Street. Additionally, the proposed front yard setback (4.8 m) is marginally less that than the minimum setback direction set out Section 4.4.3 (2) of this Official Plan (6 m), exclusive of rounding considerations.

The following SPA has been drafted to address these identified matters noted above. In our opinion, this site-specific policy would appropriately implement the proposed development plan in the context of this Official Plan:

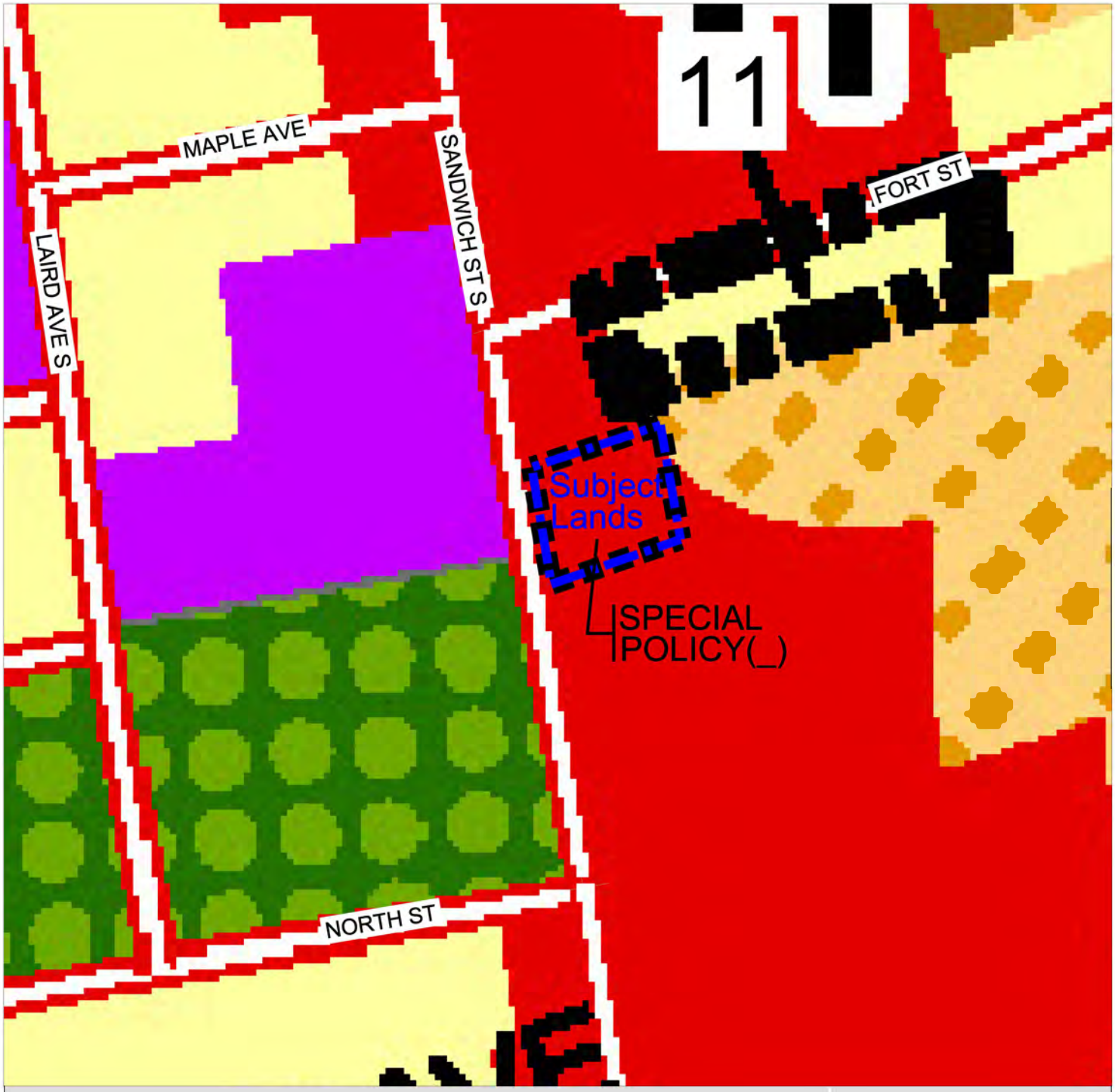
> "4.4.3 (_) Lands known as 131 and 135 Sandwich Street South, located at the east side of Sandwich Street South and south of Fort Street, shall be developed in accordance with the General Commercial policies and Gateway to Amherstburg Special Policy Area policies with the addition of a drive-through restaurant as a permitted use. Development shall be subject to site plan control. A minimum setback of 4.8 metres shall be permitted for commercial development from the front lot line."

4.3.4 Summation

In light of the foregoing, with the benefit of the proposed SPA, it is our opinion that the proposal is consistent with the principles, planning framework and policy direction of the Official Plan. In effect, the proposed redevelopment of the Site would support commercial forms that align with the policy structure of the General Commercial designation, are compatible with the surrounding development context and are appropriate for the Site.

Moreover, the concept plan integrates elements which collectively support the urban design objectives set out in the Official Plan for the Gateway to Amherstburg Commercial SPA.

Figure 3 of this Report illustrates the location of the proposed Special Policy Area.



LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
GENERAL COMMERCIAL
INSTITUTIONAL
OPEN SPACE
11 SPECIAL POLICY

Figure 3
Proposed Special Policy Area
Amherstburg Official Plan Schedule "B-2" Land Use

SUBJECT LANDS

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022 **SCALE** 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 3 - Proposed Official Plan Sched "B-2" - Feb 08, 2022

5.0

ZONING BY-LAW ANALYSIS

5.1 Existing Zoning

The Site is currently zoned Commercial General (CG) pursuant to Schedule A of the Town of Amherstburg Zoning By-law (Map 37).

Permitted uses in the CG Zone are defined in Section 15 (2) of the Zoning By-law and include a wide range of retail/service commercial uses (e.g., restaurants, food stores, retail stores, studios, personal service shops). Additionally, drive-through facilities are permitted in this Zone; however, in accordance with the associated definition set out in Section 2 (101), drive-through restaurants are excluded from this specific use. Section 2 (281) defines a drive-through restaurant as follows:

> "(b) "DRIVE-THROUGH RESTAURANT" means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking-up food from a vehicle."

5.2 Zoning Review

Table 3.0 of this Report provides an overview of the zoning compliance for the proposed site layout relative to the relevant regulations of the existing CG Zone. Parking space calculations conceptualize the Site developing for a drive-through restaurant and a 247 m^2 take-out restaurant. As noted on the Proposed Site Plan, the net floor area applied to these calculations is based on direction from Town staff.

Table 3.0 – Summary of Zoning Compliance (CG Zone)

Regulation	Required	Provided	Comments
Lot Area (Min)	No minimum	2,065 m^2	Complies
Lot Frontage(Min)	No minimum	42 m	Complies
Front Yard Depth (Min)	11.5 m (as provided in Section 3(23))	~4.8 m	Relief required

Interior side Yard (min) Except where lot line abuts a zone other than a commercial or institutional zone, min shall be 7 m	No minimum	~3.5 m/~13 m	
Rear Yard (min)	7.5 m	~24 m	Complies
Height (Max)	10 m	6.1 m	Complies
Open storage	No open storage of goods, materials or waste permitted		Waste disposal to be provided via in-ground storage system
Loading Space Requirement	1 space 3.5 m x 10 m	1 space (3.0 m x 10 m)	Relief required Loading space provided is 3.0 m wide to accommodate 6.0 m wide driveway and 1.8 m walkway
Parking			
Restaurant, Drive-through: 1 per 10 m^2 plus 6 queuing spaces in advance of each drive through window	14 + 6 queuing spaces	20 + 9 queuing spaces	Relief required
Restaurant, Take-out: 1 per 10 m^2	25 spaces		
Accessible Parking: 1 for first 20 spaces	1	1	Complies (based on proposed parking spaces)

5.3 Proposed Zoning

In our opinion, to accommodate this project, a Special Provision to the CG Zone is required to expressly permit the proposed drive-through restaurant and site layout.

Specifically, at a minimum, this CG Zone exception would include site-specific regulations for reductions in the front yard setback, minimum loading space width, minimum parking requirements as highlighted above. Given the structure of the Zoning By-law, it is proposed that the following subsection be added to Section 15(4):

"CG-(_) (131 and 135 Sandwich Street South)

Notwithstanding any other provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-(_) on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i) Additional Permitted Use:

(a) Drive-Through Restaurant

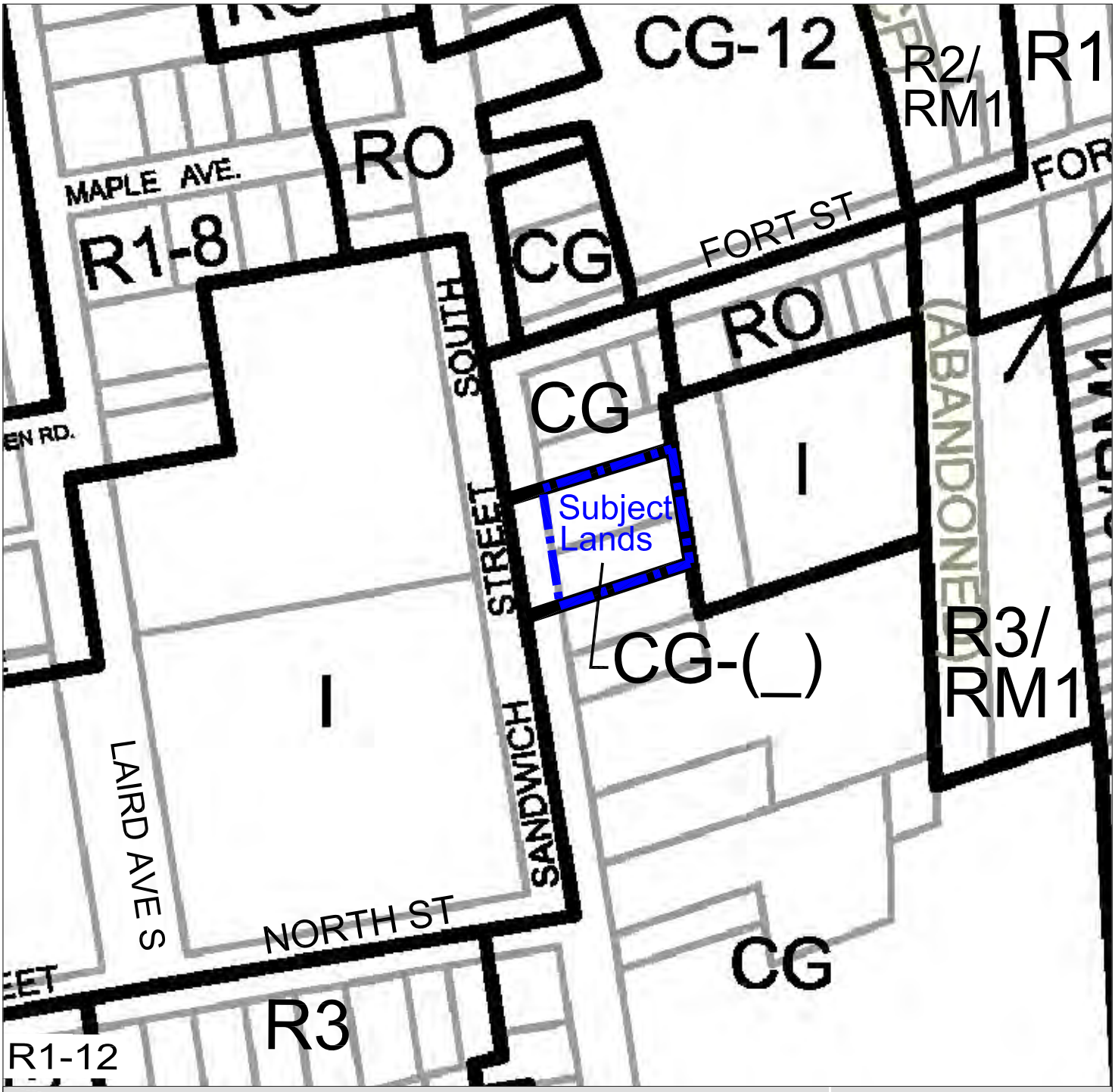
(ii) Other Provisions:

(a) Front Yard Depth (Minimum)	4.8 m
(b) Loading Space Dimensions (Minimum)	3.0 m by 10 m

(c) Notwithstanding Section 3(21)c), the minimum number of parking spaces required shall be 20."

The proposed Special Provision would accommodate the site layout illustrated in the Proposed Site Plan. In our opinion, in the context of this development and with consideration for commentary provided in this Report, the requested exemption would help implement a commercial development appropriate for the Site without undermining the purpose of the parent CG Zone.

Figure 4 illustrates the proposed zoning of the subject lands.



LEGEND

ZONE LIMITS

R1	RESIDENTIAL FIRST DENSITY ZONE
R2	RESIDENTIAL SECOND DENSITY ZONE
R3	RESIDENTIAL THIRD DENSITY ZONE
RM1	RESIDENTIAL MULTIPLE FIRST DENSITY ZONE
RO	RESIDENTIAL OFFICE ZONE
CG	COMMERCIAL GENERAL ZONE
I	INSTITUTIONAL ZONE

Figure 4
Proposed Zoning

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 4 - Proposed Zoning - Feb 08, 2022

6.0

CONCLUSIONS

In conclusion, it is our opinion that the proposed Official Plan and Zoning By-law Amendments are appropriate for the Site, compatible with the existing development context and in keeping with the framework of applicable planning policy. This assessment is based, in part, on consideration of the following project merits:

1. The subject lands are situated within the Central Sandwich District planning area and are designated for service/retail commercial uses in accordance with the Town of Amherstburg Official Plan;

2. The property is well-suited for the proposed multiple-unit commercial building considering its location within an established commercial corridor and its proximity to: established residential neighbourhoods; institutional uses; retail/service commercial uses; and recreational facilities; and public transit services. In this respect, employees and patrons of this new development would have access to, and would support local businesses and public institutions;

3. The massing, orientation and articulation of the proposed commercial building is designed to be: compatible with surrounding land uses; complementary to the local development context; and supportive of the pedestrian environment along Sandwich Street South. Accordingly, in our opinion, this project should not generate significant land use conflicts with adjacent properties;

4. Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.

5. The Proposed Site Plan developed in conjunction with this proposal was designed with regard for the urban design objectives provided by way of applicable Gateway to Amherstburg Special Policy Area provisions set out in the Amherstburg Official Plan. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives contemplated for the Central Sandwich District within the draft Downtown Amherstburg Urban Design Guidelines (e.g., cohesive main

street façade, enhanced landscaping elements, screened parking and drive-through facilities, integrated walkway network).

6. The positioning, design and height of the proposed commercial building helps (1) to reinforce the established street wall and (2) to achieve a pedestrian-oriented streetscape;

7. Technical assessments indicate that adequate servicing infrastructure exists along Sandwich Street to accommodate the proposed development and that appropriate Storm Water quantity and quality control can be addressed through final design;

8. The Transportation Impact Assessment confirms proposed accesses to the site will have negligible impacts to acceptable traffic standards along Sandwich Street and no signals are warranted;

9. In our opinion, the proposed development is consistent with the Provincial Policy Statement, conforms to the County of Essex Official Plan and is in keeping with the general policy direction and permissions of the Town of Amherstburg Official Plan;

10. The proposed site-specific Official Plan Amendments and Zoning By-law Amendments would appropriately implement the intended building design and site layout; and

11. The development proposed by Daei Foods Inc. represents good planning.

Given the noted considerations and the commentary presented in this Report, it is recommended that the Town of Amherstburg approve the Official Plan Amendment and Zoning By-law Amendment applications, as proposed.

Respectfully submitted,

MHBC

Scott Allen, MA, RPP
Partner

Nicolette van Oyen, BES
Planner

APPENDIX A

Preliminary Building Elevations
131 & 135 Sandwich Street

1 DSK-006 **WEST ELEVATION - SANDWICH STREET**

3/32" = 1'-0"

2 DSK-006 **WEST ELEVATION**

1/8" = 1'-0"

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 237 6401 nicarchitect.ca

PROJECT NORTH (P.N.):

TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

#	YYYY-MM-DD	REVISIONS
3	2022-07-26	Issued for Heritage Review
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: West Ext. Elev

NCA PROJECT NUMBER:

FILE NUMBER:

SCALE: As indicated

OWNER'S CONTRACT NUMBER:

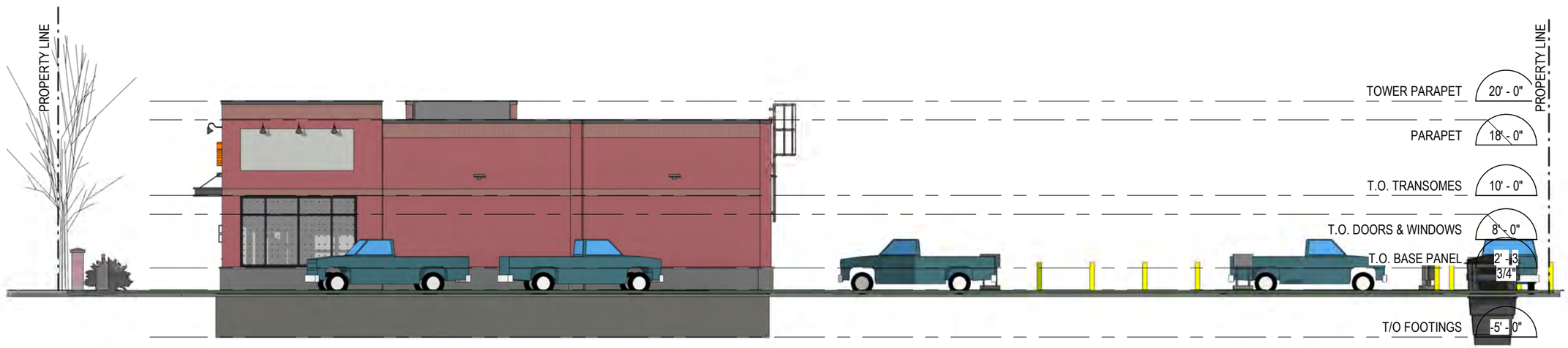
OWNER'S PROJECT NUMBER:

DRAWN BY: Lan Wang

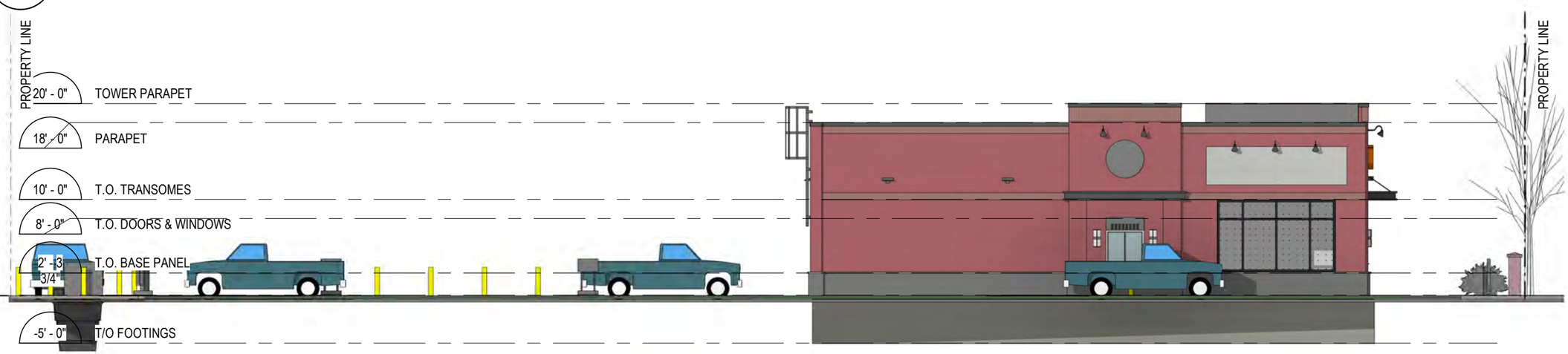
DATE CREATED: 02/15/22

SHEET #: DSK-006

Pg. 1 of 2



3 **SOUTH ELEVATION**
DSK-006-2 3/32" = 1'-0"



4 **NORTH ELEVATION**
DSK-006-2 3/32" = 1'-0"

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 237 6401 ncarchitect.ca

PROJECT NORTH (P.N.):
TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

#	YYYY-MM-DD	REVISIONS
3	2022-07-26	Issued for Heritage Review
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: North/South Ext. Elev

NCA PROJECT NUMBER:
FILE NUMBER:
SCALE: 3/32" = 1'-0"
OWNER'S CONTRACT NUMBER:
OWNER'S PROJECT NUMBER:
DRAWN BY: Lan Wang
DATE CREATED: 02/15/22
SHEET #: DSK-006
Pg. 2 of 2

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

200-540 BINGEMANS CENTRE DRIVE /KITCHENER / ONTARIO / N2B 3X9 / T: 519.576.3650 / F: 519.576.0121/ WWW.MHBCPLAN.COM

Summary of Correspondence Received on an Official Plan Amendment and a Zoning By-law Amendment Applications

Below is a summary of the comments received by the Planning Services Division on files OPA No. 16 and ZBA/09/22.

Infrastructure Services Department:

Infrastructure services has been working with the proponent on site plan and terms of reference for the traffic study. Although General Amherst is closing in June, the fate of the crosswalk in front of this property is undetermined. The drive through exit may need to be restricted to right turn only depending on the crosswalk and the determination of the TIS. All other servicing issues will be addressed during site plan control.

Windsor Police Services:

I have reviewed the documents you provided pertaining to this proposed amendment to both the Official Plan and the Zoning By-Law and would advise as follows:

- The Windsor Police Service has no objections to the proposed official plan and Zoning By-law amendment being requested to permit a drive through restaurant on the subject lands, in conjunctions with a multi-unit commercial building. The conceptual site plan (subject to being finalized) for this development reveals a design that will provide for effective emergency police incident response access and general police patrolling capability.

- The introduction of a drive through lane operation at this busy section of Sandwich Street will generate an increase of vehicular turning movements onto and off of the property, compared to the previous land use. This will place high importance on a final design that results in no sight line obstructions for drivers entering and exiting Sandwich Street, most notably at the exit of the drive through lane. The safety importance of this will also be impacted over the long term of what/how the former General Amherst Secondary School site, situated directly across Sandwich Street, gets redeveloped.

- To ensure all detailed facets of public safety and security get addressed for the development, we will provide more site-specific remarks during the site plan review phase for the project. This will include examining elements such as safe vehicular access and maneuverability, site lighting, signage and pavement markings, etc.

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

June 03, 2022

Ms. Tammy Fowkes
Deputy Clerk
Town of Amherstburg
512 Sandwich St South, Amherstburg, ON, N9V 3R2
Tel: 519-736-0012 ext: 2216

Dear Ms. Tammy Fowkes:

RE: Application for Official Plan Amendment (OPA 16) and Zoning By-Law Amendment (ZBA-09-22), 131 & 135 SANDWICH ST S
ARN 372923000004300, 372923000004400; PIN: 705540222, 705540223
Applicant: DAEI FOODS INC

The following is provided as a result of our review of the Notice of Public Meeting to consider Application for Official Plan Amendment (OPA 16) and Zoning By-Law Amendment (ZBA-09-22).

This Official Plan Amendment, if approved, will amend the existing General Commercial policies to permit a drive through restaurant on the subject lands in conjunction with a multiunit commercial building having a total gross floor area of approximately 419 square metres. The Rezoning, if approved, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

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).

RISK MANAGEMENT AND SOURCE PROTECTION PLAN

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015.

The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk

Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats.

Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org or 519-776-5209 ext 214.

If a Risk Management Plan has previously been negotiated on this property, it will be the responsibility of the new owner to contact the Essex Region Risk Management Official to establish an updated Risk Management Plan. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

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 PPS, 2020 - Stormwater Management

The public meeting notice confirms this development will be subject to Site Plan Control. Therefore, we request to be included in the circulation of the Site Plan Control application. We reserve to comment further on storm water management concerns, until we have had an opportunity to review the specific details of the proposal through the site plan approval stage.

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

The following comments are provided from our perspective as an advisory service provider to the Planning Authority 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 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 objection to this application for Official Plan amendment and Zoning By-law amendment at this time. However, we request to be circulated at the time of Site Plan Control to comment further on storm water management. Should your proposal require the installation of fuel storage on the site, please contact the RMO

to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water.

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

Sincerely,

Kim Darroch, B.A.(Hons.), M.PL., RPP, MCIP
Team Lead, Planning Services

CC: Melissa Osborne Director, Development Services

Essex Region Conservation Authority
sustaining the place for life

AMENDMENT NO. 16
TO THE OFFICIAL PLAN
FOR THE TOWN OF AMHERSTBURG
PART "A" - THE PREAMBLE

1. PURPOSE
The purpose of this Amendment is to introduce language that would create Special Policy Area #16 in the Town of Amherstburg Official Plan.

2. BACKGROUND
The Town received an Official Plan Amendment and Zoning By-law Amendment from Daei Foods Inc., for approximately 0.2 hectares or land (municipally known as 131 and 135 Sandwich Street South) located on the east side of Sandwich Street South between Fort Street and Richmond Street. If approved, the Official Plan will be amended on a site-specific basis via a Special Policy Area to permit a drive through restaurant on the subject lands with an additional commercial unit having a total gross floor area of approximately 390 m^2.

3. BASIS

The proposed development is located in the peripheral area adjacent to the downtown core of Amherstburg. The site is located as an infilling development in the mixed use area that is peripheral to the downtown core.

It is observed that through the history of planning applications on the east side of Sandiwch Street south of Alma Street and north of Richmond Street that this is an area in transition towards more commercial uses, mixed-use developments and higher than existing residential densities.

Amherstburg is experiencing an increase in demand for commercial uses that serve people by automobile via drive-through and walk-up or bicycle or other accessible access means to the businesses. Furthermore, accessible access for all persons is a legislated requirement.

PART “B” - THE AMENDMENT

All of this part of the document, entitled, “Part ‘B’ – The Amendment” consisting of the following text constitutes Amendment No. 16 to the Official Plan for the Town of Amherstburg.

1. DETAILS OF THE AMENDMENT

The Official Plan of the Town of Amherstburg is amended as follows:

That Section 4.4.3 Commercial Special Policy Areas is amended by adding subsection 6 as follows:

(6) For lands designated under Special Policy Area 16 in the Town of Amherstburg Official Plan located at the municipal addresses known as 131 Sandwich Street South and 135 Sandwich Street South, a drive through restaurant on the subject lands with an additional commercial unit having a total gross floor area of approximately 390 m^2 shall be permitted uses.

That Schedules “A” and “B” of the Official Plan of the Town of Amherstburg are amended to show the location of Special Policy Area 16.

2. IMPLEMENTATION AND INTERPRETATION

This document will be implemented by the Town of Amherstburg by enacting an appropriate amendment to the Zoning By-law of the Town of Amherstburg and enacted through the Town’s Site Plan By-law.

Summary of Correspondence Received on an Official Plan Amendment and a Zoning By-law Amendment Applications

Below is a summary of the comments received by the Planning Services Division on files OPA No. 16 and ZBA/09/22.

Infrastructure Services Department:

Infrastructure services has been working with the proponent on site plan and terms of reference for the traffic study. Although General Amherst is closing in June, the fate of the crosswalk in front of this property is undetermined. The drive through exit may need to be restricted to right turn only depending on the crosswalk and the determination of the TIS. All other servicing issues will be addressed during site plan control.

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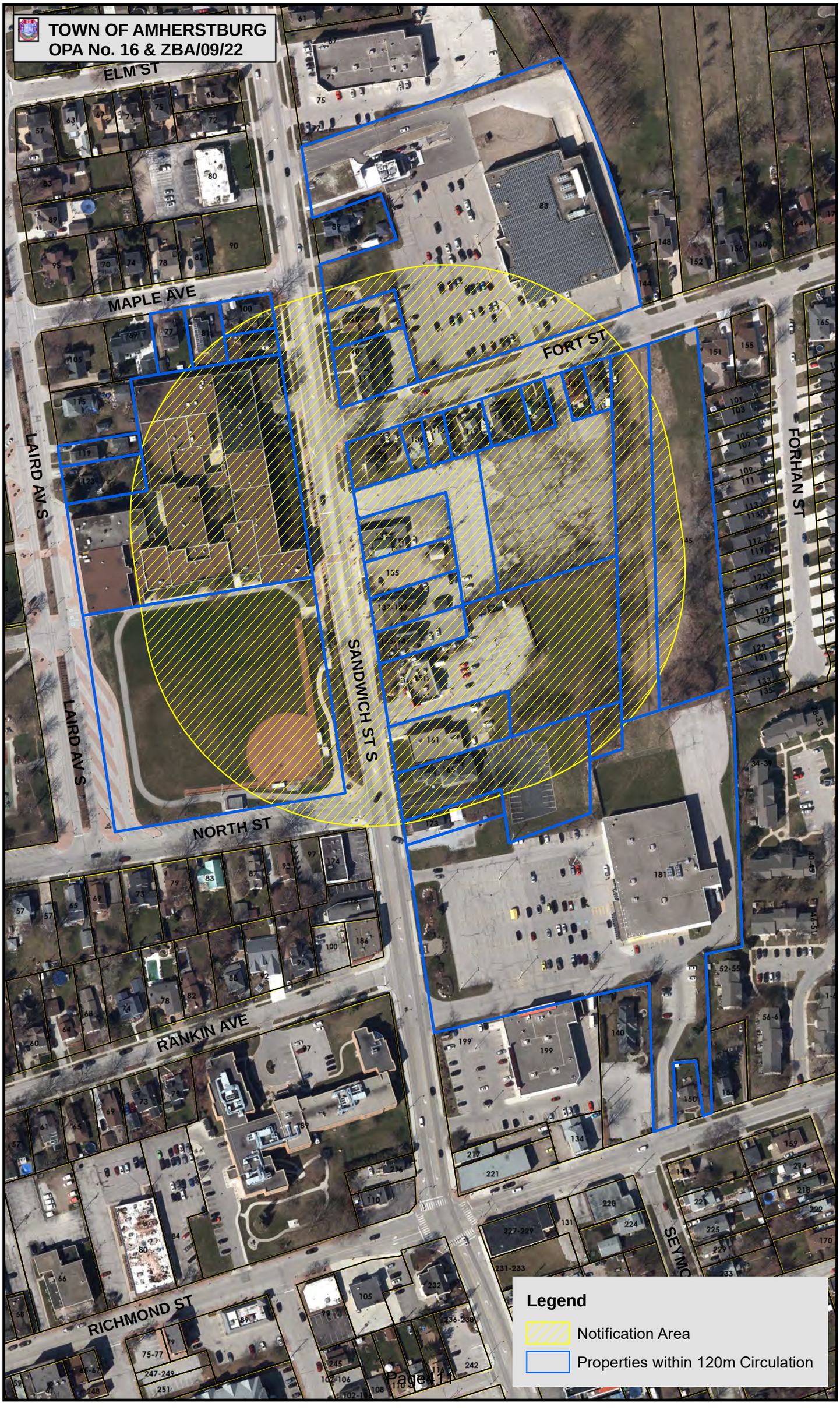
TOWN OF AMHERSTBURG
OPA No. 16 & ZBA/09/22
ELM ST
MAPLE AVE
FORT ST
LAIRD AV S
FORHAN ST
SANDWICH ST S
NORTH ST
RANKIN AVE
RICHMOND ST
Legend
Notification Area
Properties within 120m Circulation

ARN	ADD1	STREETNAME
372924000007300	81	MAPLE AVE
372924000007400	77	MAPLE AVE
372924000006900		SANDWICH ST S
372924000007900	123	LAIRD AVE S
372924000007100	104	SANDWICH ST S
372924000007200	100	SANDWICH ST S
372924000007800	119	LAIRD AVE S
372924000007000	130	SANDWICH ST S
372926000002000	103	SANDWICH ST S
372926000002100	107	SANDWICH ST S
372926000002300	83	SANDWICH ST S
372923000003500	131	FORT ST
372923000004000	109	FORT ST
372923000003600	127	FORT ST
372923000004300	131	SANDWICH ST S
372923000004200		FORT ST
372923000004250		SANDWICH ST S
372923000004100	121	SANDWICH ST S
372923000003300	145	FORT ST
372923000004600	145-149	SANDWICH ST S
372923000005702		FORT ST
372923000005300	173	SANDWICH ST S
372923000003800	117	FORT ST
372923000004700	151	SANDWICH ST S
372923000005700	181	SANDWICH ST S
372923000005001		SANDWICH ST S
372923000003900	113	FORT ST
372923000005100	165	SANDWICH ST S
372923000003700	121	FORT ST
372923000004400	135	SANDWICH ST S
372923000004900	161	SANDWICH ST S
372923000003400	135	FORT ST
372923000004500	137-143	SANDWICH ST S

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

131 & 135 Sandwich Street

Town of Amherstburg,
County of Essex

Date:

April 2022 (Revised July 2022)

Prepared for:

Daei Foods Inc.

Prepared by:
MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)
540 Bingemans Centre Drive, Suite 200
Kitchener, Ontario
T: 519.576.3650
F: 519.576.0121

Our File 21320A

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Appendix A: **Preliminary Building Elevations**

1.0

INTRODUCTION

1.1 Overview

1.1.1 Development Proposal

MHBC has been retained by Daei Foods Inc. to assist with an application to amend the Town of Amherstburg Official Plan and Zoning By-Law in order to support a commercial development planned for lands addressed collectively as 131 and 135 Sandwich Street South, in the community of Amherstburg. The subject lands (the 'Site') are located on the east side of Sandwich Street South between Fort Street and Richmond Street. The Site measures approximately 2,065 m^2 in area, and has approximately 42.2 m of frontage on Sandwich Street South.

The Proposed Site Plan enclosed with this submission illustrates the intended building design and lot layout for the planned commercial development. As presented, the proposed development incorporates one multiple-unit commercial building integrating shared accesses and common parking areas. Additionally, a drive-through facility is integrated into the proposed restaurant (conceptualized as a Harvey's). In total, the development proposes 390 m^2 of service/retail commercial space (gross floor area).

Additional consideration of urban design opportunities have been implemented into the proposed layout to promote an attractive urban streetscape, including building positioning, contemporary building façades, landscaping enhancements and convenient pedestrian connections. The intent of these design elements is to support an active street frontage and a positive pedestrian experience along the Sandwich Street South corridor.

1.1.2 Planning Applications

As discussed in this Report, the subject lands are located in within a defined Settlement Area in the County of Essex Official Plan and are designated General Commercial pursuant to the Town of Amherstburg Official Plan. The General Commercial designation permits commercial retail uses, including eating establishments; however drive-through facilities are not permitted in this designation.

The lands are zoned Commercial General (CG) pursuant to the Town of Amherstburg Zoning By-law No. 1999-52 (Zoning By-law), which permits restaurant uses including fast food restaurants and drive-through facilities. Notwithstanding, the CG Zone does not permit drive-through restaurants as defined in the Zoning By-law. In addition, the Proposed Site Plan does not comply with certain CG Zone regulations (e.g., minimum front yard setback, minimum parking requirements).

In light of these considerations and direction provided by Town of Amherstburg staff, Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications are being advanced to permit the proposed commercial development.

1.2 Report Framework

1.2.1 General Components

This Planning Justification Report includes a detailed description of the subject lands, the existing policy framework and the rationale for the OPA/ZBA application. The Report focuses on matters relating to the nature and intent of the Official Plan Amendment and rezoning application, and includes the following primary components:

- An introduction and general overview of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational context;

- A description of the overall development concept including highlights regarding land use, building form and urban design components, as well as an overview of technical studies completed in support of the development concept; and

- A review of the existing policy framework (Provincial and County) relating to the proposed development and an assessment of conformity with the Provincial Policy Statement, the County Official Plan and the Town's Official Plan and Zoning By-law.

The following represent key references for this planning analysis:

- 2020 Provincial Policy Statement (PPS);
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-law No. 1999-52;
- Downtown Amherstburg Urban Design Guidelines (Draft).

In addition to a detailed review of these documents, an assessment of the subject lands and the surrounding land uses was also conducted as part of the evaluation.

1.2.2 Complete Application

Town of Amherstburg staff advised in correspondence that the following reports and plans are required to support a complete OPA/ZBA application

- Planning Justification Report;
- Traffic Impact Assessment;
- Conceptual Landscape Plan;
- Conceptual Site Plan; and
- Preliminary Building Elevations.

The required materials has been prepared and are enclosed with the planning application submitted for this proposal.

2.0

SITE LOCATION AND SURROUNDING LAND USES

2.1 Site Description

As discussed, the subject lands are addressed as 131 and135 Sandwich Street South, in the Town of Amherstburg (County of Essex). The Site currently comprises two parcels, generally described as Part of Lots 6, 7 and 8, Registered Plan 6. **Figure 1** of this Report illustrates the location of these lands. The Site is currently developed with a family-style restaurant and attached residence contained on 135 Sandwich Street South, while 131 Sandwich Street South is utilized for accessory parking and an accessory outbuilding is also located on that parcel. The restaurant/residence has a gross floor area (GFA) of approximately 310 m^2, the accessory building has a GFA of approximately 58 m^2.

The subject lands, which measure approximately 0.21 ha in area, are generally rectangular in shape and incorporate approximately 42 m of frontage along Sandwich Street South. These lands form part of the Town's Central Sandwich District and are identified as being within the Central Sandwich Community Improvement Planning Area under the Town's draft Downtown Amherstburg Urban Design Guidelines (October 2018) and draft Community Improvement Plan (December 2020).

At this location, Sandwich Street South (County of Essex Road 20) has two through traffic lanes and a continuous northbound left turn lane. This street is designated as an Arterial Road pursuant to Schedule D (Road Classification) of the Town of Amherstburg Official Plan. The Site has two existing full-turn street accesses.

The following images illustrate site features from the adjacent street frontages.

Figure 1

General Location Map

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING

200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: February 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 1 - General Location Map - Feb. 08, 2022

- **Subject Lands: View Southeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

- **Subject Lands: View Northeast from Sandwich Street South corridor**

Source: Google Maps, February 7, 2022

2.2 Surrounding Land Uses/Neighbourhood Compatibility

The Site fronts the east side of Sandwich Street South, generally north of the Amherstburg Central Business Area as delineated in the Town's Official Plan. Directly to the west, and across the street from these lands is an existing secondary school (General Amherst High School) and adjacent park with baseball fields. A signalized crosswalk is provided at this location connecting the school lands with the sidewalk extending along the east side of the Sandwich Street South corridor. North of the subject lands and north of Fort Street is a large format grocery store with ancillary drug store. A fast-food style restaurant with a drive through facility is also approved for this plaza. Additionally, a mix of commercial plaza uses and residential uses are located between the grocery store plaza and the subject lands including combined office/residential type uses. Further south along Sandwich Street South are a mix of

office/commercial uses, as well as a restaurant with a drive-through facility. Directly east of the subject lands is a parking lot that is accessed via a driveway directly adjacent to the north of the Site. Further east is a largely low-density residential community which incorporates a central public school, parks and institutional uses.

Table 1.0 identifies the land uses surrounding the Site.

Table 1.0 – Surrounding Land Uses

Relative Location	Existing Land Uses
TO THE NORTH:	Public parking lot, mix of commercial and residential uses including a large format grocery store and drug store
TO THE EAST:	Public parking lot, low density residential forms, institutional uses
TO THE SOUTH:	Commercial and office uses including restaurant with drive-through
TO THE WEST:	Road right-of-way, secondary school, sports fields, community park

3.0

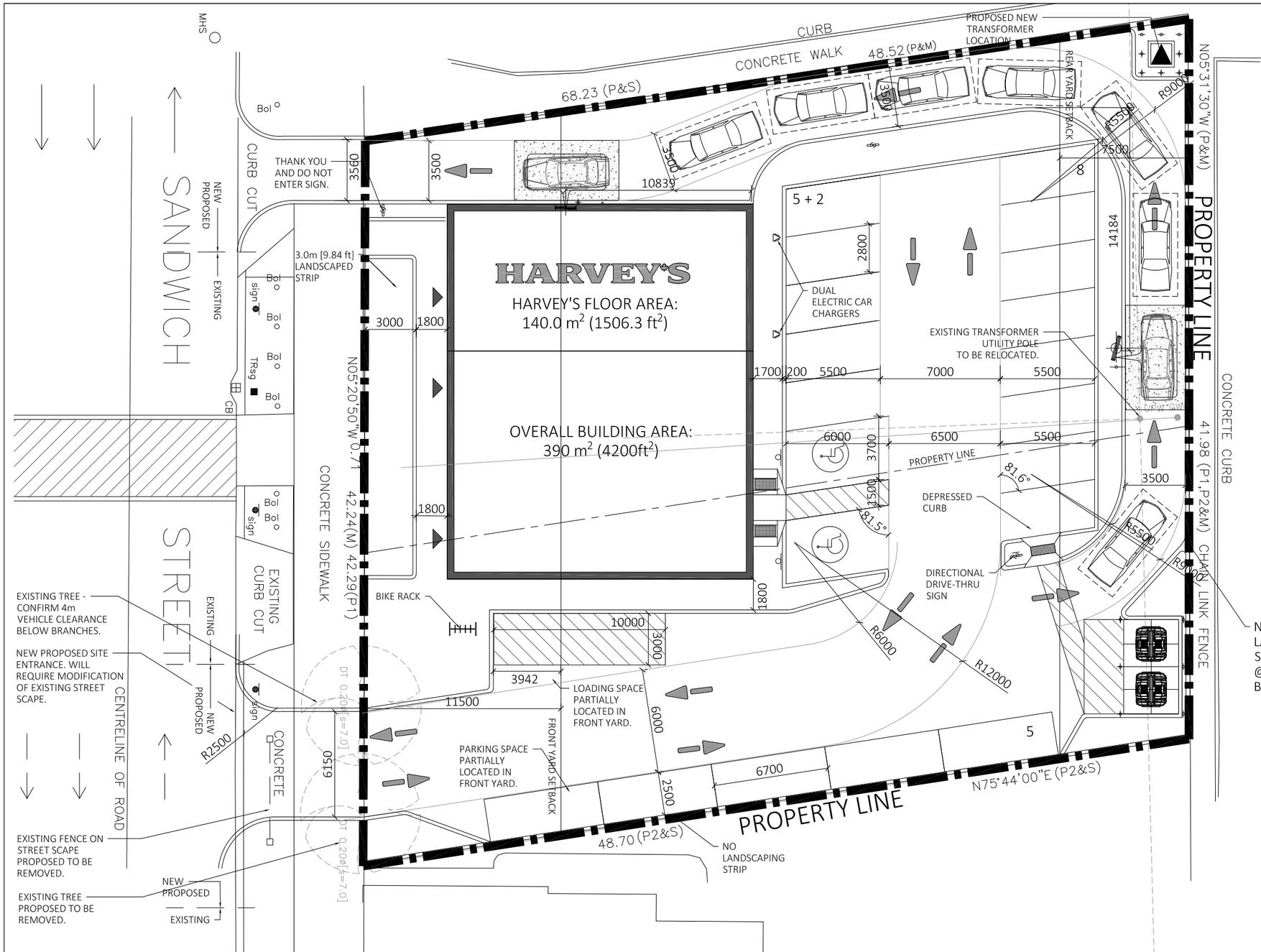
DESCRIPTION OF THE PROPOSAL

3.1 Proposed Site Plan

Figure 2 of this Report illustrates the Proposed Site Plan prepared by Nicholas Caragianis Architect Inc. (NC Architect). In our opinion, the proposed building positioning and site layout address a number of comments provided by Town staff received through the pre-application consultation stage of project planning.

The following sets out in the primary components of the Proposed Site Plan:

- A multiple-unit commercial building integrating a drive-through facility to accommodate the restaurant intended for the north commercial unit. The commercial building has a total GFA) of approximately 390 m^2, and the proposed restaurant, conceptualized as a Harvey's, has a GFA of approximately 140 m^2;
- Two vehicular accesses from Sandwich Street South, with the southerly access accommodating all way traffic movements and the northerly access providing an exit only from the drive-through facility servicing the proposed restaurant. This mutual driveway arrangement is intended to support effective maneuverability through the Site and to limit driveway entrances to Sandwich Street South;
- A total of 20 surface parking spaces, including two accessible spaces. An additional nine queuing spaces are provided in the drive-through aisle.
- Enhanced building design, landscaping and pedestrian access, including a concrete sidewalk along the east side of Sandwich Street frontage. Pedestrian accesses to commercial units are provided via by way entrances from Sandwich Street South, and from the parking area;
- Provision of an enhanced 3.0 m wide landscape strip positioned along the front of the building; and
- Building and site design elements in keeping with the Commercial Special Policy Area of the Town of Amherstburg Official Plan and the Town's proposed draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.



NOTE:

LOT AREAS & DIMENSIONS TAKEN FROM CLIENT SUPPLIED SURVEY DATED 20-10-2021

PROVISIONAL SUMMARY ONLY - ALL PARKING REQUIREMENTS TO BE CONFIRMED WITH FINAL OCCUPANCY IN PROPOSED BUILDING.

*NET FLOOR AREA USED FOR PARKING CALCULATIONS, AS PER CONVERSATION WITH AMHERSTBURG PLANNER - EXTERIOR WALL AREAS NOT IN CALCULATIONS

PARKING SUMMARY

BUILDING FOOTPRINT AREA = 390 sq. m [4200 sq. ft]

	PROPOSED DRIVE-THROUGH RESTAURANT	PROPOSED RETAIL SPACE
NET FLOOR AREA* - ESTIMATE ONLY TO BE CONFIRMED	140.0 sq. m [1506.3 sq. ft]	247 sq. m [2659 sq. ft]
ZONING PARKING REQUIREMENT	SECTION 3 (23) Amherstburg Zoning: 1 / 10 sq. m	SECTION 3 (23) Amherstburg Zoning: 1 / 25 sq. m
REQUIRED PARKING SPACES PER OCCUPANCY TYPE & AREA	140.0 sq. m / 10 sq. m = 14 SPACES	247 sq. m / 15 sq. m = 10 SPACES
DRIVE-THROUGH QUEUING SPACE REQUIREMENT	6 Queuing Spaces / Drive-thru	N/A
ACCESSIBLE ZONING PARKING REQUIREMENT	1 Accessible / First 20 Spaces + 1 Accessible / 100 Spaces	
LOADING SPACE REQUIREMENT	1 Required to Serve all 3 Building Occupants.	
TOTAL REQUIRED PARKING	24 PARKING SPACES (+ 2 ACCESSIBLE) 6 QUEUING SPACES 1 LOADING SPACE	
PROVIDED NUMBER OF SPACES	20 PARKING SPACES (INCLUDING 2 ACCESSIBLE) 9 QUEUING SPACES 1 LOADING SPACE	
PARKING DEFICIENCY	4 PARKING SPACES	
ADDITIONAL PARKING AMENITIES PROVIDED	2 X DUAL EV CHARGERS 5 BICYCLE PARKING SPACES	

nicholas caragianis architect inc.

PROJECT NAME:
HAR AMHRTSAND131
NCA #21055

ADDRESS:
131 & 135 SANDWICH ST. S
AMHERSTBURG, ON

PROPOSED IDEAS FOR PARKING REDUCTION - SECOND UNIT OCCUPANCY CHANGED TO RETAIL, REDUCED BUILDING FOOTPRINT BY APPROX. 310 SQ. FT, ADDITIONAL PARKING ADDED AT SOUTH PERIMETER OF SITE, PARKING AREA AT REAR ANGLED TO 81.6°

Figure 2

DSK-004-R6: PROPOSED SITE PLAN

DRAFT - FOR DISCUSSION

DATE: 2022-07-22
SCALE: 1:250
DWG.: **DSK-004-R6**
1 OF 1

Appendix A to this Report includes preliminary building elevations prepared by NC Architect.

3.2 Design Considerations

In accordance with the Commercial Special Policy Areas provisions contained in the Town of Amherstburg Official Plan, in conjunction with this OPA/ZBA application, the Town will seek the advice of its Municipal Heritage Committee when evaluating the merits of this development proposals. In particular, as discussed in Section 4.3 of this Report, given that the Site is located within the Gateway to Amherstburg Special Policy Area, the Committee will evaluate this proposal in relation to matters such as roof line, height, building material and window placement (in order to maintain the historic small town appearance of this area).

The Proposed Site Plan was designed with due consideration for the urban design objectives as provided by way of Special Policy Area provisions within the Official Plan and identified through preliminary comments received by Town Planning staff. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives as contemplated for the applicable Central Sandwich District in the draft Downtown Amherstburg Urban Design Guidelines and draft Community Improvement Plan.

As set out in Section 1.8.2 of the draft Guidelines, key objectives for the Central Sandwich District are "…to promote infill development on vacant and underutilized lots, conserve and maintain heritage features of buildings, create an attractive pedestrian environment and reduce commercial vacancies." A similar objective is defined for this District in Section 1.8.2 of the draft Community Improvement Plan.

Additionally, the following design direction has been identified within the draft Guidelines relating to commercial developments in the Central Sandwich District:

- Commercial buildings should be oriented towards the street with entranceways and sidewalks to provide access for pedestrians;
- Building setbacks are expected to generally follow those of adjacent properties to promote a continuous street wall;
- Parking should be located in the rear or side yard;
- Utilize materials that contribute to the historic character typified by red brick facades with wooden window frames, and cornices;
- Avoid materials that are not compatible with the traditional commercial character such as stucco, vinyl, and tinted glass;

- Utilize colours that contribute to the historic character of the area and compliment adjacent facades;

- Locate loading and service areas away from the street frontages and visually screen such areas from public views and adjacent residential properties; and

- Locate waste storage areas inside buildings wherever possible. Where outside, ensure that waste disposal areas and containers are not visible from the street.

The following identifies several key design elements that are contemplated in the site layout to align with the urban design direction of the aforementioned policy documents.

Key design elements:

- The street wall plane proposed along Sandwich Street South incorporates a consistent design that integrates the commercial units into a cohesive 'main street' façade and helps to achieve a pedestrian-oriented streetscape;
- The drive-through component of the proposed restaurant which will occupy the northerly unit is located at the rear of the property and screened from street-view;
- An enhanced landscaping program has been developed along the Sandwich Street South frontage is to incorporate high quality features including a wide selection of trees, shrubs and plants. Landscaping features and the building positioning will help to screen rear parking and loading areas from the public street;
- An integrated walkway system is planned to provide continuous access between the planned commercial units and the public street, as well as provide connections to the surface parking area;
- The proposed building designs integrates parapet elements that increase the building height for the street-facing elevations; having regard for the proposed massing and height guidelines contemplated in the draft Urban Design Guidelines;
- Preliminary elevations designed for the proposed building include complimentary materials, such as red brick cladding and decorative lighting;
- Façade articulation is enhanced through the provision of large windows, overhead lighting and repetition of canopies above entryways intended to create a sense of rhythm. These elements are intended to promote an inviting street front façade to encourage pedestrian access to the Site; and
- Waste receptacles are at the rear of the property screened from the street view and are proposed as an earth bin waste storage system.

In light of these considerations and further commentary provided in this Report, in our opinion, the proposed building design and site layout demonstrate close alignment with the urban design objectives identified for the Gateway to Amherstburg Special Policy Area in the Town's Official Plan, and consideration for the direction provided in the Town's draft Downtown Design Guidelines and draft Community Improvement Plan.

4.0

PLANNING ANALYSIS

The proposed Concept Plan has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement, the County of Essex Official Plan and the Town of Amherstburg Official Plan. The following outlines the merits of the proposed development relative to this framework of planning policy and with consideration for comments received from Town staff in conjunction with pre-application consultation. Additionally, the analysis has consideration for the regulations of the Town of Amherstburg Zoning By-law.

4.1 Provincial Policy Statement, 2020

The current Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The PPS provides overall policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. Part IV of the PPS sets out that this policy instrument provides a vision for land use planning in Ontario that focuses growth within settlement areas, and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities.

The proposed development plan summarized in Section 3.1 of this Report has been evaluated with regard to the policy direction and provisions of the Provincial Policy Statement. Based on this analysis, it is our opinion that specific policies in Section 1.0 (Building Strong Healthy Communities) and Section 2.0 (Wise Use and Management of Resources) are particularly relevant to this proposal. Commentary regarding these policies is provided in the following section of this Report.

Table 2.0 – Consistency with Provincial Policy Statement

PPS Policy	Response
1.1.1 Healthy, livable and safe communities are sustained by: **a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;**	This commercial development proposal promotes an efficient land use pattern that would support the long-term financial well-being of the Province of Ontario and the Town of Amherstburg (in the form of increased property tax

PPS Policy	Response
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; **c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;** **e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;** **g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;**	assessment and the optimization of existing and planned infrastructure). Additionally, employees of this development would help support the overall viability of the Central Sandwich District. Economic benefits would also be derived from construction of the proposed multiple-unit commercial development. The subject lands are located within a local development area containing a variety of service/retail commercial activities, institutional uses, and established residential neighbourhoods. Implementation of this proposal would be compatible with this development context and would help diversify the range and mix of commercial activities available in this community. The proposed development should not result in environmental or public health and safety concerns. Preliminary servicing reviews have been completed by Dillon Consulting to confirm that (1) the development can proceed in a cost-effective manner and (2) the necessary servicing infrastructure would be available to meet projected needs. It is anticipated that public service facilities available in the vicinity of the Site would accommodate the demands of this development.
1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established	This redevelopment plan proposes additional commercial space on lands located within an identified settlement area designated for commercial purposes pursuant to the County of Essex Official Plan and the Town of Amherstburg

PPS Policy	Response
for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. **Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.**	Official Plan (as discussed in Sections 4.2 and 4.3 of this Report, respectively). In effect, this proposal would introduce additional commercial space on the Site to help meet market demands and support the overall vitality of the Town's Central Sandwich District.
1.1.3.1 Settlement areas shall be the focus of growth and development.	The Site is situated within a Primary Settlement Area pursuant to the County of Essex Official Plan and is therefore considered part of a settlement area, as defined by the PPS.
1.1.3.2 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;**	Implementation of this proposal would help to promote a compact land use pattern that supports the efficient use of land and services. As noted, preliminary servicing reviews have been carried out and confirm that adequate servicing capacity is available to accommodate the intended development and that storm water quality and quantity controls can be addressed during final design. It is anticipated that future employees and patrons of this development would support existing public service programs and facilities available in proximity to the Site. Where practical and appropriate, the project would incorporate sustainable development principles to help minimize environmental impacts. The site layout promotes active transportation through the provision of multiple pedestrian connections to the Sandwich Street South corridor. Bicycle parking will also be contemplated as part of the Site Plan Approval process for this development.

PPS Policy	Response
1.5.1 Healthy, active communities should be promoted by: **a) Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.**	The proposal incorporates walkway connections to the municipal sidewalk system to help support healthy, active communities (by promoting active transportation and social interaction).
1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	Preliminary servicing reviews have been carried out to confirm that the development can proceed in a cost-effective manner, and to ensure that the necessary infrastructure is available to meet projected needs. As discussed, it is anticipated that the development can be accommodated by existing public service facilities.
1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The close proximity of the Site to service/retail commercial uses, established residential neighbourhoods, employment opportunities, schools and community facilities would help future employees and patrons of this development minimize the length and frequency of vehicle trips.
1.7.1 Long-term economic prosperity should be supported by: **d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;**	Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.
1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: **a) promote compact form and a structure of nodes and corridors;**	The project supports the more intensive use of designated commercial lands situated: within an established development corridor; directly connected to the Town's arterial road system; and located in proximity to residential neighbourhoods, employment areas, educational institutions and parkland. In addition to the compact design of this

PPS Policy	Response
b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;	project, the close proximity of the subject lands to this mix of land uses would also help to reduce commuting requirements and thereby decrease transportation congestion.
2.1.1 Natural features and areas shall be protected for the long-term.	The subject lands do not contain any designated natural areas.
2.4.1 Minerals and petroleum resources shall be protected for long-term use.	The subject lands do not contain any known mineral or petroleum resources.
2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.	The subject lands do not contain any known mineral aggregate resources.

In light of these considerations and our broader evaluation of this proposal relative to the policies of the PPS, it is our opinion that this proposal is consistent with this policy document.

4.2 County of Essex Official Plan

The County of Essex Official Plan (County Official Plan) was adopted by County of Essex Council on February 19, 2014 and approved by the Minister of Municipal Affairs and Housing on April 24, 2014. Section 1.1 of the County Official Plan identifies that its purpose is to establish a policy framework for managing growth, protecting resources and providing direction on land use decisions during the planning period to 2031. Generally, this Official Plan contains policies related to land use development within the County in Sections 2 and 3, with applicable provisions related to growth management set out in Sections 2.2 and 3.2 as discussed below.

Collectively, Section 2.2, Section 3.2.4 and Schedule A2 (Settlement Structure Plan) of the County Official Plan identify that Amherstburg is a defined Primary Settlement Area in the context of this Plan and that the Site is located with the limits of this Settlement Area. Sections 2.2 and 3.2.4 also direct that future growth and development is to be encouraged to locate within Primary Settlement Areas.

Section 3.2.2 of the County Official Plan identifies several goals for Settlement Areas which reflect PPS Policies referenced in this Report and, in our opinion, are satisfied by this proposal. The following goals have particular relevance to this redevelopment plan:

"a) Support and promote public and private re-investment in the *Primary Settlement Areas.*

b) To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

c) To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other *infrastructure* and *public service facilities* including schools as provided for in the growth management policies contained within this Plan.

f) To increase the opportunity for job creation within each *local municipality* by attracting and maintaining industries and businesses closer to where County residents live."

Section 3.2.4 h) also prescribes that all types of land uses are permitted within these communities subject to site specific land use policies in local Official Plans. Further, Section 3.2.6 f) also encourages local Official Plans to provide, "… opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure."

Given the foregoing discussion and our broader review of the County Official Plan, it is our opinion that the proposal complies with the policy direction and permissions of this Official Plan. In this regard, in our opinion, the proposed commercial redevelopment plan proposes a land use that supports the broad goals and permissions set out for Primary Settlement Areas.

4.3 Town of Amherstburg Official Plan

4.3.1 Overview

The Town of Amherstburg Official Plan (Amherstburg Official Plan) was approved on July 15, 2009, with modifications, by the County of Essex and was subsequently approved by way of a settlement as set out in an Ontario Municipal Board Order, dated February 16, 2010. The Office Consolidation of this Official Plan, dated February 3, 2014, integrates several amendments following approval.

Section 1.6 of the Amherstburg Official Plan identifies the relationship with the PPS and the County Official Plan:

"The Planning Act requires that Official Plans be consistent with the Provincial Policy Statement (PPS) that came into force on March 1, 2005. In addition the new PPS directs that no amendments occur to the Settlement Boundary unless the change is supported by a comprehensive analysis of land needs undertaken by the Town. The Planning Act

also requires that the Town of Amherstburg Official Plan conform to the County of Essex Official Plan."

Furthermore, this Section outlines several elements of the Official Plan's purpose and policy direction, which, in our opinion, are encapsulated in the following two policies:

"(1) identify and establish policies for the desired direction and order of all future development within the Town to the year 2025;

(2) guide future economic, social, environmental, and land use changes within the municipality to the year 2025;"

4.3.2 General Commercial Policies

The Site is designated General Commercial on the Schedule B-2 (Land Use Plan) of the Amherstburg Official Plan. Section 4.4.2 of this Official Plan prescribes that a wide variety of commercial activities offering goods and services are permitted in this designation, including retail commercial establishments, eating establishments, convenience stores and places of entertainment. However, the proposed drive-through restaurant establishment is not currently permitted under the existing General Commercial policy framework. Specifically, this Section restricts drive-through restaurants to locations on Sandwich Street, north of Alma Street or south of Pike Street.

Section 4.4.2 also defines several policies addressing built form, including the following access and parking policies which, in our opinion, have relevance to this redevelopment proposal:

"Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control."

"Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P.13 provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning by-Law. …Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied."

"Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern."

Additionally, Section 4.4.3 (2) of this Official Plan identifies that the Site is located within the Gateway to Amherstburg Commercial Special Policy Area (SPA). This SPA includes the development area along the Sandwich Street corridor between Texas Road and Fort Street. As identified in this Section, the intent of this SPA is to: "… ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg …"

The SPA detailed in this Section provides direction on two primary matters as set out in this Section:

1. Development Regulations. The SPA allows for additional landscaping requirements to be identified as part of Site Plan Approval, with special attention to be given to lighting, fencing, and location of garbage disposal. This policy will also allow Town Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law.

2. Municipal Heritage Committee Consultation. As outlined in this Report, the SPA also directs that Town Council to seek the advice of Amherstburg's Municipal Heritage Committee when dealing with development in this area. The Committee is to provide commentary on matters such as roof line, height, building material, and window placement as a means to maintain the historic small town appearance.

In relation to Item 1 above, this SPA also provides specific direction on development regulations as prescribed in Section 4.4.3 (2)

> "Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. …Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street ..."

Sections 3.1 and 3.2 of this Report addresses the design considerations associated with this redevelopment plan, including those set out for the General Commercial designation and the above-referenced SPA. In particular, the Proposed Site Plan identifies that the building would be setback approximately 4.8 m from Sandwich Street South, a 3.0 m wide landscape strip would be established along the street corridor and off-street parking is proposed in the rear yard. In our opinion, these project components, the plans and elevations enclosed with this Report and the discussion included in the aforementioned Report Sections demonstrate that the project is designed in general alignment with Official Plan direction.

The proposed parking, loading and access arrangement has been designed to promote safe and efficient ingress/egress consistent with SPA policies. With respect to parking supply, Figure 2 and Table 3 of this Report illustrate that the proposed parking allocation (20 stalls)

does not achieve the required parking requirement (24 stalls). To address this deficiency, Daei Foods Inc. is proposing a payment in lieu of parking to the Town consistent with applicable municipal requirements. Section 4.4.2 of the Official Plan states that, "… the Town may exempt part or all of the parking space requirement of the Zoning By-Law in return for a cash payment … Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied." We understand that the Town is satisfied with the application of a payment in lieu of parking exemption to progress this development. Additionally, CGH Transportation Inc. (CGH) has prepared a Transportation Impact Assessment, dated March 2022 which confirms the two proposed access arrangements for the development will meet acceptable level of service standards and that no signals are warranted at either of the these accesses. In light of these considerations, in our opinion this proposal aligns with the associated policies of Section 4.4.2 and the SPA.

4.3.3 Proposed Special Policy Area

As discussed, the proposed redevelopment plan requires that the Amherstburg Official Plan be amended to permit a drive-through restaurant on the northerly portion of the Site, as this Plan only permits this use within the Sandwich Street corridor, north of Alma Street or south of Pike Street. Additionally, the proposed front yard setback (4.8 m) is marginally less that than the minimum setback direction set out Section 4.4.3 (2) of this Official Plan (6 m), exclusive of rounding considerations.

The following SPA has been drafted to address these identified matters noted above. In our opinion, this site-specific policy would appropriately implement the proposed development plan in the context of this Official Plan:

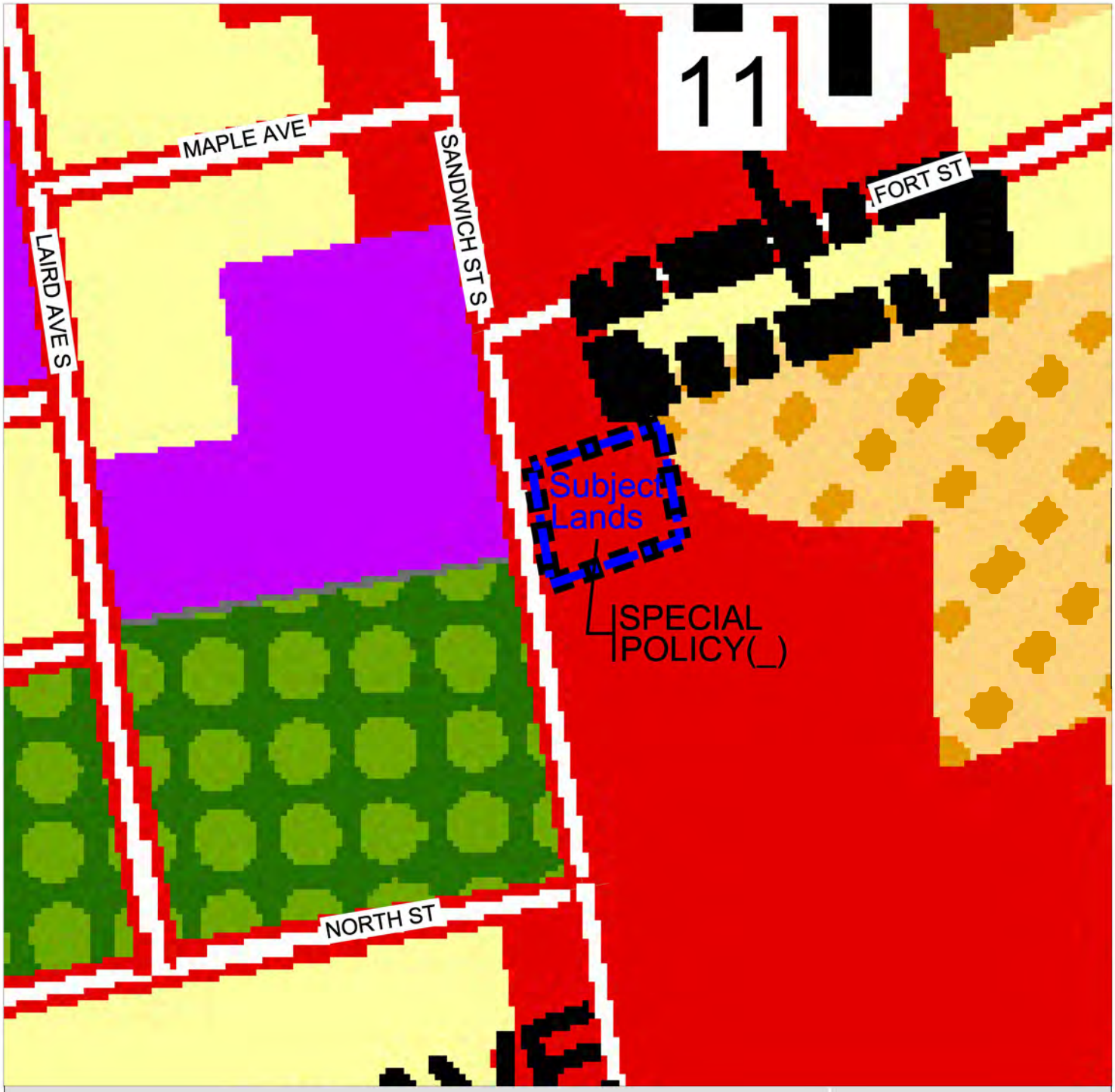
> "4.4.3 (_) Lands known as 131 and 135 Sandwich Street South, located at the east side of Sandwich Street South and south of Fort Street, shall be developed in accordance with the General Commercial policies and Gateway to Amherstburg Special Policy Area policies with the addition of a drive-through restaurant as a permitted use. Development shall be subject to site plan control. A minimum setback of 4.8 metres shall be permitted for commercial development from the front lot line."

4.3.4 Summation

In light of the foregoing, with the benefit of the proposed SPA, it is our opinion that the proposal is consistent with the principles, planning framework and policy direction of the Official Plan. In effect, the proposed redevelopment of the Site would support commercial forms that align with the policy structure of the General Commercial designation, are compatible with the surrounding development context and are appropriate for the Site.

Moreover, the concept plan integrates elements which collectively support the urban design objectives set out in the Official Plan for the Gateway to Amherstburg Commercial SPA.

Figure 3 of this Report illustrates the location of the proposed Special Policy Area.



LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
GENERAL COMMERCIAL
INSTITUTIONAL
OPEN SPACE
11 SPECIAL POLICY

Figure 3
Proposed Special Policy Area
Amherstburg Official Plan Schedule "B-2" Land Use

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022 **SCALE** 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 3 - Proposed Official Plan Sched "B-2" - Feb 08, 2022

5.0

ZONING BY-LAW ANALYSIS

5.1 Existing Zoning

The Site is currently zoned Commercial General (CG) pursuant to Schedule A of the Town of Amherstburg Zoning By-law (Map 37).

Permitted uses in the CG Zone are defined in Section 15 (2) of the Zoning By-law and include a wide range of retail/service commercial uses (e.g., restaurants, food stores, retail stores, studios, personal service shops). Additionally, drive-through facilities are permitted in this Zone; however, in accordance with the associated definition set out in Section 2 (101), drive-through restaurants are excluded from this specific use. Section 2 (281) defines a drive-through restaurant as follows:

> "(b) "DRIVE-THROUGH RESTAURANT" means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking-up food from a vehicle."

5.2 Zoning Review

Table 3.0 of this Report provides an overview of the zoning compliance for the proposed site layout relative to the relevant regulations of the existing CG Zone. Parking space calculations conceptualize the Site developing for a drive-through restaurant and a 247 m^2 take-out restaurant. As noted on the Proposed Site Plan, the net floor area applied to these calculations is based on direction from Town staff.

Table 3.0 – Summary of Zoning Compliance (CG Zone)

Regulation	Required	Provided	Comments
Lot Area (Min)	No minimum	2,065 m^2	Complies
Lot Frontage(Min)	No minimum	42 m	Complies
Front Yard Depth (Min)	11.5 m (as provided in Section 3(23))	~4.8 m	Relief required

Interior side Yard (min) Except where lot line abuts a zone other than a commercial or institutional zone, min shall be 7 m	No minimum	~3.5 m/~13 m	
Rear Yard (min)	7.5 m	~24 m	Complies
Height (Max)	10 m	6.1 m	Complies
Open storage	No open storage of goods, materials or waste permitted		Waste disposal to be provided via in-ground storage system
Loading Space Requirement	1 space 3.5 m x 10 m	1 space (3.0 m x 10 m)	Relief required Loading space provided is 3.0 m wide to accommodate 6.0 m wide driveway and 1.8 m walkway
Parking			
Restaurant, Drive-through: 1 per 10 m^2 plus 6 queuing spaces in advance of each drive through window	14 + 6 queuing spaces	20 + 9 queuing spaces	Relief required
Restaurant, Take-out: 1 per 10 m^2	25 spaces		
Accessible Parking: 1 for first 20 spaces	1	1	Complies (based on proposed parking spaces)

5.3 Proposed Zoning

In our opinion, to accommodate this project, a Special Provision to the CG Zone is required to expressly permit the proposed drive-through restaurant and site layout.

Specifically, at a minimum, this CG Zone exception would include site-specific regulations for reductions in the front yard setback, minimum loading space width, minimum parking requirements as highlighted above. Given the structure of the Zoning By-law, it is proposed that the following subsection be added to Section 15(4):

"CG-(_) (131 and 135 Sandwich Street South)

Notwithstanding any other provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-(_) on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i) Additional Permitted Use:

(a) Drive-Through Restaurant

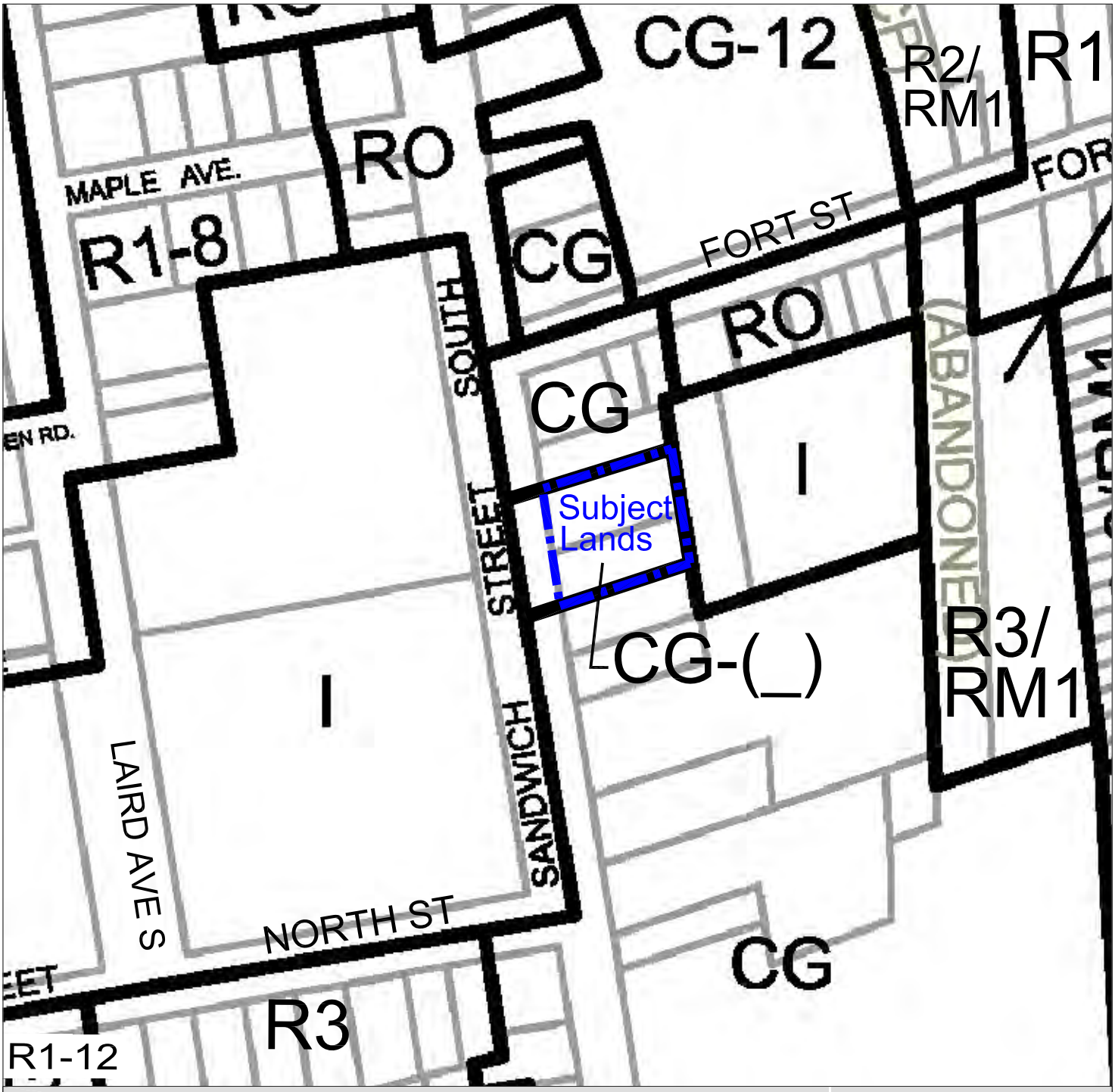
(ii) Other Provisions:

(a) Front Yard Depth (Minimum)	4.8 m
(b) Loading Space Dimensions (Minimum)	3.0 m by 10 m

(c) Notwithstanding Section 3(21)c), the minimum number of parking spaces required shall be 20."

The proposed Special Provision would accommodate the site layout illustrated in the Proposed Site Plan. In our opinion, in the context of this development and with consideration for commentary provided in this Report, the requested exemption would help implement a commercial development appropriate for the Site without undermining the purpose of the parent CG Zone.

Figure 4 illustrates the proposed zoning of the subject lands.



LEGEND

ZONE LIMITS

R1	RESIDENTIAL FIRST DENSITY ZONE
R2	RESIDENTIAL SECOND DENSITY ZONE
R3	RESIDENTIAL THIRD DENSITY ZONE
RM1	RESIDENTIAL MULTIPLE FIRST DENSITY ZONE
RO	RESIDENTIAL OFFICE ZONE
CG	COMMERCIAL GENERAL ZONE
I	INSTITUTIONAL ZONE

Figure 4
Proposed Zoning

SUBJECT LANDS

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING
200-540 BINGEMANS CENTRE DR.
KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121
WWW.MHBCPLAN.COM

DATE: Feb 08, 2022

SCALE 1 : 2,000

north

P:\21320'A'\Graphics\
Figure 4 - Proposed Zoning - Feb 08, 2022

6.0

CONCLUSIONS

In conclusion, it is our opinion that the proposed Official Plan and Zoning By-law Amendments are appropriate for the Site, compatible with the existing development context and in keeping with the framework of applicable planning policy. This assessment is based, in part, on consideration of the following project merits:

1. The subject lands are situated within the Central Sandwich District planning area and are designated for service/retail commercial uses in accordance with the Town of Amherstburg Official Plan;

2. The property is well-suited for the proposed multiple-unit commercial building considering its location within an established commercial corridor and its proximity to: established residential neighbourhoods; institutional uses; retail/service commercial uses; and recreational facilities; and public transit services. In this respect, employees and patrons of this new development would have access to, and would support local businesses and public institutions;

3. The massing, orientation and articulation of the proposed commercial building is designed to be: compatible with surrounding land uses; complementary to the local development context; and supportive of the pedestrian environment along Sandwich Street South. Accordingly, in our opinion, this project should not generate significant land use conflicts with adjacent properties;

4. Redevelopment of these lands as proposed would help to diversity service/retail commercial uses with the Sandwich Street South corridor. It is also anticipated that the mix of commercial uses planned for the Site would contribute positively to the Central Sandwich District and support the long-term viability of this community.

5. The Proposed Site Plan developed in conjunction with this proposal was designed with regard for the urban design objectives provided by way of applicable Gateway to Amherstburg Special Policy Area provisions set out in the Amherstburg Official Plan. Several design components have also been integrated into the site layout in order to align with the Town's urban design objectives contemplated for the Central Sandwich District within the draft Downtown Amherstburg Urban Design Guidelines (e.g., cohesive main

street façade, enhanced landscaping elements, screened parking and drive-through facilities, integrated walkway network).

6. The positioning, design and height of the proposed commercial building helps (1) to reinforce the established street wall and (2) to achieve a pedestrian-oriented streetscape;

7. Technical assessments indicate that adequate servicing infrastructure exists along Sandwich Street to accommodate the proposed development and that appropriate Storm Water quantity and quality control can be addressed through final design;

8. The Transportation Impact Assessment confirms proposed accesses to the site will have negligible impacts to acceptable traffic standards along Sandwich Street and no signals are warranted;

9. In our opinion, the proposed development is consistent with the Provincial Policy Statement, conforms to the County of Essex Official Plan and is in keeping with the general policy direction and permissions of the Town of Amherstburg Official Plan;

10. The proposed site-specific Official Plan Amendments and Zoning By-law Amendments would appropriately implement the intended building design and site layout; and

11. The development proposed by Daei Foods Inc. represents good planning.

Given the noted considerations and the commentary presented in this Report, it is recommended that the Town of Amherstburg approve the Official Plan Amendment and Zoning By-law Amendment applications, as proposed.

Respectfully submitted,

MHBC

Scott Allen, MA, RPP
Partner

Nicolette van Oyen, BES
Planner

APPENDIX A

Preliminary Building Elevations
131 & 135 Sandwich Street

1 DSK-006 **WEST ELEVATION - SANDWICH STREET**

3/32" = 1'-0"

2 DSK-006 **WEST ELEVATION**

1/8" = 1'-0"

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 237 6401 nicarchitect.ca

PROJECT NORTH (P.N.):

TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

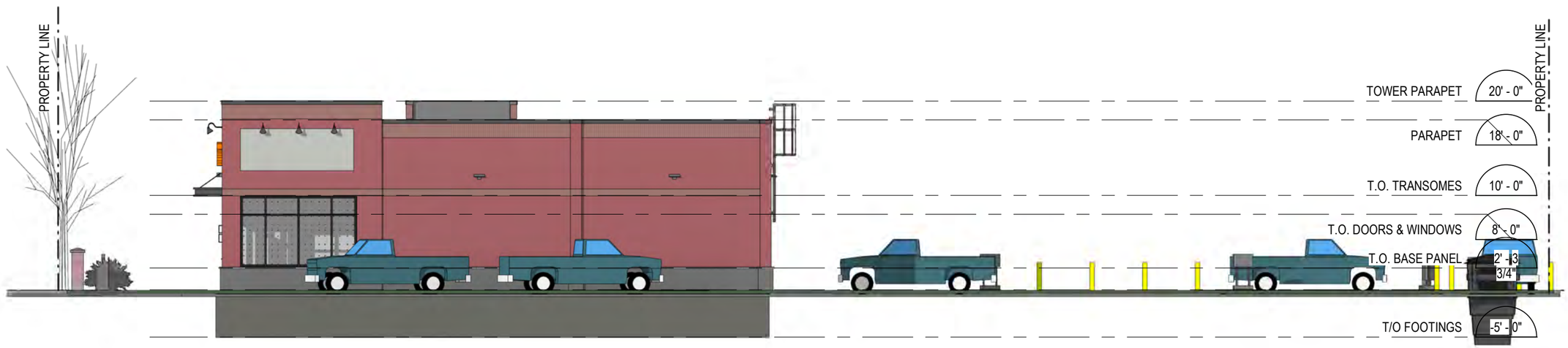
CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

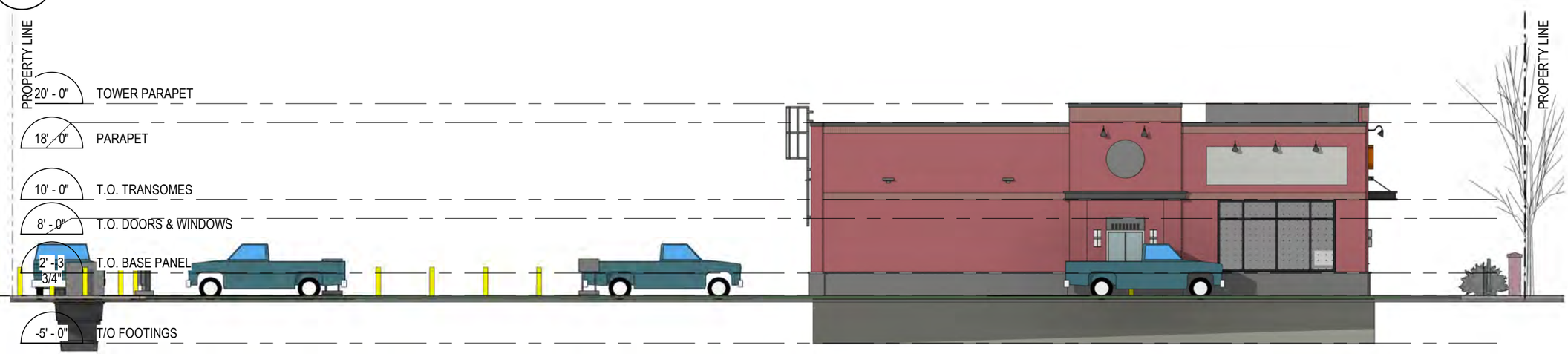
#	YYYY-MM-DD	REVISIONS
3	2022-07-26	Issued for Heritage Review
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: West Ext. Elev

NCA PROJECT NUMBER:
FILE NUMBER:
OWNER'S CONTRACT NUMBER:
OWNER'S PROJECT NUMBER:
SCALE: As indicated
DRAWN BY: Lan Wang
DATE CREATED: 02/15/22
SHEET #: DSK-006
Pg. 1 of 2



3 **SOUTH ELEVATION**
DSK-006-2 3/32" = 1'-0"



4 **NORTH ELEVATION**
DSK-006-2 3/32" = 1'-0"

ANSI B (11"x17") TITLEBLOCK © 2021, NICHOLAS CARAGIANIS ARCHITECT INC.

Notes: Contractor must verify all drawings, dimensions, details and specifications and report any discrepancies to the architect before proceeding with work. All drawings and specifications are instruments of service and the property of the architect, and these must be returned at the completion of the project, and may not be reproduced without the architect's written permission. All drawings are to be read in conjunction with specifications and consultants' documents. Do not scale drawings. Do not use for construction unless both indicated as "For Construction" and bearing the architect's stamp and signature. All construction to meet local, provincial and federal requirements.

nicholas caragianis architect inc.
137 Pamilla Street
Ottawa ON K1S 3K9
613 237 6401 ncarchitect.ca

PROJECT NORTH (P.N.):
TRUE NORTH (T.N.):

ARCHITECT'S SEAL:

CLIENT NAME AND ADDRESS:
DAEI Foods Inc.
2292 Bethlehem Ave.
Windsor, ON

PROJECT NAME AND LOCATION:
Amherstburg Ext. Shell
131-135 Sandwich St.S
Amherstburg, ON N9V 1Z9

#	YYYY-MM-DD	REVISIONS
3	2022-07-26	Issued for Heritage Review
1	2021-12-08	ISSUED FOR HERITAGE REVIEW

SHEET TITLE: North/South Ext. Elev

NCA PROJECT NUMBER:
FILE NUMBER:
SCALE: 3/32" = 1'-0"
OWNER'S CONTRACT NUMBER:
OWNER'S PROJECT NUMBER:
DRAWN BY: Lan Wang
DATE CREATED: 02/15/22
SHEET #: DSK-006
Pg. 2 of 2

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

200-540 BINGEMANS CENTRE DRIVE /KITCHENER / ONTARIO / N2B 3X9 / T: 519.576.3650 / F: 519.576.0121/ WWW.MHBCPLAN.COM

CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-069

By-law to amend Zoning By-law No. 1999-52
131 & 135 Sandwich Street South, 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;

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 37 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from CG to CG-15" on Schedule "A" attached hereto and forming part of this By-law from "Commercial General (CG) Zone" to "Special Provision Commercial General (CG-15) Zone".

2. THAT Section 15(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (o) as follows;

   "(o) CG-15 (131 and 135 Sandwich Street South)

   Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-15 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the addition of the following special provisions:

   (i) Uses Permitted;
      (a) restaurant, drive-through;
      (b) any use permitted in a CG Zone.

   (ii) Front Yard Depth — Notwithstanding Section 3(26)(a), the minimum front yard depth required shall be 4.8 m.

   (iii) Notwithstanding Section 3(16)(c), the dimensions of loading spaces shall be 3.0 m by 10 m.

   (iv) Notwithstanding Section 3(21)(c), the minimum number of parking spaces required shall be 20.

3. THAT all other appropriate regulations for the use of land and the character, location and use of buildings and structures conforms to the regulations of the Commercial General Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.

DRAFT

4. 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.0. 1990, c.P. 13.

Read a first, second and third time and finally passed this 12th day of September, 2022.

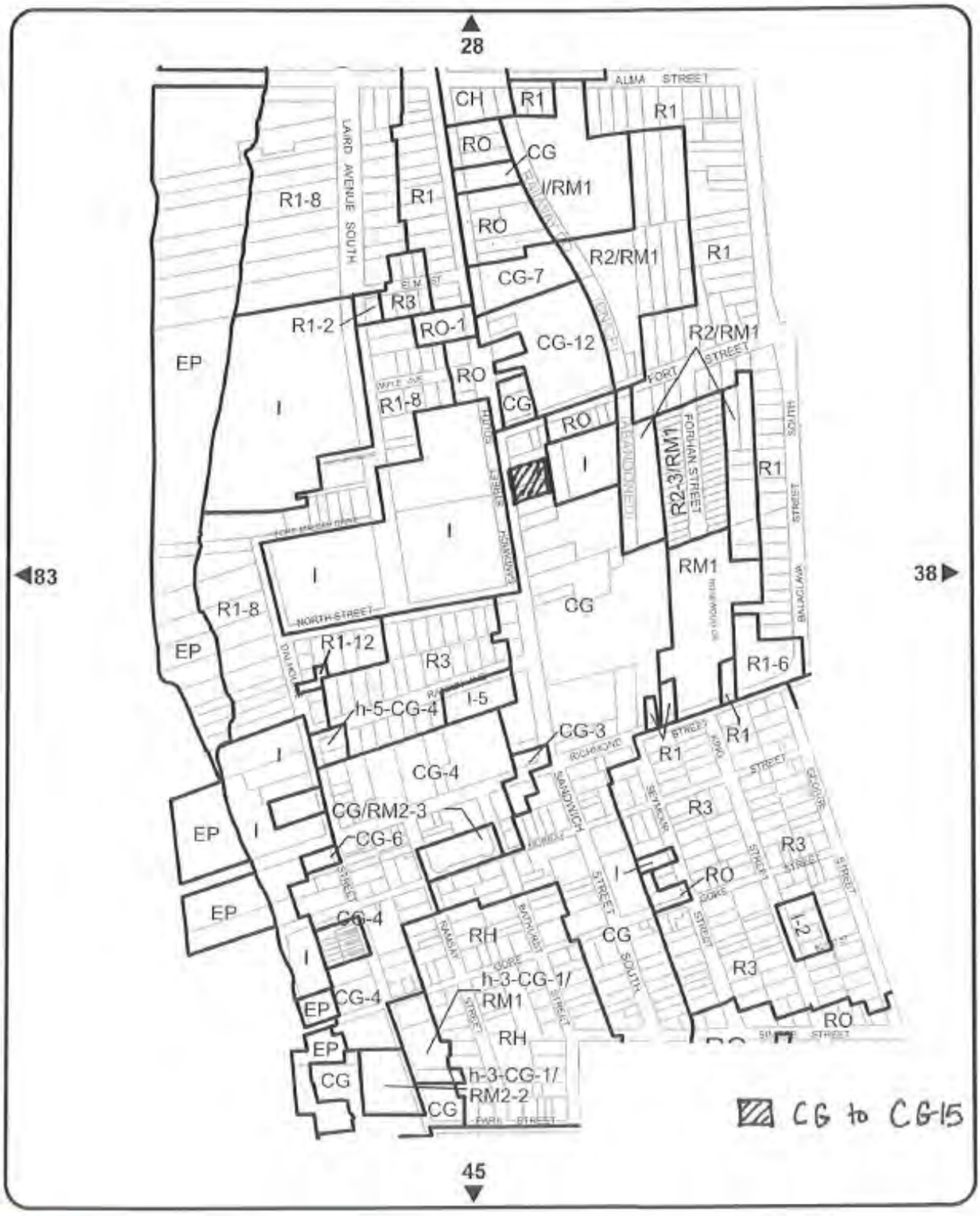
_____
MAYOR- ALDO DICARLO

_____
CLERK- VALERIE CRITCHLEY

DRAFT

TOWN OF AMHERSTBURG

SCHEDULE “A” TO BY-LAW No. 2022-069
A BY-LAW TO AMEND BY-LAW No. 1999-52



TOWN OF AMHERSTBURG
ZONING BY-LAW NO. 1999-52

SCHEDULE 'A'
MAP 37
0 50 100 200m

MAYOR- ALDO DICARLO

CLERK- VALERIE CRITCHLEY

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Christopher Aspila	**Report Date: August 19, 2022**
Author's Phone: 519 736-5408 ext. 2124	**Date to Council: September 12, 2022**
Author's E-mail: caspila@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Zoning By-law Amendment: 51-57 Sandwich Street South**

---

1. RECOMMENDATION:

It is recommended that:

1. **By-law 2022-071** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 51-57 Sandwich Street South be taken has having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

2. BACKGROUND:

The Town received an Official Plan Amendment and Zoning By-law Amendment from TOAD One Inc., for approximately 0.42 hectares or land (municipally known as 51 and 57 Sandwich Street South) located on the east side of Sandwich Street South between Alma Street and Fort Street. If approved, the Official Plan will be amended on a site-specific basis using a Special Policy Area to permit a drive through restaurant on the subject lands having a total gross floor area of approximately 211 m^2, a patio with a floor area of approximately 50 m^2, and bicycle rack parking for 7 bicycles.

Additionally, a three-storey multiple dwelling building with 12 units in the southeast quadrant of the site with servicing for an EV charging station is being proposed. The Zoning By-law amendment, if approved, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

A Statutory Public Meeting under the Planning Act was held on June 13, 2022 at which comments were received from members of the community and Council. Following the June 13, 2022 meeting, Administration worked with the applicant and their agents (MHBC

Planning) to address the comments and bring forward this report for Council's consideration.

Official Plan Amendment No. 17 was adopted by Town Council on August 8, 2022 (By-law 2022-070) and at time of writing this report is in the appeal period pending approval by the County of Essex.

The subject property is designated General Commercial with a Special Policy Area added by Official Plan Amendment No. 17. The subject property is zoned Commercial General in the Town of Amherstburg Zoning By-law 1999-52.

3. DISCUSSION:

Provincial Policy Statement

The Provincial Policy Statement was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

When reviewing a planning application to determine if the requested Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS).

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS recognizes that the wise management of development may involve directing, promoting, or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

The following policy excerpts from the PPS are particularly applicable to the subject applications:

1.1 **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

1.1.1 Healthy, liveable, and safe communities are sustained by:

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.
c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
d) Avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those area which are adjacent or close to *settlement areas*.
e) Promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification*, and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
g) Ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and project needs.
h) Promoting development and land use patterns that conserve biodiversity; and
i) Preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area. Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*. Nothing in policy 1.1.2 limits the planning for *infrastructure, public service facilities* and *employment areas* beyond a 25-year time horizon.

<u>County of Essex Official Plan</u>

County of Essex Official Plan

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County polices that should be considered when assessing the merits of the subject Official Plan Amendment include:

Section 1.5 Goals for a Healthy County outline the following:

- To direct the majority of growth (including *intensification* and *affordable housing*), and investment (*infrastructure* and community services and facilities) to the

County's *Primary Settlement Areas*. These *Primary Settlement Areas* will serve as focal points for civic, commercial, entertainment and cultural activities.

- To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and *transportation systems* that create more *sustainable*, efficient, healthy, and liveable communities.

- To create more mixed use, compact, pedestrian-oriented *development* within designated and fully serviced urban *settlement areas.*

- To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

- To prohibit urban forms of *development* outside of designated "*Settlement Areas"* and discouraging urban *development* in areas with partial municipal services.

Section 2.2 Growth Management note the following:

The health of the County requires that long-range land use planning and *infrastructure* investment is properly managed in a way that will:

- Direct non-resource related growth and *development* to settlements where it can be serviced, with a particular emphasis on *Primary Settlement Areas*.

- It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing *infrastructure.*

Section 2.8.1 Roads set out the following policies:

This Plan acknowledges the strong relationship between roads, their function, land use and *development*. Schedule "D1" of this Plan identifies Provincial Highways and County Roads.

Provincial Highways are under the jurisdiction of the Ministry of Transportation and are subject to permit control and approval under the Public Transportation and Highway Improvement Act. In addition to all municipal requirements under the Planning Act, Ministry of Transportation permits are required for access to Provincial Highways where permitted and for the construction of buildings, structures and signs in proximity to the Provincial Highways. All applicants proposing new *development* or changes to existing development on lands adjacent to a Provincial Highway are advised to consult with the Ministry of Transportation prior to making formal applications under the Planning Act.

In December 2004, the draft Essex-Windsor Regional Transportation Master Plan was completed. The Plan was prepared using the Master Planning Process from the "Municipal Class Environmental Assessment Process" and was intended to provide a comprehensive regional transportation master plan with policies and implementation strategies that would serve the needs of the region for 20 years. The Plan identified roadway capacity enhancements, evaluated the levels of service, and recommended a

new roadway classification system. Unfortunately, the Plan was prepared based on population projections that have not been achieved. As a result, the recommendations contained in the Plan require review and the County intends on updating the Transportation Master Plan, and implementing it by way of a future amendment to this Plan.

When considering matters of land use planning, the County shall:

- Identify measures to reduce transportation needs such as managing the appropriate type and scale of growth, the use of alternative transportation choices, and the development of an *active transportation* system.

- Strive to minimize conflict between local and non-local traffic by protecting the County Road system depicted on Schedule "D1". The County shall discourage new *development* that would adversely impact traffic movement along the County Road system unless road improvements can be undertaken to eliminate the adverse impact. New *development* proposing access onto County Roads outside of "Settlement Areas" shall be managed according to the County's access policies.

- Encourage safe, convenient and visually appealing pedestrian facilities, where appropriate, along the Provincial and County Road systems.

- Ensure that *development* proposals that are likely to generate *significant* traffic are accompanied by a traffic impact study addressing the potential impact on the Provincial and County Road systems and the surrounding land uses and how to minimize any identified negative impact.

Section 2.12 Noise, Vibration and Safety set out the following policies:

Prior to permitting *development* that may be affected by noise, vibration and/or safety, a study may be required to assess the impact of the noise, vibration and safety on proposed residential or other *sensitive land uses*. Noise, vibration and/or safety attenuation measures will be implemented to reduce the impact to levels recommended by the Ministry of the Environment. Local Official Plans are also encouraged to include specific policies to address requirements where *development* of a *sensitive land use* is proposed in proximity to rail lines and other sources of noise, vibration and/or safety, and those policies shall include:

- Prior to the approval of any applications for Official Plan amendments, Zoning By-law amendments, plans of subdivision or condominium, land division, committee of adjustment approval or any *development* that is subject to site plan control on lands that are within 100 metres of a railway line right-of-way, Provincial Highway, or stationary sources of noise, a noise feasibility study shall be completed and submitted to the appropriate agencies and appropriate railway companies for review and comment. Appropriate measures to mitigate any adverse impacts from noise and or vibration that were identified shall be undertaken.

Section 3.2.2 Goals set out the following policies:

- Support and promote public and private re-investment in the *Primary Settlement Areas.*

- To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

- To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

- To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place.

Section 3.2.6 General Settlement Area Policies include the following:

- Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing to accommodate growth projected for a time horizon of up to 20 years. Residential growth projections *local municipalities* are to be in accordance with the population projections contained in this Plan.

- Local Official Plans are encouraged to provide opportunities for *redevelopment*, *intensification* and revitalization in areas that have sufficient existing or planned *infrastructure*.

- It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:

    - Maintain the well-being of downtowns and main streets.

<u>Town of Amherstburg Official Plan</u>

The Official Plan currently designates the subject lands General Commercial (refer to Figure 2). Section 4.4.2 of the Plan set out the following policies:

GENERAL COMMERCIAL LAND USE DESIGNATION

The uses permitted in the General Commercial shall include those commercial establishments offering goods and services which primarily serve the whole of the municipality's market area and shall include such uses as retail commercial establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience

stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential uses above the first floor.

Recreational uses, automobile service stations and automobile sales and service agencies, car washes, agencies for recreational vehicles, motels, drive-through restaurants or other drive through establishments shall be restricted to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street.

Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas and such buffer planning may include provisions for grass strips, berms, screening and appropriate planting of trees shrubs, or distance, and all development will be subject to Site Plan Control and any lighting or signs shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P. 13, provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning By-law. Section 40 allows the Town to collect money which can then be used to provide municipal parking within the area. Under such a policy the Town may exempt part or all of the parking space requirement of the Zoning By-law in return for a cash payment. The amount of the payment will change over time as it is to be based on land costs in the vicinity of the development site. This policy of payment in lieu does not guarantee that parking will be provided near the given development to be exempt from their parking requirements. Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied. See Subsection 6.2.5 for additional policies regarding downtown revitalization for a portion of the General Commercial designation.

When applying the payment in lieu option the Town Council shall enter into an agreement exempting the owner or occupant, to whatever extent deemed appropriate, from the requirement of the Zoning By-law to provide parking. Money received should be placed into a special account and the agreement registered against the land. Payment in lieu will only be considered within the General Commercial land use category. New residential developments should attempt to include all required tenant parking on site, however, the residential standards of the Zoning By-law may be significantly reduced within the zones applied to the General Commercial area to encourage intensification and redevelopment that is deemed to have a positive impact on the downtown area. Some minor adjustments may be considered for conversion to residential of upper floors of existing commercial buildings. Caution will be used in considering payment in lieu for high traffic generators such as medical buildings, clinics, restaurants, convenience stores, banks and taverns.

Evaluation of a site as suitable for payment in lieu must carefully assess the effect the number of spaces required will have on the feasibility of the development, the availability of parking in the area, the opportunity or viability of ever providing parking in the area and the resulting cumulative effect of applying the payment in lieu policy and whether or not the opportunity to achieve a desirable development can occur without creating a significant parking deficiency. A parking fund shall be established from cash-in-lieu of parking spaces received from Commercial development in the General Commercial Area.

Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern.

The general location of the General Commercial areas shall be in accordance with Schedules “A” and “B” [of the Official Plan].

Any public works or private redevelopment within the area should take into account the Heritage Policies and Downtown Revitalization Policies of this Plan and should implement any applicable portion.

The General Commercial lands may be placed in separate zoning classifications in the implementing Zoning By-law.

The General Commercial designation does not provide for the development of drive-through restaurant development at the proposed location. To this end, the applicant has submitted and application to amend the Official Plan to change the designation of the subject lands from “General Commercial” to a site-specific Special Policy Area within the General Commercial designation.

4.4.3 (2) Gateway to Amherstburg

In order to ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg and a portion of this area is within the Town’s Downtown Tourist District, additional policies will apply to commercial development established along Sandwich Street between Texas Road and Fort Street and for the area along Sandwich Street South to Lowes Side Road. This policy will allow for, within this area, additional landscaping requirements at the time of site plan approval and special attention will be given to lighting, fencing, and location of garbage disposal. This policy will also allow Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law. Council will seek the advice of Amherstburg’s Heritage Committee when dealing with development in this area on such matters as roof line, height, building material, and window placement in order to maintain the historic small town appearance. Site Plans associated with any Zoning By-law amendments to a General Commercial Zone shall be subject to public consultation.

Within this area, Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres

minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. Council may also require an enhanced landscaping plan as part of the site plan approval that requires that deciduous trees be planted in the boulevard having 2.0 metres clear stem and head room for pedestrians and cyclists. In addition Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street and that 20% of the landscaping be woody plant material that is capable of providing interest in all seasons. Fencing or dense hedge material shall be required to obscure the parking area if front yard parking is proposed. Chain link fences or wood construction fencing shall not be permitted unless they are fully screened from public view.

The proposed Official Plan Amendment is considered to be consistent with the 2020 PPS, in conformity with the County Official Plan and consistent with the policy direction as set out in the Town's Official Plan.

Town of Amherstburg Zoning By-law 1999-52

Restaurant, Drive-Through Restaurant and Fast Food Restaurant are defined as follows:

(289) "RESTAURANT" means a building or part thereof where food and beverage is prepared and offered for retail sale to the public for immediate consumption on the premises, including a dining room, but does not include a refreshment room or any building or part thereof where pre-packed foods or beverages requiring no further preparation before consumption are offered for sale.

(a) "DRIVE-THROUGH RESTAURANT" means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking-up food from a vehicle. (By-law 2006-61)

(b) "FAST FOOD RESTAURANT" means an establishment primarily engaged in preparing specialty foods in bulk and in providing customers with a takeout and/or delivery service which may or may not be consumed on or off the premises.

The Commercial General (CG) Zone provides for the following:

(1) SCOPE
The provisions of this Section shall apply in all Commercial General (CG) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED
No person shall within any CG Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CG uses, namely:

(i) amusement game establishment;
(ii) animal hospital;
(iii) art gallery;
(iv) assembly hall;
(v) bakery shop;

(vi) catalogue store;
(vii) cinema;
(viii) clinic;
(ix) commercial recreation establishment;
(x) commercial school;
(xi) continuum of care facility;
(xii) data processing establishment;
(xiii) day care;
(xiv) department store;
(xv) *drive through facility; (By-law No. 2012-65)*
(xvi) dry cleaning or laundry establishment or distribution centre;
(xvii) dwelling units restricted to above the first floor;
(xviii) existing place of worship;
(xix) financial establishment;
(xx) florist shop;
(xxi) food store;
(xxii) funeral home;
(xxiii) hardware store;
(xxiv) home and auto supply store;
(xxv) home appliance store;
(xxvi) home decorating store;
(xxvii) home for the aged;
(xxviii) home furnishing store;
(xxix) home improvement store;
(xxx) hotel or motel;
(xxxi) institutional use;
(xxxii) laboratory;
(xxxiii) laundromat;
(xxxiv) library;
(xxxv) medical/dental office;
(xxxvi) merchandise service shop;
(xxxvii) marina;
(xxxviii) nursing home;
(xxxix) office;
(xl) parking lot;
(xli) personal service shop;
(xlii) pharmacy;
(xliii) place of entertainment;
(xliv) printing shop;
(xlv) public use;
(xlvi) recreational establishment;
(xlvii) repair and rental establishment;
(xlviii) restaurant;
(xlix) restaurant, fast-food;
(l) retail store;
(li) retirement lodge;
(lii) studio
(liii) supermarket;
(liv) tavern;
(lv) theatre;
(lvi) taxi establishment;

(lvii) vehicle repair shop;
(lviii) veterinarian clinic;
(lix) video rental establishment;
(lx) wholesale use accessory to a permitted CG use;
(lxi) any existing automotive use.

(3) ZONE REQUIREMENTS
No person shall within any CG Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Lot Area (Minimum)	No minimum
(b) Lot Frontage (Minimum)	No minimum
(c) Front Yard Depth (Minimum)	No Minimum except as provided in Section 3(23) thereof
(d) Interior Side Yard Width (Minimum)	No minimum

provided that where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.

(e) Exterior Side Yard Width (Minimum)	No Minimum
(f) Rear Yard Depth (Minimum)	7.5 m
(g) Dwelling Unit Area (Minimum)	55 m^2
(h) Height (Maximum)	10 m *(By-law 2012-65)*

(i) Heritage Buildings
If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(j) Open Storage
No open storage of goods, materials or waste shall be permitted.

(k) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

Section 6.7 of the Town of Amherstburg Official Plan – Planning Impact Analysis set out several areas that must be considered as part of an Official Plan Amendment or Zoning By-law amendment. These include:

6.7 PLANNING IMPACT ANALYSIS

It is a policy of the Official Plan that a Planning Impact Analysis will be used to evaluate applications for an Official Plan Amendment and, depending on the magnitude of the development, a Zoning By-law Amendment, to determine the

appropriateness of the proposed change and to identify what measures are needed to reduce any adverse impacts on surrounding land uses. The Planning Impact Analysis will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. Proposals for changes in the use of land which require the application of a Planning Impact Analysis will be evaluated based on:

(1) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area on the character and stability of the surrounding neighbourhood.

(2) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.

The Applicant is requesting the following relief from Zoning By-law 1999-52:

1. A drive-through restaurant as a permitted use;
2. A multiple dwelling as a permitted use;
3. A reduction in the minimum interior side yard width for building and structures associated with a drive-through abutting a residential use;
4. A reduction in the minimum rear yard depth;
5. A reduction in the minimum width of a landscaped planting strip abutting a residential interior side yard; and
6. An outdoor patio associated with a restaurant as a permitted use on lands adjoining a residential zone.

Administration concurs with the opinion of the planner for the applicant that the proposed development meets the general intent and purpose of the Official Plan and is compatible with the built form in the neighbourhood. Further, the height and location of the building mitigates any potential impact on the neighbourhood. With the approval of Official Plan Amendment No.17, the Official Plan permits drive-through restaurants as a use on the subject property. The proposed Zoning By-law amendment to create a site specific CG-16 Zone is consistent with the Town of Amherstburg Official Plan. The following comments for the Planning Rationale Report note the following with respect to items 1 and 2 above:

The proposed development is located in the peripheral area adjacent to the downtown core of Amherstburg. The site is an infill development in the mixed use area.

It is observed that through the history of planning applications on the east side of Sandwich Street south of Alma Street and north of Richmond Street that this is an area in transition towards more commercial uses, mixed-use developments and higher than existing residential densities.

Amherstburg is experiencing an increase in demand for commercial uses that serve people by automobile via drive-through and walk-up or bicycle or other accessible access means to the businesses. Furthermore, accessible access for all persons is a legislated requirement.

In the event this application is approved by Council, the development would also be subject to the execution of a site plan control agreement.

Reports/submissions by Applicant in support of Applications

1. Planning Justification Report (May 2022) – Appendix “A”
2. Storm Water Management Memo – Appendix “B”
3. Transportation Impact Study – Appendix “C”
4. Planning Justification Report Addendum (June 2022)– Appendix “D”
5. Public Meeting Summary – Appendix “E”
6. Draft OPA 17 – 51-57 Sandwich Street – Appendix “F”
7. DQ Preliminary Renderings – Appendix “G1”
8. DQ Material Selection Proposal – Appendix “G2”
9. Apartment Concept Material Selection Proposal – Appendix “G3”
10. OPA No. 17 Comments Compiled (Redacted) – Appendix “H”
11. Draft Official Plan Amendment No. 16 - Appendix “I”
12. List of addresses of property owners notified – Appendix “J”
13. Map of property owners notified – Appendix “K”
14. DQ Conceptual Development Plan – Appendix “L”
15. Noise Impact Assessment – Appendix “M”
16. Photometrics Plan and Lighting Memo – Appendix “N”
17. Preliminary Landscape Plan – Appendix “O”

4. RISK ANALYSIS:

The recommendations present little to no risk to the municipality.

5. FINANCIAL MATTERS:

Costs associated with the application and planning processes are the responsibility of the applicant. Should the decision be appealed tot the Ontario Land Tribunal, then the Town will incur costs that are not budgeted for.

6. CONSULTATIONS:

Administration has consulted with the applicant.

7. CONCLUSION:

The proposed Zoning By-law amendment is consistent with the Town of Amherstburg Official Plan.

Christopher Aspila
Manager, Planning Services

Report Approval Details

Document Title:	Zoning By-law Amendment 51-57 Sandwich St S.docx
Attachments:	- Appendix A - Planning Justification Report (May 2022).pdf - Appendix B - SWM Memo (May 2022).pdf - Appendix C - TIS (May 2022).pdf - Appendix D - PJR Addendum 20220620.pdf - Appendix E - Public Meeting Summary (July 2022).pdf - Appendix F - DRAFT OPA 17 51-57 Sandwich Street South.pdf - Appendix G1 - 2022-08-24-DQ_Prelim_Renderings.pdf - Appendix G2 - 2022-08-25-DQ_Material_Selection_Proposal.pdf - Appendix G3 - 2022-08-23 - Apartment Concept_Material_Selection_Proposal.pdf - Appendix H OPA No. 17 Comments Compiled_Redacted.pdf - Appendix I - Map of Property Owners Notified.pdf - Appendix J - PUBLIC- List of Addresses of Property Owners Notified.xlsx - Appendix K - 51_57 Sandwich Street S., Amerstburg, ON PJR_REVISED_Aug2022.pdf - Appendix L - DQ Conceptual Development Plan 22-08-25.pdf - Appendix M - 51-57 Sandwich Street S - Noise Impact Assessment.pdf - Appendix N - 51_57 Sandwich St S- Photometrics Plan and Lighting Memo.pdf - Appendix O - 51_57 Sandwich St S - Preliminary Landscape Plan.pdf - 2022-071- ZBA- 51 and 57 Sandwich St S- DRAFT.docx
Final Approval Date:	Sep 2, 2022

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

Melissa Osborne

Tracy Prince

Valerie Critchley

DILLON
CONSULTING

TOAD ONE INC.
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Planning Justification Report
51 & 57 Sandwich Street South, Amherstburg, ON

May 2022 – 22-3779

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1.0 Introduction

1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc., herein referred to as the 'Applicant', to assist in obtaining the necessary planning approvals associated with a proposed mixed use infill development located at 51 and 57 Sandwich Street South, southeast of the intersection of Alma Street and Sandwich Street South, in the Town of Amherstburg (Municipality). The Applicant is proposing the redevelopment of the site for a Dairy Queen restaurant with drive-through and a mixed use building.

Figure 1: Location Map

The property is designated accordingly in the County of Essex Official Plan, Town of Amherstburg Official Plan, and Zoning By-law 1999-52 as follows:

County of Essex Official Plan: Schedule A2: Settlement Structure Plan

- Primary Settlement Area

Figure 2: County of Essex Official Plan Land Use Designations

Town of Amherstburg Official Plan

- General Commercial

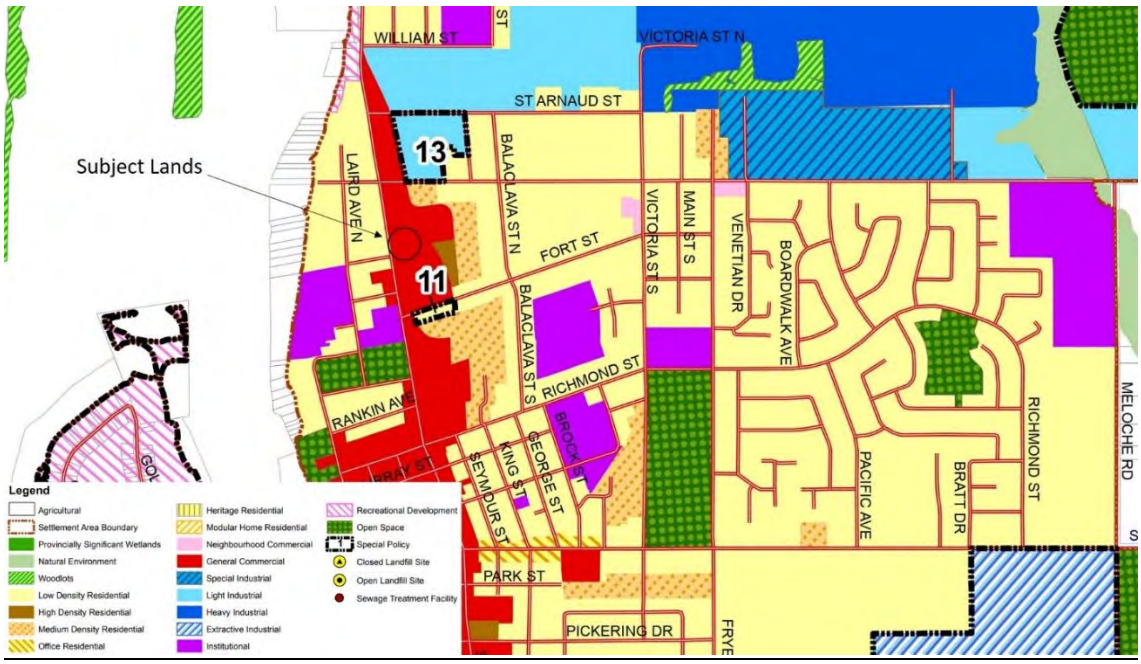

Figure 3: Town of Amherstburg Official Plan Land Use Designations

Town of Amherstburg Zoning By-law 1999-52 – Schedule A: Zoning District Map 9

- Residential Office (RO)

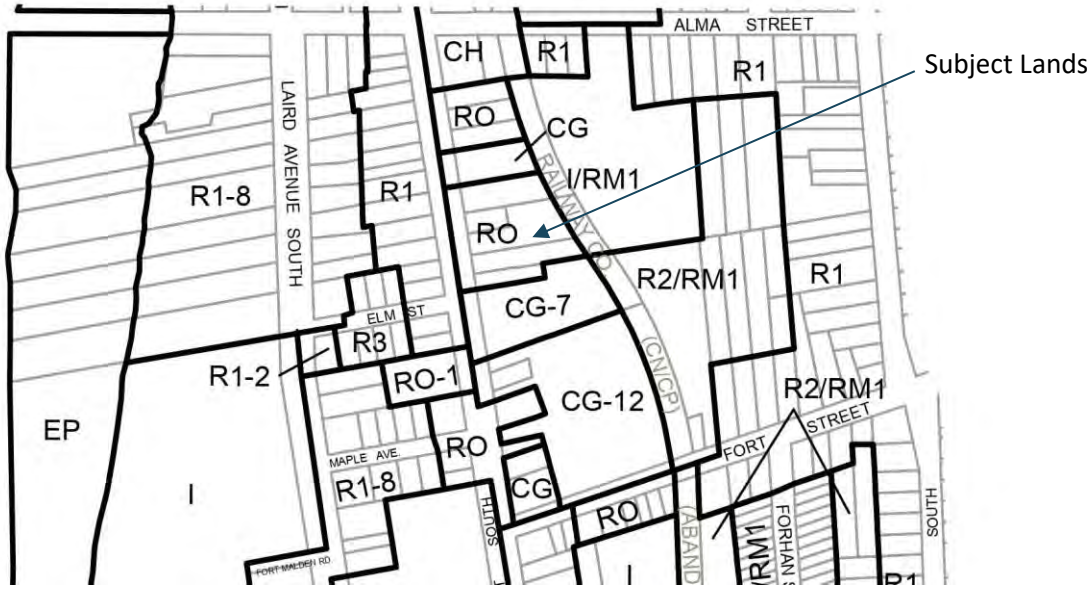

Figure 4: Town of Amherstburg Zoning By-law Designations

In keeping with the policies of the General Commercial land use designation of the Town of Amherstburg Official Plan, the subject site will require an Official Plan Amendment to permit a drive-through due to its location on Sandwich Street South. The subject site will also require a site specific Zoning By-law Amendment to facilitate the proposed development. More specifically, a site specific Commercial General (CG-X) Zone is being sought for the subject site that would include the following:

- A drive-through restaurant as a permitted use;
- A reduction in the minimum interior side yard width for buildings and structures associated with a drive-through abutting a residential use;
- A reduction in the minimum width of a landscaped planting strip abutting a residential interior side yard;
- An outdoor patio associated with a restaurant as a permitted use on lands adjoining a residential zone;
- The minimum number of parking spaces required shall be forty-four (44) spaces (including barrier-free); and
- All other building requirements for the commercial and mixed use building to be in accordance with the requirements of the Commercial General (CG) zone.

The applicant has submitted Official Plan Amendment and Zoning By-law Amendment applications to this effect (Refer to **Appendix A – Development Applications**).

1.2 Description of Site

The subject site is located on the east side of Sandwich Street South between Alma Street to the north, and Fort Street to the south (refer to **Figure 1.0 - Location Map**). The subject site consists of two (2) parcels of land, legally described as follows:

- PLAN 8 LT 10 AND PART LOT 11, PLAN 6 LOT 18, PLAN 240 PT LOT 3, RP 12R7896 PARTS 3, 4, AND 5, AMHERSTBURG

The total site area under application is approximately 0.42 ha (1.04 acres), having approximately 35.5 m (116.5 ft.) of frontage on Sandwich Street South. The site currently contains two residential dwellings and accessory structures which will be demolished in order to facilitate the development.

1.3 Proposed Development

The applicant wishes to develop the site for a Dairy Queen (DQ) restaurant and drive-through on the western portion of the site, adjacent to Sandwich Street S (County Road 20). A three-storey mixed-use building is being proposed on the southeast quadrant of the site, with retail commercial uses on the ground floor, and residential units on the upper two floors.

The restaurant would have a gross floor area (GFA) of 2,273 square feet (211.2 m^2) and a drive-through lane that would be able to accommodate ten (10) passenger vehicles. The DQ also features an approximately 50 m^2 patio at the front of the restaurant. At the rear of subject lands, a new three-storey mixed-use building is envisioned. The ground floor of this building would have a commercial (retail) GFA of 4,273 square feet (397.0 m^2) while the upper two floors would contain four residential dwelling units. Each of the residential units would be two storeys high.

Forty (40) parking spaces are proposed for the site with an additional four (4) parking spaces being designated as barrier-free. Two of these parking spaces would be adjacent to the DQ restaurant while the other two are located adjacent to the mixed-use building. In addition, there would be two “pull ahead” parking spaces designated for vehicles utilizing the drive-through, as some vehicles may need to park and standby after placing their order in the case the order is not ready at the pick-up window.

Figure 5.0 – Conceptual Development Plan illustrates the proposed mixed use development.

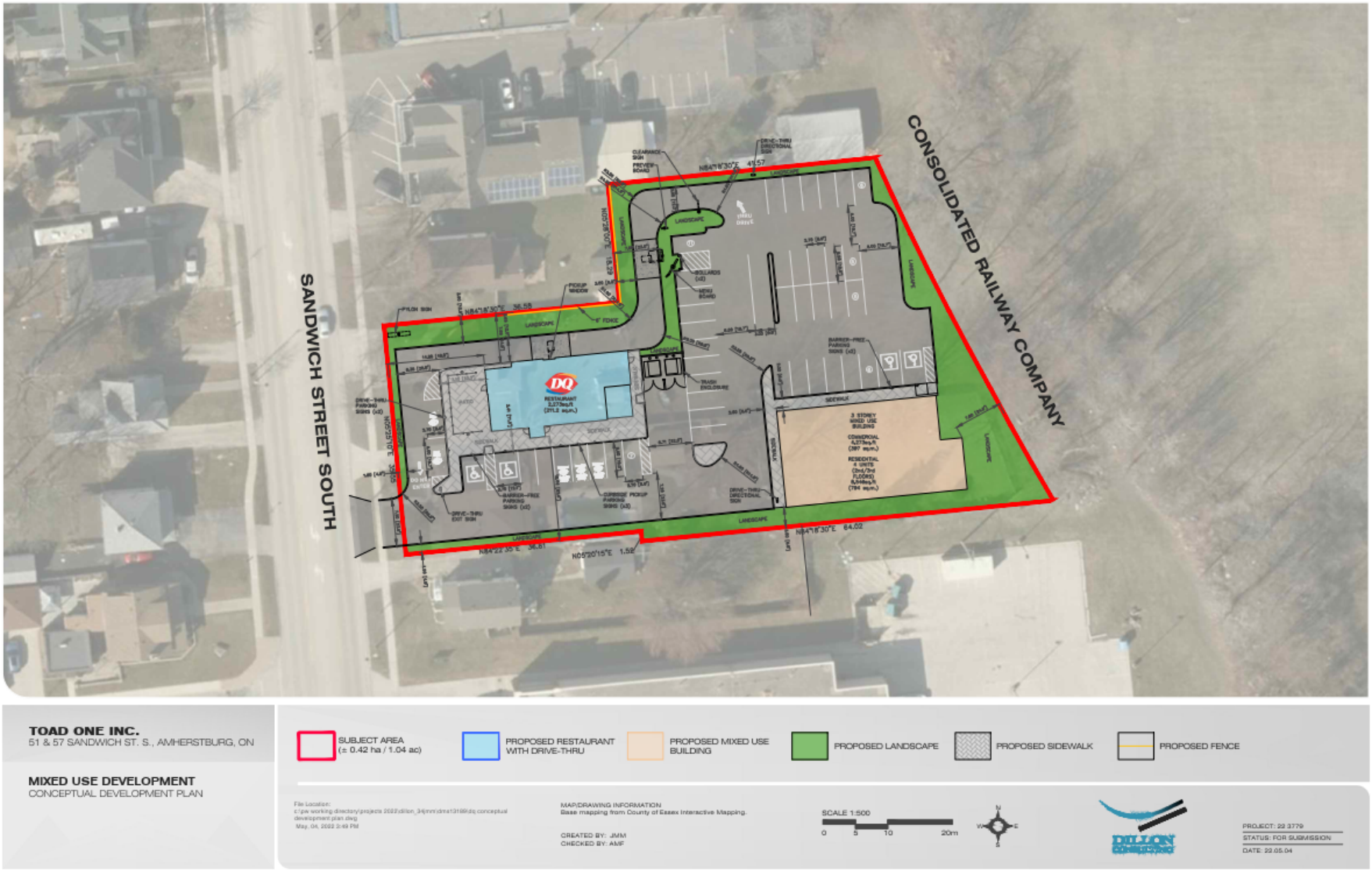

Figure 5: Conceptual Development Plan

The applications for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) proposed to establish a site specific policy in the General Commercial policies of the Official Plan and a site specific zoning to support the restaurant and mixed use development.

The proposed development requires a Zoning By-law Amendment to change the zoning for Residential Office (RO) to a site specific Commercial General (CG) zone to permit the drive-through restaurant and patio. The rezoning will include the addition of these uses, as well as site specific setbacks for the drive-through facilities, a reduction in the minimum widths for planting strips, and minimum parking requirements. This site specific zone will include the existing CG provisions for commercial uses. The proposed mixed use building is in accordance with the application requirements. The site will require an Official Plan Amendment to permit the proposed drive-through as it is not permitted due to the location of the subject lands on Sandwich Street South.

The subject site is subject to Site Plan Control Approval, where particular detail will be paid to adequately address buffering, fencing, lighting and façade treatments.

As will be demonstrated in Section 3.0 of this report, the redevelopment of these lands for residential and commercial uses is in keeping with the pertinent regional and local policies, provisions and guidelines of the Provincial Policy Statement, County of Essex Official Plan, Town of Amherstburg Official Plan, and Town of Amherstburg Zoning By-law.

2.0 Existing Land Use

2.1 Subject Site

The physical attributes of the site are as follows:

- A total site area of approximately 0.42 ha (approx. 1.04 acres);
- Two (2) properties fairly flat in nature;
- No significant environmental areas or hazards;
- Frontage on Sandwich Street South; and
- Each property currently contains a residential dwelling and associated accessory structures including a shed and fencing.

2.2 Surrounding Land Use

The surrounding land uses are varied as shown in **Figure 6.0 - Surrounding Land Uses** and are described as follows:

North

- Low Density Residential (single detached dwellings) (RO)
- Commercial uses including:
  - Baker Busch Law Office (RO); and
  - Amherstburg Dental (CG).

East

- Low Density Residential (single detached dwellings) (R1)
- Encounter Church (I/RM1)
- Vacant Medium Density Residential (R2/ RM1)

South

- Low Density Residential (single detached dwellings)(RO)
- Commercial uses including:
  - Rexall Pharmacy(CG-7);
  - M-D Connected Walk-in Clinic (CG-7);
  - Wendy's Restaurant (CG-12); and
  - Sobey's Supermarket (CG-12).

West

- Low Density Residential (single detached dwellings) (R1/R1-8/R3)

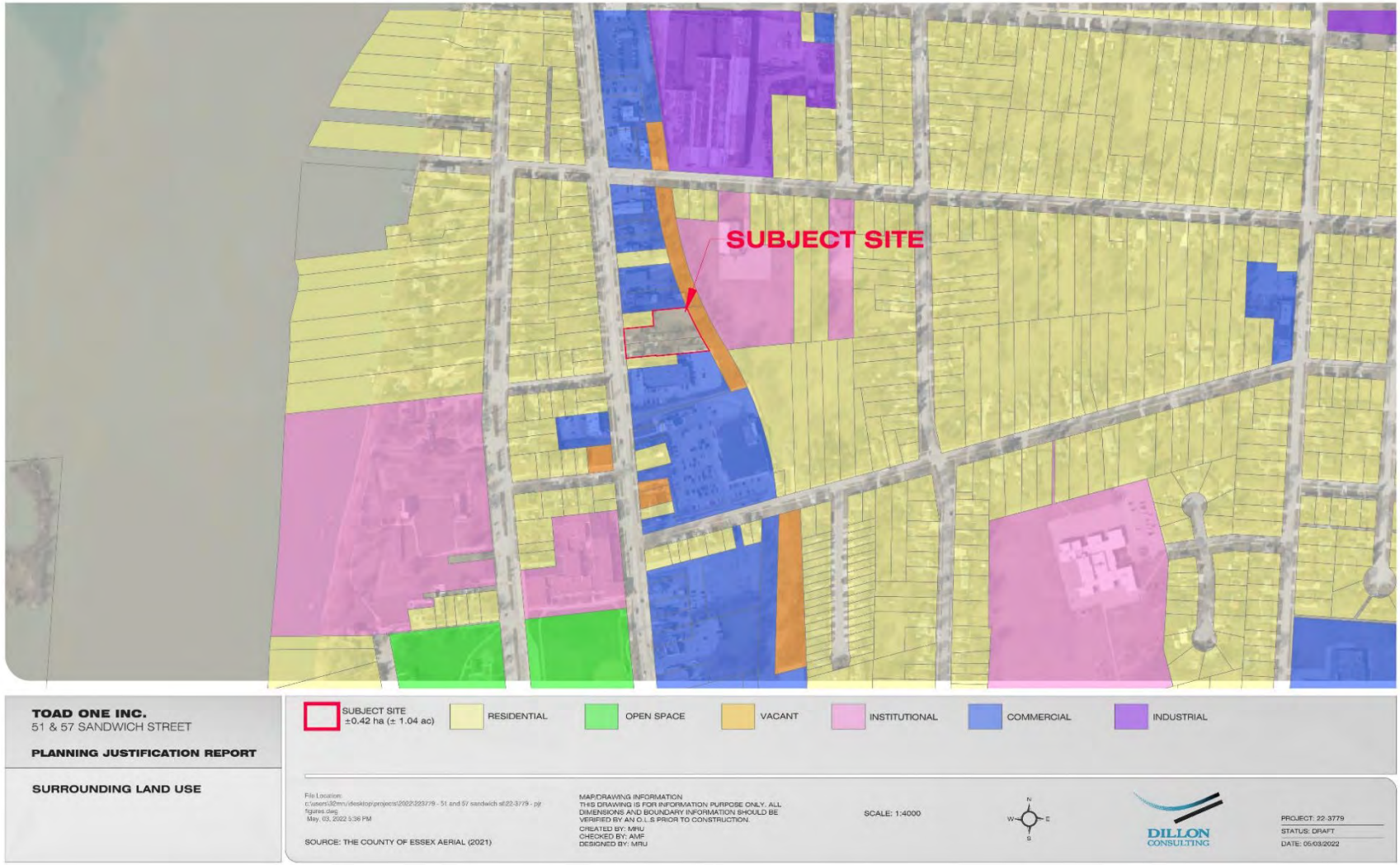

Figure 6: Surrounding Land Uses

3.0 Planning Evaluation

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Policy Statement 2020;
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-law 1999-52; and
- Visual inspections of the site and surrounding lands.

3.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) promotes the development of 'Strong, Healthy Communities' through the redevelopment of lands for an appropriate mix of uses. It also promotes the redevelopment and compact form of providing a mix of employment uses for existing and future businesses. The proposed uses must be "consistent with" the PPS and as a broad and general document, the applicants must, through analysis of the policies, determine how the proposed use is appropriate and advances the provinces' interests. There are a number of sections of the PPS that apply to the proposed development.

Our analysis suggests that the following policies of the PPS are relevant to the application:

Section 1.1.1, relating to efficient development and land use patterns;
Section 1.1.2, relating to land availability;
Section 1.1.3, relating to settlement areas;
Section 1.2.6.1 relating to land use compatibility;
Section 1.3, relating to employment;
Section 1.4.1, relating to housing;
Section 1.5, relating to active transportation;
Section 1.6, relating to infrastructure and public service facilities;
Section 1.6.6, relating to sewage, water, and stormwater;
Section 1.6.7, relating to transportation systems;
Section 1.7, relating to long-term economic prosperity; and
Section 1.8, relating to energy conservation, air quality and climate change.

These policies are included in **Appendix B** and will be referenced throughout the remainder of this report.

3.2 County of Essex Official Plan

The County of Essex is the upper tier municipality for the Town of Amherstburg. The County Official Plan (County OP) contains a holistic set of goals, objectives and policies to manage and direct the growth of

Settlement Areas such as the Town of Amherstburg's urban area. The primary goals of the County OP include:

- Directing the majority of growth and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas;
- Creating and maintaining an improved balance between residential and employment growth in each of the Primary Settlement Areas; and
- Encouraging greenhouse gas emissions and energy consumption reduction by promoting built forms and transportation systems that create more sustainable, efficient, healthy and livable communities.

The subject lands are designated Primary Settlement Area in the County of Essex Official Plan. Our analysis suggests that the proposed development is in conformity with the applicable policies of the County OP which include:

Section 1.5, relating to goals for a healthy County;
Section 2.2, relating to growth management;
Section 2.5.3, relating to stormwater quality and quantity;
Section 2.8, relating to transportation;
Section 2.10, relating to sewage and water systems;
Section 3.2, relating to Settlement Areas;
Section 3.2.7, relating to intensification and redevelopment; and
Section 4.7, relating to site plan control.

The proposed mixed use development is permitted under the Primary Settlement Area designation and does not require a County of Essex Official Plan Amendment. These policies are included in **Appendix C** and will be referenced throughout the remainder of this report.

3.3 The Town of Amherstburg Official Plan

The Town of Amherstburg Official Plan sets general directions for the future pattern of development envisioned for the municipality for a twenty year planning period.

The subject lands are currently designated General Commercial in the Official Plan. Section 4.4.2 of the Official Plan provides general policy direction for General Commercial development, which recognizes that it should be directed to appropriate locations. According to the OP, this designation has the following functions:

- To offer goods and services to serve the whole of the municipality's market;
- To provide a broad range of commercial services; and
- To provide complementary services and amenities.

The General Commercial land use policies are designed to promote accessible commercial development through development of a broad range of commercial forms and services including retail commercial

establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores, and residential uses above the first floor. Neighbourhood oriented commercial developments such as the one proposed fit well with the intentions of the Official Plan and can enhance the quality of life in Amherstburg.

Although drive-through restaurants are permitted in the General Commercial designation, the policies in Section 4.4.2 restrict drive-through restaurants to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street. The proposed development is approximately 175 m south of Alma Street, between Alma Street and Fort Street, therefore will require an amendment to the General Commercial designation to permit the drive-through.

Our analysis suggests that the proposed development is otherwise in conformity with the intent of the General Commercial policies and other pertinent policies of the Official Plan which include:

Section 2.1, relating to land use management and town development;
Section 2.17, relating to pedestrian access;
Section 2.19, relating to quality of life;
Section 4.1, relating to settlement areas;
Section 4.4.2, relating to General Commercial areas;
Section 5, relating to the transportation system;
Section 6.2, relating to the built form;
Section 6.3, relating to community improvement;
Section 6.3.3, relating to lighting;
Section 6.4, relating to heritage conservation;
Section 6.5, relating to employment opportunities and economic development; and
Section 7.5, relating to site plan control.

These policies are included in **Appendix D** and will be referenced throughout the remainder of this report.

3.4 The Town of Amherstburg Zoning By-law 1999-52

The Town of Amherstburg Zoning By-law 1999-52 implements the policies of the Town of Amherstburg Official Plan by regulating built form and land uses throughout the Town.

A Zoning By-law Amendment is being requested that would change the zoning of the subject lands from Residential Office (RO) to a site specific Commercial General (CG-X) zone that includes a drive-through restaurant and patio as permitted uses, reduces the minimum interior side yard width for buildings and structures associated with a drive-through (abutting a residential use), and reduces the minimum width of a landscaped planting strip abutting a residential interior side yard. It is also requested that the site specific zone includes a minimum parking requirement of forty (40) standard parking spaces and four (4) barrier-free parking spaces. All other building requirements for the commercial and mixed use building will be in accordance with the requirements of the Commercial General (CG) zone.

The following outlines the provisions which will be included in the proposed site specific Commercial General (CG) zone:

Provision	Existing CG Zone	Proposed Site Specific CG-X
Permitted Uses	Refer to **Appendix E**	To include: • Restaurant, Drive-Through • An outdoor patio associated with a restaurant shall be permitted on lands adjoining a residential zone class. All other provisions in Section 3(22) shall apply.
Minimum Front Yard	No Minimum except as provided in Section 3(23) thereof; Section 3(26)(a): Sandwich St. Brunner Road to Fort St 25 m; Section 3(26)(b): Exemption in Built-Up Areas - ± 5.5 m	6 m (14.8 m provided)
Minimum Interior Side Yard	No minimum; where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.	7 m
Minimum Setback from Residential Use – Drive-Through (Section 3(26)(f))	10 m	3.0 m
Parking	Restaurant, Drive-Through 1 per 10 m^2, including patio = 26 spaces Retail – 1 per 25 m^2 = 16 spaces Apartment – 1 per unit = 4 spaces Total = 46	44 parking spaces (including 4 barrier-free spaces) Plus 2 “pull ahead” standby spaces
Landscape Planting Strip (Section 3(12)(b) Where abutting a Residential Zone)	Abutting Sandwich Street - 1.5m	1.5 m
	Abutting Residential Interior Side Yard (North) – 3.0 m	3.0 m
	Abutting Residential Interior Side Yard (South) – 3.0 m	1.5 m

Table 1: Commercial General (CG) Provisions

The site specific Commercial General zone would provide the proposed development with appropriate setbacks, landscaping requirements and additional uses including a restaurant with a drive-through as well as a patio not currently provided in the CG zone. The proposed additional uses are small scale neighbourhood uses, similar to the surrounding uses that currently exist and which service the area. The proposed amendment would also bring the scale and intensity of the proposed development more in keeping with the surrounding commercial land uses.

At present, although the Commercial General (CG) zone permits restaurants and 'drive-through facilities', it does not permit 'drive-through restaurants'. The applicant is committed to mitigating the potential impacts of the drive-through in relation to the neighbouring residential uses, including fencing and landscaping along the property. The drive-through menu board and speaker box have also been located at the rear of the property with a residential use.

Further, an amendment to Section 3(22)(b) (General Provisions) is also required to permit an outdoor patio adjacent to a residential zone. The patio, which is situated at the front of the site, offers Amherstburg residents a ± 50 m^2 outdoor dining area. The patio will enhance Sandwich Street South and promote the unique heritage nature of Amherstburg, thus assisting in the proposed site designs' integration into the area.

In addition, Section 3(12)(b)(i) requires a 3.0 m planting strip along the lot line of a property in a Commercial Zone that abuts a Residential Zone. The adjacent property to the south is zoned Residential Office (RO). The proposed development will require a reduction in a portion of the landscaped planting strip along the southern property line to 1.5 m. This reduction is being requested to accommodate the driveway access and overall functionality of the DQ restaurant and drive-through.

The proposed development provides for ten (10) drive-through queuing spaces and forty-four (44) parking spaces. This includes four (4) barrier-free parking spaces located near the principal building entrances for both the DQ and the mixed use building. The DQ also provides for two (2) additional "pull ahead" parking spaces designated for vehicles utilizing the drive-through, as some vehicles may need to park and standby after placing their order in the case the order is not ready at the pick-up window. It is recognized that these "pull ahead" spaces may not constitute parking spaces as defined in the Zoning By-law. As such, if assuming a retail use in the mixed use building, the proposed development would be deficient by two (2) parking spaces. It is however expected that the commercial, residential, and DQ parking will be utilized at different times due to different peak requirements for the uses. DQ experiences its' most significant numbers in the evenings and later at night. Meanwhile, commercial uses such as laundromats, bakeries, salons, and retail boutiques see most of their traffic during the day time. This is important to note because it demonstrates that the parking provided can adequately serve the parking needs for the proposed development.

It is our planning opinion that the proposed Zoning By-law Amendment is reasonable for the subject site, facilitates the DQ restaurant that is appropriate and desirable for the area, and is in keeping with the policies of the Official Plan and intent of the Zoning By-law. The value of the development is only further enhanced by the mixed use building at the rear of the site which will bring new retail opportunities and residential units to the market for Amherstburg.

The zoning provisions addressed in this section are included in **Appendix E**, and will be referenced throughout the remainder of this report.

3.5 Planning Analysis and Considerations

Municipalities in Ontario are required under Section 3 of the Planning Act to ensure that planning matters and decisions are consistent with the Provincial Policy Statement (PPS). The PPS includes policies designed to build strong and healthy communities and are intended to direct efficient and resilient development and land use patterns (PPS, 1.1.2). According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, while accommodating a range and mix of housing (PPS, 1.1.1; COP, 1.5; OP, 2.1, 2.19). This proposed development is consistent with these policies by bringing the site and its uses into conformity with the surrounding land uses and by providing housing opportunities to the community. The proposed development improves the utilization of lands by proposing an intensification of land uses that can exist in harmony with the surrounding land uses, and thus creating opportunities for increased municipal taxes and employment (PPS, 1.1.2, 1.3, 1.7).

3.5.1 Location

With respect to settlement areas, the PPS recognizes that the vitality of these areas is critical to the long-term economic prosperity of communities. According to the PPS, settlement areas should be the focus of growth and development and that their regeneration shall be promoted (PPS, 1.1.3, COP, 2.2, 3.2).

The proposed development promotes growth and vitality within the settlement area. It promotes a more dense land use pattern which efficiently uses land and resources, supports active transportation, and is transit-supportive (PPS, 1.5; COP, 2.8, 3.2.7; OP, 4.1). The proposal provides for an opportunity for the intensification of lands and an increase in commercial and residential opportunity (OP, 6.5). The location is appropriate for this type of intensification due to the availability of suitable, existing infrastructure and public service facilities to accommodate projected needs and use of the site. Furthermore, it provides housing among an abundance of amenities including restaurants – on site and beyond, pharmacies, grocery stores, and institutional uses, while also being in close proximity to Dalhousie Street and the waterfront. The proposed development allows for commercial uses that serve the day to day needs of the neighbouring residents in the area. Similar commercial uses are already permitted under the Commercial General zoning (PPS, 1.1.3, 1.6, OP 6.3).

The proposed development is consistent with the Town of Amherstburg's locational criteria policy, as it is located on an arterial road, on full municipal services, adequate community services and open spaces are available, and public transportation is accessible (COP, 2.8; OP, 6.3). The proposal conforms to the development policies of the County of Essex and the Town by supporting practical and efficient land use management strategies and a more compact form of development.

3.5.2 Land Use

The subject site is located on lands designated General Commercial as identified in the Town of Amherstburg Official Plan. The proposed development generally conforms to the General Commercial policies of the OP with the exception of the drive-through component. There is however a Wendy's located just south of the proposed development which also includes a drive-through and patio, and

therefore compatible with the surrounding neighbourhood. The proposed land uses do not present any potential adverse effects from odour, noise and other contaminants to the adjacent commercial and residential uses as the applicant intends to mitigate these concerns through site design (PPS 1.2.6.1; 1.7). A fence and landscape buffer is being proposed between the drive-through and the residential property to the north. The drive-through speaker box is also located closer to the rear of the abutting residential property and is setback approximately 7 m from the property line. The proposed uses of a drive-through restaurant, local commercial and residential units will effectively serve the residents of the surrounding area (PPS, 1.1.1). The proposed uses will require an OPA to add the additional use of a drive-through to the General Commercial land use designation.

3.5.3 Housing

The PPS speaks to providing for an appropriate range and mix of housing types and densities in order to meet projected needs of current and future residents (PPS, 1.4.1). The proposed development provides for up to four (4) dwelling units within the mixed use building. As with most communities, the predominant housing option in the Town of Amherstburg is the single detached dwelling. The residential units being proposed will provide additional housing options for empty nesters and aging residents, and can also encourage new families and residents wishing to downsize their existing homes to remain in the community (PPS, 1.4.3).

3.5.4 Transportation System

The PPS encourages developments that promote a dense land use pattern, which minimizes the length and number of vehicle trips and encourages the use of active transportation methods (PPS, 1.6.7, 1.8; COP, 3.2.7). The proposed development will become a destination in close proximity to the County Wide Active Transportation System (CWATS). CWATS provides vast access for various active transportation methods throughout to take advantage of the shorelines and flat terrain. Sandwich Street is considered a bike connection within this trail system, making the proposed site more accessible and a great location for a break for CWATS users. The façade and patio of the development will only serve to enhance the streetscape and there by the pedestrian experience.

There is an existing sidewalk along the east side of Sandwich Street South which provides pedestrian access to the surrounding area. The sidewalk is barrier free and municipally maintained to provide accessible travel for all residents and pedestrians and will encourage people to walk to school, for work, for travel, exercise, recreation, and social interaction (PPS, 1.6; OP, 2.17, 4.1). The site connects to further existing infrastructure which supports future public transportation, creating a new destination in the town (PPS, 1.6.7; COP, 2.8).

3.5.5 Infrastructure

The proposed development promotes the efficient use and optimization of existing municipal sewage and water services - storm water, run off, and sewage will be handled on site as needed, and will ensure that sewage and water services provided comply with all regulatory requirements and protect human health and the natural environment (PPS, 1.6.6; COP, 1.5, 2.5.3, 2.10). The proposed development will

take advantage of existing servicing connections and will not require an extension of municipally owned or operated infrastructure (PPS, 1.6.6; COP, 2.10).

3.5.6 Urban Design

Urban design is a critical component to the success of the proposed development and to its location. The subject lands fall within an area of the Official Plan that is identified as the "gateway to Amherstburg" and has "historic character". The design of the site and its built components are an opportunity for community improvement and enhancement. The proposed development is compatible with the surrounding land uses in the surrounding area and will fit with the character of the area. In terms of the building façades, the Heritage Planner of Town has been consulted throughout the application process. The applicant will continue to work with DQ and the Town throughout the site plan approval process to finalize the renderings for both the restaurant and the mixed use building that complements the heritage character of the Town (OP 6.4). This will include façade treatments, building materials, and accents.

In addition, proposed landscaping and light fixtures will help enhance the character of the site and allow it to have a more welcoming nature (OP, 2.17, 4.1, 5, 6.2, 6.3, 6.3.3).

The street-facing patio will enhance this site by creating a welcoming, attractive street front. The front lot line will be lined with landscaping and the patio will be found just east of this landscape strip, featuring lighting and a variety of seating. This will create an attractive street facing area for the site but additionally invite pedestrians to gather or rest, encouraging safe, convenient, and direct site access. This additionally creates separation from the street and pushes parking to the rear, further enhancing the streetscape.

Landscaping and screening will also help to blend the development into the existing neighbourhood. These aspects of the development will be addressed more thoroughly during the Site Plan Control approval process.

3.5.7 Site Plan Control

The OP designates the whole of the municipality as a Site Plan Control Area (OP, 7.5). The proposed development is subject to site plan control and will be further reviewed upon approval of the zoning by-law amendment (COP, 4.7; OP, 7.5). Design guidelines will be adhered to and thoroughly reviewed during the site plan control process, specifically as it relates to heritage design (OP, 6.4.2).

3.5.8 Economic Prosperity

The proposed development promotes opportunities for economic development and investment within the Town of Amherstburg (PPS, 1.7.1). It also optimizes the infrastructure available within the subject site and enhances the vitality of the area by introducing new opportunities for a diversity in housing (PPS, 1.4).By introducing new residential units and approximately 609m² of commercial space to the area, the proposed mixed use development supports the diversification of the Town's economic base. This is meaningful as it helps to maximize the number and types of employment opportunities and to balance economic trends in various sectors in the Town and among its residents (OP 6.5).

3.6 Background Studies

As identified through discussions with the Town of Amherstburg, the following background studies have been prepared in support of the proposed Official Plan and Zoning By-law Amendment applications.

3.6.1 Stormwater Management Report

A Stormwater Management Report was completed by Dillon Consulting Limited, dated April 2022, and provided under separate cover.

3.6.2 Transportation Impact Study

A Transportation Impact Study (TIS) was completed by Dillon Consulting Limited, dated April 2022, and provided under separate cover. The TIS concluded that the study area intersections and the proposed driveway are projected to operate in an acceptable manner through to the 2028 horizon year and that no modifications to off-site infrastructure or traffic control are needed to support this development.

4.0 Conclusions

Based on an extensive review of the technical planning and policy related issues, the proposed development is appropriate for the site and consistent with good planning principles. We recommend that the Zoning By-Law Amendment and Official Plan Amendment applications, as submitted, be approved for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement for the reasons identified in Section 3.1 of this report.
2. The proposed use is consistent with the policies in the County of Essex Official Plan outlined in Section 3.2 of this report.
3. The proposed use is consistent with the policies in the Town of Amherstburg Official Plan outlined in Section 3.3 of this report.
4. The site is physically suitable and well located to support the proposed commercial and residential uses.
5. The proposed development would be able to co-exist in harmony with the adjacent residential and commercial land uses.
6. The proposed Zoning By-Law Amendment respects land use compatibility and site suitability directives which support healthy, complete neighbourhoods.
7. The design of the development will be done in accordance with the site specific zoning provisions agreed upon with the Town, and will be further reviewed during the Site Plan Control process.
8. The proposed development can add to the vitality of the area while supporting the efficient use of land and existing infrastructure.
9. Through urban design of the existing area, the proposed development will promote a sense of place and will serve the neighbouring residents while fitting in the character of the neighbourhood and Town.
10. The proposed development promotes compact form and intensification; its location will encourage residents to use active transportation, minimizing the number and length of vehicle trips.
11. The proposed development is compatible with the surrounding land uses (land use, scale, massing, landscaping, etc.) and is consistent with the mix of land uses along Sandwich Street South.
12. The proposed development would provide desirable employment opportunities and support the ability of residents to live and work in their local neighbourhood.

Amy Farkas, MCIP, RPP
Associate

Appendix A

Development Applications

FORM 1 Application No. _____

PLANNING ACT

APPLICATION FOR OFFICIAL PLAN AMENDMENT

TOWN OF AMHERSTBURG

1. Name of approval authority **County of Essex**

2. Date application received by municipality _____

3. Date application deemed complete by municipality _____

4. Name of registered owner Ross Esposito & Matt Esposito

   Telephone number 519-736-8366

   Address 10 Renaud Street, Amherstburg, ON N9V 4B1

   Email m_esposito17@yahoo.ca; relighting@cogeco.net

   Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited c/o Amy Farkas

   Telephone number 519-991-2942

   Address 3200 Deziel Drive, Suite 608, Windsor ON

   Email afarkas@dillon.ca

   Please specify to whom all communications should be sent:

   ☐ registered owner ☐ solicitor ☒ agent

5. Location and description of subject land:

   Municipality Amherstburg

   Concession No. _____ Lot(s) No. _____

   Registered Plan No. RP 8; RP 6 RP 240 Lot(s) No. Lots 10 & 11; Part Lot 18 Pt Lt 3

   Reference Plan No. 12R-7896 Part(s) No. 3,4,5

   Street Address 51 & 57 Sandwich St S Assessment Roll No. 372926000000800 372926000000900

6. Existing Size of Subject Parcel:

   Frontage 35.5 m Depth Irregular Area ± 4,121 m^2

7. Current use of subject land Residential

8. Proposed change to Official Plan land use **designation** affecting subject land:

   Current Official Plan designation General Commercial

   Current land use(s) permitted Includes retail commercial, eating establishments, second storey residential

   Proposed Official Plan designation General Commercial (Site Specific)

   Proposed land use(s) permitted Add Drive-through as a permitted use

   Note: If a change in land use designation is proposed, the applicant is to provide a copy of the Map Schedule from the Official Plan with the proposed change and accompanying text indicated thereon.

9. Proposed change to Official Plan land use **policy** affecting subject land:

Existing land use policy to be deleted or amended General Commercial Section 4.4.2

Land use policy to be added Drive-through restaurant as a permitted use. Drive-through restaurants are currently not permitted on Sandwich Street S south of Alma Street.

Purpose of new or amended land use policy To allow the development of a Dairy Queen restaurant with a drive-through and a patio, in addition to a mixed use building and associated parking lot on the subject site

New land uses permitted by change in land use policy Drive-through restaurant permitted on Sandwich Street S, south of Alma Street.

Text of proposed land use policy change being applied for A drive-through restaurant will be permitted at 51/57 Sandwich Street South.

(use a separate sheet of paper if necessary)

10. Current land use of abutting property:

North Residential dwelling, commercial plaza

South Residential dwelling, commercial plaza, Wendy's with drive-through

East Amherstburg Community Church, vacant residential land

West Low density residential

11. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or establish a new area of settlement in the municipality?

☐ Yes ☒ No

If yes, state the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.

12. Type of water supply:

☒ municipally owned and operated piped water supply
☐ well
☐ Other (specify) _____

13. 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

14. Type of storm drainage:

- ☒ sewers
- ☐ ditches
- ☐ swales
- ☐ Other (specify) _____

15. Please indicate whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of one of the following:

- ☐ an official plan amendment
- ☒ a zoning by-law amendment
- ☐ a Minister•s zoning order amendment
- ☐ a minor variance
- ☐ a plan of subdivision
- ☐ a consent
- ☒ a site plan

Please provide the following with respect to the application(s):

File number Concurrent ZBA application; SPC to follow OPA/ZBA approvals

Name of the approval authority _____

Lands affected _____

Purpose _____

Status _____

Effect on the amendment proposed by this application _____

_____

16. 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.

_____

_____

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

☒ Yes ☐ No

Comments: Refer to Planning Justification Report

_____

18. 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?

_____

_____

19. 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.

Dated at the City of Windsor this 2nd day of May, 2022.

Amy Farkas

(signature of applicant, solicitor or authorized agent)

I, Amy Farkas of the City of Windsor 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 City of Windsor in the County of Essex this 3rd day of May, 2022.

Amy Farkas

Applicant, Solicitor or Authorized Agent

A Commissioner, etc.

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

NOTE: A deposit fee of $2,000.00 must accompany your completed application.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

51 & 57 Sandwich Street S, Amherstburg

Plan 8 Lots 10 & 11; Plan 6 Part Lot 18; Plan 240 Pt Lt 3; 12R7896 Parts 3,4,5

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize Dillon Consulting c/o Amy Farkas of the City _____ of Windsor to:

(1) make an application on my/our behalf to the Council for the Town of Amherstburg;

(2) appear on my behalf at any hearing(s) of the application; and

(3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of Amherstburg in the County of Essex, this 3rd day of May, 2022.

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

Application No. _____

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

1. Name of approval authority Town of Amherstburg

2. Date application received by municipality _____

3. Date application deemed complete by municipality _____

4. Name of registered owner Ross Esposito & Matt Esposito

   Telephone number 519-736-8366

   Address 10 Renaud Street, Amherstburg, ON N9V 4B1

   Email m_esposito17@yahoo.ca; relighting@cogeco.net

   Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited, c/o Amy Farkas

   Telephone number 519-991-2942

   Address 3200 Deziel Drive, Suite 608, Windsor ON

   Email afarkas@dillon.ca

   Please specify to whom all communications should be sent:

   ☐ registered owner ☐ solicitor ☒ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

   _____

6. Location and description of subject land:

   Concession No. _____ Lot(s) No. _____

   Registered Plan No. RP 8; RP 6 RP 240 Lot(s) No. Lots 10 &11; Part lot 18 Pt Lt 3

   Reference Plan No. 12R-7896 Part(s) No. 3,4,5

   Street Address 51 & 57 Sandwich St S Assessment Roll No. 372926000000800 372926000000900

7. Size of subject parcel:

   Frontage 35.5 m Depth Irregular Area ± 4,121 m^2

8. 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

   _____

9. (a) Current Official Plan Land Use designation of subject land General Commercial

   (b) Explanation of how application conforms to the Official Plan _____

   Concurrent OPA application; Refer to PJR

(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 Office

11. Nature and extent of rezoning requested Rezone to Commercial General

12. Reasons why rezoning is requested Site specific ZBA to permit a drive-through, patio, minimum of 44 parking spaces, and reduction in landscape buffer and drive-through setbacks

13. Current use of subject land Residential

14. Length of time current use of subject land has continued Unknown

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 Refer to Planning Justification Report

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:

51 Sandwich St S: Single-detached dwelling; 2 storey; Front ±11.5m; Rear ± 86 m; South ±8.5 m; North ± 3m

51 Sandwich St S: Accessory Structure; Front ±38m; Rear ± 70m; South ± 4 m; North ± 11.5m

57 Sandwich St S: Single-detached dwelling; 2 storey; Front ±13m; Rear ± 86 m; South ± 4m; North ± 11.5m

17. Date of construction of existing buildings and structures on the subject land:

Unknown

18. Date subject land acquired by current registered owner Oct 11, 2018 (51 Sandwich St S)
July 15, 2013 (57 Sandwich St S)

19. Proposed use of subject land Dairy Queen drive-through restaurant and mixed use building

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:

See attached Conceptual Development Plan

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:

N/A

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:

N/A

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.

N/A

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?

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 Refer to Planning Justification Report

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?

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.

Dated at the City of Windsor this 3rd day of May, 2022.

Amy Farkas

(signature of applicant, solicitor or authorized agent)

I, Amy Farkas of the City of Windsor 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 City of Windsor in the County of Essex this 3rd day of May, 2022.

Amy Farkas

Applicant, Solicitor or Authorized Agent

A Commissioner, etc.

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

a) the boundaries and dimensions of the subject land;

b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;

c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;

d) the current uses on land that is adjacent to the subject land;

e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;

g) the location and nature of any easement affecting the subject land.

NOTE: A deposit fee of $2,000.00 must accompany your completed application.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

51 & 57 Sandwich Street S, Amherstburg

Plan 8 Lots 10 & 11; Plan 6 Part Lot 18; Plan 240 Pt Lt 3; 12R7896 Parts 3,4,5

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize Dillon Consulting c/o Amy Farkas of the City _____ of Windsor to:

(1) make an application on my/our behalf to the Council for the Town of Amherstburg;

(2) appear on my behalf at any hearing(s) of the application; and

(3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of Amherstburg in the County of Essex, this 3rd day of May, 2022.

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

Appendix B

Provincial Policy Statement Policies

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

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;
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
h) promoting development and land use patterns that conserve biodiversity; and
i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas.*

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

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

1.1.3.2 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.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
c) in *prime agricultural areas*:
    1. the lands do not comprise *specialty crop areas*;
    2. alternative locations have been evaluated, and

i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;

d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

a) there would be no net increase in land within the *settlement areas*;
b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;
b) promoting regeneration, including the redevelopment of *brownfield sites*;
c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
e) using rural *infrastructure* and *public service facilities* efficiently;

1.2.6 Land Use Compatibility

1.2.6.1 *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

a) there is an identified need for the proposed use;
b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment, institutional, and broader mixed 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;
c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess *employment areas* identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from *sensitive land uses* to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other *sensitive land uses* that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-*employment areas*.

1.3.2.4 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
b) permitting and facilitating:
    1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
    2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
e) requiring *transit-supportive* development and prioritizing *intensification,* including potential air rights development, in proximity to transit, including corridors and stations; and
f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
c) providing opportunities for public access to shorelines; and
d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
b) available to meet current and projected needs.

1.6.2 Planning authorities should promote g*reen infrastructure* to complement *infrastructure*.

1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
b) opportunities for adaptive re-use should be considered, wherever feasible.

1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for *sewage and water services* shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    1. *municipal sewage services* and *municipal water services*; and
    2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
b) ensure that these systems are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;
    2. prepares for the *impacts of a changing climate;*
    3. is feasible and financially viable over their lifecycle; and
    4. protects human health and safety, and the natural environment;
c) promote water conservation and water use efficiency;
d) integrate servicing and land use considerations at all stages of the planning process; and
e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services and municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
b) minimize, or, where possible, prevent increases in contaminant loads;
c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
d) mitigate risks to human health, safety, property and the environment;
e) maximize the extent and function of vegetative and pervious surfaces; and
f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.

1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

a) their long-term operation and economic role is protected; and
b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste Management

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy Supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;
b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
f) promoting the redevelopment of *brownfield sites*;
g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
h) providing opportunities for sustainable tourism development;
i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network;*
j) promoting energy conservation and providing opportunities for increased energy supply;
k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;
b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
d) focus freight-intensive land uses to areas well served by major highways, *airports*, *rail facilities* and *marine facilities*;
e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
g) maximize vegetation within *settlement areas*, where feasible.

Appendix C

County of Essex - Official Plan Policies

of natural inland watercourses and municipal drains provide the drainage required to support the area's productive agricultural industry. Over time, many of the areas with *significant* natural features have been drained and cleared to make them available for crop production. Although good for farming, these past practices have resulted in limited habitat, few natural linkages between natural features and impaired water quality. As a result, it is increasingly important to work with private property owners in their efforts to preserve these remaining areas and enhance their effectiveness through promoting the development or preservation of natural linkages between the areas and increasing the amount of core natural area.

1.3.4 Cultural Heritage

The County of Essex has a rich cultural history that includes pre-european and First Nations settlements and activities, French/Jesuit settlements, military history, rail activities and ship building, shoreline development, the Underground Railway, pioneer settlements, agriculture, the rise of industry and commerce and development of urban *settlement areas.*

The County of Essex contains *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*. The County and *local municipalities* will continue to identify, conserve, protect, restore, maintain, and enhance these resources.

1.4 PLANNING PERIOD

The designation of land and the population and employment projections contained within this Plan are based on the 20 year planning period from 2011 to 2031. Actual population and employment increases will be monitored on an ongoing basis with the projections being updated in conjunction with each five year review of this Plan. Notwithstanding the 20 year planning period, this Plan establishes a policy framework to address issues beyond 20 years in an effort to optimize *infrastructure*, to preserve agricultural lands and other *significant* natural features for future generations.

1.5 GOALS FOR A HEALTHY COUNTY

The long-term prosperity and social well-being of the County depends on maintaining strong, *sustainable* and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

a) To protect and enhance the *natural heritage system* by increasing the amount of core natural area and natural buffers where possible, particularly through restoration efforts.

b) To protect *prime agricultural areas* and encourage a broad range of *agricultural*, *agriculture-related* and *secondary uses* to ensure that the agricultural industry can continue to thrive and innovate.

c) To direct the majority of growth (including *intensification* and *affordable housing*), and investment (*infrastructure* and community services and facilities) to the County's *Primary Settlement Areas*. These *Primary Settlement Areas* will serve as focal points for civic, commercial, entertainment and cultural activities.

d) To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and *transportation systems* that create more *sustainable*, efficient, healthy, and liveable communities.

e) To create more mixed use, compact, pedestrian-oriented *development* within designated and fully serviced urban *settlement areas.*

f) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

g) To prohibit urban forms of *development* outside of designated "*Settlement Areas"* and discouraging urban *development* in areas with partial municipal services.

h) To create and maintain an improved balance between residential and employment growth in each of the *Primary Settlement Areas,* as detailed in Section 3.2 of this Plan, by increasing employment opportunities closer to where people live.

i) To maintain and attract manufacturing, agribusinesses and tourism related businesses and activities that can provide well-paying employment opportunities to existing and future residents.

j) To promote and invest in a region-wide *transportation system* that connects urban areas with each other and with communities outside this area by providing a highly interconnected road network and accessible *transportation system* that is designed and built for pedestrians, cyclists, transit and automobiles.

k) To link *wildlife habitat* and *natural heritage areas* to each other, human settlements to other human settlements and people to nature.

l) To accommodate future job creation and employment opportunities in an environmentally *sustainable* and cost effective manner, i.e., Low Impact Development, enhancing natural features.

m) To provide co-operative inter-municipal consultation and co-ordination of those services based on inter-municipal considerations.

n) To encourage *local municipalities* to prepare, where possible, multi-year Sewage and Water Servicing Plans and Master Storm Water Management Plans.

o) To ensure that *petroleum*, *minerals*, and *mineral aggregate resources* are available for future use and that extraction operations are protected from activities that would hinder their expansion or continued use.

p) To protect and enhance the *quality and quantity* of ground and surface water and the function of *sensitive* ground water recharge/discharge areas, *highly vulnerable aquifers*, headwaters and *Intake Protection Zones*.

q) To protect life and property by directing *development* away from natural and human-made hazards.

r) To ensure that Lake Erie, Lake St. Clair and the Detroit River are noted as *significant* areas for fishing and hunting and that future land use decisions are made with regard to maintaining access to these resources.

s) To support the creation of interesting and accessible public places to generate activity and vitality and attract people and business to Essex County communities.

t) To recognize the importance of cultural heritage resources within the County by encouraging their identification, conservation, protection, restoration, maintenance, and enhancement.

SECTION 2 - PLANNING FRAMEWORK & GENERAL POLICIES

2.1 PLANNING CONTEXT

This document is the second generation Official Plan for the County of Essex. It updates the County's first Official Plan that was approved in 2005. The County of Essex was restructured in the late 1990s which reduced twenty-one local municipalities to seven. The policies contained within this Official Plan primarily focus on effectively managing growth and protecting the County's natural and cultural resources.

2.2 GROWTH MANAGEMENT

As noted within the Population and Employment Foundation Report, the County of Essex will continue to experience population and employment growth over the planning period ending in 2031. The rate of population, household and employment growth is expected to be below past levels with most growth occurring in the mid-to-long term. Housing growth is expected to remain largely dominated by low density units, with a modest increase in medium density units, while employment growth will favour industrial related over population related employment. In terms of land supply, a surplus exists County-wide to accommodate all of the projected residential and employment growth.

The health of the County requires that long-range land use planning and *infrastructure* investment is properly managed in a way that will:

a) Direct non-resource related growth and *development* to settlements where it can be serviced, with a particular emphasis on *Primary Settlement Areas*.

b) Protect and enhance the County's *natural heritage system,* cultural features and heritage resources (including resources in and under water), and *minerals*, *petroleum*, and *mineral aggregate resources.*

c) Minimize *adverse effects* on agricultural lands and operations and be phased in accordance with the availability of appropriate types and levels of services.

d) Implement the Goals for a Healthy County contained within subsection 1.5 of this Plan.

It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing *infrastructure.*

The boundaries of the "*Settlement Areas*" within the County are depicted on Schedules "A1" and "A2" of this Plan. Although the boundaries were depicted

conceptually in the first generation of this Official Plan, the extent of the boundaries has been specifically identified in this updated Plan. Alterations to a "*Settlement Area"* boundary will require an amendment to this Plan. Future growth is directed to these "*Settlement Areas"*, and specifically the *Primary Settlement Areas* identified on Schedule "A2".

Population projections for the County of Essex and the seven *local municipalities* are included in the Table below. The existing inventory of residentially designated land is sufficient to accommodate the projected 20 year demand for additional housing units. Accordingly, sufficient land has been designated within local Official Plans to accommodate the projected residential land use needs of the County of Essex.

Table 2: 20 Year Population Projections to 2031

Local Municipality	2011 Census Population	Projected 2031 Population	Allocated Growth
Amherstburg	21,556	25,860	12%
Essex	19,600	22,150	7%
Kingsville	21,362	24,400	9%
Lakeshore	34,546	41,000	18%
LaSalle	28,643	35,470	20%
Leamington	28,403	33,490	15%
Tecumseh	23,610	30,140	19%
Total Essex County	**177,720**	**212,510**	100%

It is recognized that the County of Essex and the City of Windsor estimates of the share of population growth in the Windsor-Essex region differ. The split is larger at the start of the planning period; however, it is estimated that the projections of the City and County will be more in line at the end of the twenty year planning period. The County and City will continue to consult with one another to coordinate population, housing and employment projections in the Windsor-Essex Region, and consult on matters of mutual interest and concern.

2.3 MANAGEMENT OF MINERAL RESOURCES

In accordance with the Provincial Policy Statement, it is the policy of this Plan that mineral resources, including *mineral aggregates*, *minerals* and *petroleum resources*,

policies. Where required by policies in an approved Source Protection Plan, the *local municipalities* shall circulate all *development* applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice, the *local municipality* should be satisfied that the proposal will not include activities which would be a *significant* threat in the location proposed.

2.5.2 Groundwater

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the County to ensure a clean groundwater supply for private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and *wetlands*.

Schedules "C4" and "C5" map the *Highly Vulnerable Aquifers* (HVA) and *Significant Groundwater Recharge Areas* (SGRA) within the County and the following policies apply:

a) The County will support initiatives of the Ministry of the Environment, the *Conservation Authorities*, the City of Windsor, the Municipality of Chatham-Kent, and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources.

b) *Development* and *site alteration* that may be a *significant* threat will only be permitted within an HVA or SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no *negative impact* on the HVA or SGRA.

c) Where a *local municipality* contains *Highly Vulnerable Aquifers* or *Significant Groundwater Recharge Areas*, as part of the update of their Official Plan, an assessment of the appropriate list of permitted uses shall be undertaken to ensure that no *negative impact* will occur on a HVA or SGRA.

2.5.3 Stormwater Quality and Quantity

Stormwater management reports/plans, acceptable to the County, *local municipalities*, local *Conservation Authorities*, and the Ministry of the Environment will generally be required in advance of draft approval of applications involving lot creation and/or *development* or *redevelopment*. Stormwater Management plans and reports must be reviewed and approved by the Ministry of Transportation, for those developments located adjacent to or in the vicinity of a Provincial Highway.

Pre-consultation with the local *Conservation Authorities* and the Ministry of the Environment on matters concerning stormwater management works pursuant to Section 53 of the Ontario Water Resources Act is encouraged. Ministry of the Environment pre-consultation should occur with the Southwestern Region Water Resources Unit, through the Ministry of the Environment Southwestern Regional Environmental Assessment Coordinator, on applications for plans of subdivision, master stormwater management reports, *watershed* and subwatershed plans. The preparation of stormwater management plans on a *watershed* or subwatershed basis is encouraged.

Stormwater management reports and plans shall be prepared in accordance with the 2003 Ministry of the Environment Stormwater Management Guidelines, as amended, and other resource materials.

2.6 HUMAN-MADE HAZARDS

Local Official Plans shall include policies to establish that *development* on, abutting or adjacent to lands affected by former *mineral resource operations* and *petroleum resource operations* will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. It is the policy of this Plan that contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*. In particular, local Official Plans shall include policies relating to the following for any known human made hazards:

a) include policy direction relevant for the specific type of hazard known to exist; and

b) include policy direction for the re-use of contaminated and *hazardous sites* and adjacent lands specifically including:

   i) the need to document past and present uses prior to the approval of an Official Plan amendment, Zoning By-law amendment, plan of subdivision or condominium and consent;

   ii) the possible need to restore the site prior to approvals being granted or prior to *development* occurring;

   iii) the requirement that site restoration is to occur in accordance with Ontario Regulation 153/04 Record of Site Condition – PART XV.1 of the Environmental Protection Act as may be amended from time to time; and

   iv) where contamination has been identified, the requirement for a letter from the Ministry of the Environment acknowledging receipt of a "Record of Site Condition" prior to *development* approvals being granted.

The Thames River is also designated a Canadian Heritage River and local Official Plans are encouraged to include policies recognizing this designation and any applicable Management Strategy.

2.8 TRANSPORTATION

The County's transportation network consists of Provincial, County and local roads in addition to railway lines, water ferries, harbours, marinas, a commercial *airport*, some private air strips and a planned a*ctive transportation* system including pedestrian and bicycle paths. The County shall encourage the identification of historic transportation routes as heritage roads and the protection of their respective *heritage attributes*, where feasible and appropriate. When considering servicing and *development* proposals, including road improvements such as realignments or widenings, the County will encourage measures to help mitigate any negative impacts to heritage roads, where feasible and appropriate. *Development* proposals will be considered in the context of all forms of transportation subject to the following objectives and policies:

a) To facilitate the safe, energy efficient and economical movement of people and goods throughout the County.

b) To develop a hierarchy of roads throughout the County through the regular updating of a Transportation Master Plan.

c) To ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the Planning Act.

d) To promote the continual development and improvement of the *active transportation* system.

e) To encourage the development of convenient and efficient public transit services throughout the County.

f) To plan for and protect corridors for transportation, transit and *infrastructure*.

g) To support the continuation and improvement of the railway system.

h) To support the provision of air services for both passengers and goods.

i) To restrict *development* on private roads.

2.8.1 Roads

This Plan acknowledges the strong relationship between roads, their function, land use and *development*. Schedule "D1" of this Plan identifies Provincial Highways and County Roads.

Provincial Highways are under the jurisdiction of the Ministry of Transportation and are subject to permit control and approval under the Public Transportation and Highway Improvement Act. In addition to all municipal requirements under the Planning Act, Ministry of Transportation permits are required for access to Provincial Highways where permitted and for the construction of buildings, structures and signs in proximity to the Provincial Highways. All applicants proposing new *development* or changes to existing development on lands adjacent to a Provincial Highway are advised to consult with the Ministry of Transportation prior to making formal applications under the Planning Act.

In December 2004, the draft Essex-Windsor Regional Transportation Master Plan was completed. The Plan was prepared using the Master Planning Process from the "Municipal Class Environmental Assessment Process" and was intended to provide a comprehensive regional transportation master plan with policies and implementation strategies that would serve the needs of the region for 20 years. The Plan identified roadway capacity enhancements, evaluated the levels of service, and recommended a new roadway classification system. Unfortunately, the Plan was prepared based on population projections that have not been achieved. As a result, the recommendations contained in the Plan require review and the County intends on updating the Transportation Master Plan, and implementing it by way of a future amendment to this Plan.

When considering matters of land use planning, the County shall:

a) Take into consideration the need to improve regional traffic flow in the vicinity of the City of Windsor.

b) Consider whether resources are available to ensure the *transportation system* meets the needs of the road users and the growth policies of the County.

c) Identify measures to optimize roadway network capacity through roadway access management and intersection optimization.

d) Identify measures to reduce transportation needs such as managing the appropriate type and scale of growth, the use of alternative transportation choices, and the development of an *active transportation* system.

e) Strive to minimize conflict between local and non-local traffic by protecting the County Road system depicted on Schedule "D1". The County shall

discourage new *development* that would adversely impact traffic movement along the County Road system unless road improvements can be undertaken to eliminate the adverse impact. New *development* proposing access onto County Roads outside of "*Settlement Areas"* shall be managed according to the County's access policies.

f) Encourage integration of transportation facilities provided by *local municipalities*, adjacent municipalities and the Province.

g) Review road corridors, in consultation with *local municipalities* and the Province, to determine if a change in classification is necessary. Transfer of road jurisdiction to or from the County shall not require an amendment to this Plan.

h) Encourage safe, convenient and visually appealing pedestrian facilities, where appropriate, along the Provincial and County Road systems.

i) Ensure that *development* proposals that are likely to generate *significant* traffic are accompanied by a traffic impact study addressing the potential impact on the Provincial and County Road systems and the surrounding land uses and how to minimize any identified negative impact.

j) Address the matter of cross boundary traffic with adjacent municipalities and establish a planned network of roads which considers and coordinates the road hierarchy across municipal boundaries.

k) Maintain a Best Management Practice which establishes required right-of-way widths, setback requirements, access requirements**,** lighting requirements and other related matters. Noise attenuation measures where deemed necessary should also be established.

l) While the provision of public transit is encouraged as an alternate means of transportation, this Plan acknowledges that the provision of public transit is a local matter.

m) Restrict new *development* on private roads to Plans of Condominium.

2.8.1.1 Right-of-Way Widths and Road Widenings

The appropriate right-of-way widths are included in the County's Best Management Practice documents. The need for road widenings are included in the Transportation Master Plan (which will be updated by amendment to this Plan) as well as being identified in local Official Plans.

Notwithstanding the above, Environmental Assessments have been completed on the following roadways and have identified the need for future widening requirements as follows:

c) *Sensitive land uses* will not be encouraged adjacent or in proximity to rail facilities.

d) All proposed residential or other sensitive use *development* within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the *local municipality* in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any *adverse effects* from noise that were identified. All available options, including alternative site layouts and/or attenuation measures, will be thoroughly investigated and implemented if practicable to ensure appropriate sound levels are achieved, particularly with respect to the 55 dBA outdoor living area criterion.

e) All proposed residential or other sensitive use *development* within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the *local municipality* in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any *adverse effects* from vibration that were identified.

f) All proposed *development* adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the *local municipality* in consultation with the appropriate railway. Where applicable, the *local municipality* will ensure that sightline requirements of Transport Canada and the railways are addressed.

g) Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the *local municipality* and the appropriate railway.

h) New residential *development* or other *sensitive land uses* will not be permitted within 300 metres of a rail yard (if applicable).

i) All residential *development* or other *sensitive land uses* located between 300 metres and 1000 metres of a rail yard will be required to undertake noise studies, to the satisfaction of the *local municipality* and the appropriate railway, to support its feasibility of *development* and, if feasible, shall undertake appropriate measures to mitigate any *adverse effects* from noise that were identified.

2.8.4 Active Transportation

In 2012 County *Council* approved the County Wide Active Transportation (CWAT) Master Plan. The CWAT Master Plan is a 20 year Plan to guide the County and *local municipalities* in implementing a County-wide network of cycling and

pedestrian facilities. Schedule "D2" contains the County of Essex *Active Transportation* System as outlined in detail in the CWAT Master Plan.

The vision for the CWAT Master Plan is as follows:

> "The County of Essex and its seven local area municipalities support *active transportation* (walking and cycling) and in association with the Essex Region Conservation Authority, City of Windsor, and Municipality of Chatham-Kent and other partners, are working together to foster a safe, comfortable bicycle and pedestrian friendly environment by encouraging people of all ages and abilities to engage in non-motorized activities for everyday transportation and recreation. Residents and visitors are able to travel and experience the urban and rural areas of the County by way of a connected network of on and off-road pedestrian cycling facilities."

The primary tool to implement and enhance the *Active Transportation* System is through the master planning exercise for County and municipal *infrastructure* projects, i.e., road improvements, and through the review of *development* applications.

a) All County and local municipal roads, shall be considered accessible for *active transportation* unless otherwise designated, and that a vehicular approach to cycling be adopted that recognizes the bicycle as a vehicle which operates on public roadways or within road rights-of-way with the same rights and responsibilities as motor vehicles.

b) The County's *Active Transportation* System will continue to evolve over time through the addition of missing links and the incorporation of additional linkages such as the use of unopened right-of-ways, hydro right-of-ways, existing or abandoned rail corridors, open green-space and future roadway improvements. Amendments to this Plan are not required for route or facility type revisions, provided the continuity and functionality of the network is maintained in the same general location and/or is consistent with the route selection principles contained within the CWAT Master Plan.

c) At the time of the review or update of local Official Plans as well as during the *development* review process, the County encourages *active transportation* friendly (pedestrian and cyclist) streetscaping, urban design and *active transportation* oriented land *development*.

d) Mixed use *development* and higher densities are encouraged within the *Primary Settlement Areas* to promote/facilitate increased vitality and quality of life.

e) During the review of *development* applications, *local municipalities* will require the integration of pedestrian and cycling linkages to commercial,

transit, schools, trails, parks and municipal facilities, where feasible and appropriate. In addition, the designs of new local roads shall have shorter block lengths that are generally less than 250 metres to encourage walking and cycling.

f) The County encourages the use of best practices when planning, designing, constructing, maintaining and operating *active transportation* facilities. Specific consideration and reference should be made to the following:

   i) The Institute of Transportation Engineers recommended practices for the application of site design guidelines that promote *sustainable* transportation through site design.

   ii) Essex County Transportation Advisory Committee Bikeway Traffic Control Guideline.

   iii) Ontario Ministry of Transportation Bikeway Planning and Design Guidelines.

   iv) Any other relevant documents released from time-to-time.

g) The County will coordinate the implementation of the *Active Transportation* Network with the County's Transportation Services Department Five-Year Road Rehabilitation planning process.

h) Local municipal Zoning By-laws, or other local planning instruments, shall establish standards for bicycle parking that is adequate to meet demands. The County encourages bicycle parking to be secure, illuminated, highly visible, sheltered and convenient.

2.9 SOLID WASTE MANAGEMENT

The Essex/Windsor Regional Landfill site and two recently closed County landfill sites are shown on Schedule "E1". In addition, a list of areas thought to be former landfill sites is attached as Appendix Two. *Local municipalities* are encouraged to identify these former landfill sites in their local Official Plans. This Plan encourages the continuation of policies in local Official Plans that limit *development* in areas surrounding these landfill sites.

There may be a need during the planning period of this Plan to establish new waste management related facilities, such as transfer stations, within the County of Essex. This Plan supports the development of such facilities, when required, provided all applicable statutory approvals from the Ministry of the Environment are obtained, and the facilities are located in accordance with the land use policies contained within this Plan and the local Official Plan, or amendments are obtained where necessary.

The County of Essex has a partnership with the City of Windsor regarding solid waste management. In 1993 the County of Essex adopted the Essex-Windsor Solid Waste Management Master Plan, and it has been reviewed and updated on a number of occasions, the most recent in 2011/2012. The Plan is the primary guide for all waste management matters in the County and the City.

In accordance with the policy direction of the Solid Waste Management Master Plan, this Plan supports the following:

a) The County will undertake programs to reduce, reuse and recycle waste at the source provided the programs and facilities are environmentally, socially, economically and technically sound.

b) The recycling program is recognized as a key effort in reducing the waste going to the landfill site.

c) Any *development* that requires an application under the Planning Act on or within 500 metres of the perimeter of the Essex-Windsor Regional Landfill site or on or within 500 metres of the perimeter of any active or closed waste disposal site is discouraged and will be subject to consultation with the County and the Ministry of the Environment. As a minimum, a study will be required that evaluates the presence and impact of environmental contaminants including, but not necessarily limited to, methane gas and leachate. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety does exist, *development* will be restricted and/or refused.

d) *Development* applications for a change in land use for lands formerly used for the disposal of waste must first satisfy the requirements of the Ministry of the Environment and obtain an approval pursuant to Section 46 of the Environmental Protection Act, if applicable, prior to the issuance of necessary Planning Act approvals and building permits.

e) The Essex-Windsor Solid Waste Authority may periodically update the Solid Waste Management Master Plan, as necessary.

f) The County's full participation in waste management master plan initiatives and its investigation of the full range of waste management options.

2.10 SEWAGE AND WATER SYSTEMS

The County of Essex does not fund or maintain sanitary sewers or water systems, and the provision of those services is the responsibility of the *local municipalities*. However, the County does promote efficient and environmentally responsible *development* which is supportable on the basis of appropriate types and levels of water supply and sewage disposal consistent with the Provincial Policy Statement.

The County encourages new *development* to proceed on the basis of full municipal sewage services and municipal water services and *local municipalities* are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.

The following servicing policies apply:

a) Full municipal sewage services and municipal water services are the preferred form of servicing for all *settlement areas.*

b) The use of private communal sewage services and private communal water services or individual on-site sewage services and individual on-site water services must be consistent with the Provincial Policy Statement, and shall only be used when municipal sewage and municipal water services are not available.

c) The use of partial services shall only be used where necessary to address failed individual on-site sewage services and individual on-site water services in existing development, within *settlement areas,* to allow for infilling and rounding out of existing development on partial services provided the following is met:

   i) the development is within the reserve *sewage and water system* capacity; and

   ii) site conditions are suitable for the long-term provision of such services.

d) Public or private investment in upgrading or expanding municipal sewage services or municipal water services should be focused within the *Primary Settlement Areas* identified on Schedule "A2" of this Plan. The County recognizes that circumstances may warrant *infrastructure* investment in *Secondary Settlement Areas.*

e) *Local municipalities* will encourage monitoring and proper maintenance of private sewage treatment systems in the County in order to protect water resources and the *natural heritage system.*

The *local municipality* must confirm the availability of the required servicing capacity prior to *development* being approved. For those *developments* that purchase services, in accordance with inter-municipal servicing agreements, from an abutting municipality, the *local municipality* must confirm that the required capacity is provided for in the agreement. Ministry of the Environment guidelines shall be used when determining the remaining uncommitted reserve capacity for municipal water services and municipal sewage services.

Local municipalities are encouraged to prepare comprehensive master servicing plans for the planning, expansion and on-going operation of sanitary sewage treatment and water treatment facilities, pumping stations, force mains and trunk distribution and collection systems. Where appropriate, joint servicing plans are encouraged to ensure that *infrastructure* is built and maintained in a cost effective, environmentally sound and co-ordinated manner that meets the long-term needs of the communities affected. *Local municipalities* shall map the locations of all municipal/communal sewage treatment plants in their Official Plans and reference the appropriate Ministry of the Environment Guideline for compatibility to *sensitive land uses*.

2.11 UTILITY CORRIDORS

It is the policy of this Plan to ensure that *utility corridors*, including communication corridors and transmission facilities, are designed in a manner that minimizes potentially *negative impacts* where possible. Generally, when determining the most appropriate location for future *utility corridors*, agriculturally designated land and the *natural heritage system* will be protected and preserved to the greatest extent possible. Also, such corridors shall be located in a manner that minimizes their impact on *settlement areas*. More specifically, the following policies apply:

a) This Plan recognizes that *utility corridors* must exist in order to properly and efficiently serve the public.

b) It is acknowledged that the *utility corridor* policies of this Plan, in some circumstances, must be considered in conjunction with or may be superseded by, other legislative requirements.

c) Preferred routes for *utility corridors* are those that:

   i) Follow existing rights-of-way, property lines and fence lines.

   ii) Avoid built-up areas and heavily populated areas if they cannot be accommodated within existing rights-of-way.

   iii) Do not infringe upon environmentally *significant* areas including natural heritage corridors.

d) Minimizing the impact on agricultural lands and the *natural heritage system* is a high priority.

e) Measures to mitigate impacts on agriculture during and after construction will be required including such things as:

   i) Replacement of soils with top soil layers in their original condition and order.

   ii) Timing of construction to minimize crop losses.

SECTION 3 - LAND USE POLICIES

3.1 INTRODUCTION

This section of the Official Plan identifies the general directive, goals and policies for the "*Settlement Areas*", "Agricultural" and "Natural Environment" designations as shown on Schedule "A1". The "Natural Environment" designation is further detailed on Schedule "B1" along with overlay Schedules "B2" and "B3". Local Official Plans provide additional policy direction.

3.2 SETTLEMENT AREAS

The following sections contain the general directive, goals and policies for lands designated "*Settlement Areas"* on Schedule "A1" of this Plan. The policies in subsection 3.4 Natural Environment of this Plan may also pertain to some of the lands designated "*Settlement Areas"*.

3.2.1 General Directive

Schedule "A1" of this Plan identifies the location and precise boundaries of the "*Settlement Areas"* within the County. Schedule "A2" details the structure of the "*Settlement Areas"*, by differentiating between Primary and Secondary.

It is the vision and purpose of this Plan to direct the majority of future growth and *development* into the *Primary Settlement Areas* in order to strengthen the County's settlement structure, focus public and private investment in fewer areas and to preserve the lands designated "Agricultural" and "Natural Environment" for the purposes outlined in the policies of this Plan. Local Official Plans will detail where within the "*Settlement Areas"* designations various types of land uses will be located; however, healthy community principles shall be incorporated into the long-range planning and *development* review process.

3.2.2 Goals

The following goals are established for those lands designated as "*Settlement Areas"* on Schedule "A1":

a) Support and promote public and private re-investment in the *Primary Settlement Areas.*

b) To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

c) To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

d) To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place.

e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other *infrastructure* and *public service facilities* including schools as provided for in the growth management policies contained within this Plan.

f) To increase the opportunity for job creation within each *local municipality* by attracting and maintaining industries and businesses closer to where County residents live.

g) To support long term economic prosperity by providing *infrastructure* and *public service facilities* to accommodate projected growth.

h) To provide locations where natural habitat restoration can be accommodated to ensure an increase in the amount of core natural area and linkages amongst natural areas.

i) Promote *residential intensification* within *Primary Settlement Areas*, and to a lesser extent, within full serviced *Secondary Settlement Areas.*

j) Promote *affordable housing* within *Primary Settlement Areas*, and to a lesser extent, within full serviced *Secondary Settlement Areas.*

k) Encourage each *local municipality* to undertake a Local Comprehensive Review of their "*Settlement Areas"* with the goal of re-allocating growth to the most appropriate locations that meet the intent of this Plan. The County encourages the Local Comprehensive Review to be undertaken at the time of the five-year review of the local Official Plan; however, *local municipalities* may initiate a Local Comprehensive Review at any time.

l) Encourage employment opportunities on lands within "*Settlement Areas"* that are in proximity to rail corridors.

3.2.3 Settlement Structure Policies

The following sections detail policies for those lands shown as "*Settlement Areas"* on Schedules "A1" and "A2".

The County's Settlement Structure Plan is contained in Schedule "A2". This Schedule further defines the "*Settlement Areas*" designation shown on Schedule "A1" as *Primary Settlement Areas* and *Secondary Settlement Areas*.

The "*Settlement Areas"* contain sufficient land for the County as a whole, and each *local municipality*, to accommodate all employment and residential growth during the planning period to 2031. The Official Plan Review exercise indicates that the County does not have growth projections to support the identification of new or expanded *settlement areas* during the planning period.

3.2.3.1 Local Comprehensive Review

Expansions to the aggregate amount of land within the "*Settlement Areas"* is not permitted. However, the County encourages each *local municipality* to undertake a Local Comprehensive Review (LCR) of its "*Settlement Areas"* that would identify the most and least appropriate locations for growth. A LCR is distinguished from a c*omprehensive review,* as defined in this Plan and the Provincial Policy Statement.

A LCR may recommend alterations to one or more "*Settlement Area"* boundary provided such adjustment would maintain or reduce the aggregate amount of land within the "*Settlement Areas"* in the municipality.

The preparation of a Local Comprehensive Review shall follow, at a minimum, the requirements listed below:

a) Pre-consult with the County to establish the appropriate methodology, analysis and level of detail to be undertaken to sufficiently qualify the conclusions of the Local Comprehensive Review. The County will recognize methodology established in a local Official Plan dealing with the transfer of a designation, provided the requirements of 3.2.3.1 b) to h) are met.

b) A LCR may focus on residential or employment land transfer, or both. Where the focus is only on either residential or employment, the LRC shall consider whether there are lands suitable for conversion to a different land use. For example, if the LCR is focused on employment land transfer, then the merits of converting residential lands within the existing "*Settlement Areas"* to employment should also form part of the LCR.

c) Compile the aggregate amount of employment and/or residential land, depending on the focus of the review, including vacant, built, *brownfield* and other land within each "*Settlement Area"*.

d) Identify and assess the extent of primary and secondary constraints to build-out of each "*Settlement Area"*. Primary constraints may include such factors as environmental, hazards, lack of services, soil types, topography and traffic. Secondary constraints may include isolated locations, contamination,

viii) The *negative impacts* from expansions to a *Primary Settlement Area* boundary on agricultural operations which are near or adjacent to the *Primary Settlement Area* are mitigated to the extent feasible. Specific policy shall be established in local Official Plans for criteria promoting the establishment of buffers, berms and subdivision design that reduce the impact on surrounding agricultural land, operations and *infrastructure*. The approval authority may also require the erection of fencing as a condition of approval to reduce trespass on adjacent agricultural land.

ix) In determining the most appropriate direction for an expansion to the boundaries of a *Primary Settlement Area*, the County shall ensure consistency with Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety of the Provincial Policy Statement.

i) The recommendations of the LCR will not be finalized until the County and Local Official Plans have been amended to incorporate any proposed "*Settlement Area"* boundary alterations.

3.2.4 Primary Settlement Areas

Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County.

The locations and boundaries of the *Primary Settlement Areas* within the County have been identified on Schedule "A2", and include the following:

a) Urban area of Amherstburg (Town of Amherstburg)

b) Essex Centre (Town of Essex)

c) Harrow (Town of Essex)

d) Kingsville (Town of Kingsville)

e) The Former Town of Leamington (Municipality of Leamington)

f) Tecumseh (Town of Tecumseh, Village of St. Clair Beach and Tecumseh Hamlet)

g) LaSalle (Town of LaSalle)

h) Maidstone/Belle River Urban Area and Wallace Woods (Town of Lakeshore)

The identification of Wallace Woods reflects its status as a new Primary Node, and the focus of growth, in Lakeshore's Official Plan that was approved by the Ontario Municipal Board. The inclusion of Wallace Woods as a *Primary Settlement Area* in this Plan is subject to the policy and modifications contained in the memorandum of oral decision of the OMB dated December 8, 2010 (Case No. PL100211), which is Sections 3.3.12 and 3.4.4 of the Town of Lakeshore Official Plan. New *development* is subject to a future Secondary Plan, which can be approved without amendment to this Plan, provided the intent of this Plan is maintained.

i) Oldcastle Hamlet (Town of Tecumseh)

Oldcastle Hamlet has historically been the focus of manufacturing due in part to its proximity to the City of Windsor. The recent investment in sanitary services and the existing forms of development make it an ideal location to focus employment growth subject to the following policies:

i) Oldcastle Hamlet shall be primarily developed with employment uses, while recognizing that limited opportunities may exist to expand upon the few existing residential clusters that are situated in the area. The local Official Plan will more specifically designate the lands in appropriate land use designations.

ii) A mixture of lot sizes shall be provided, including large lots that would be suitable to employment uses that may not be appropriately located within other nearby *Primary Settlement Areas* due to their size or impacts.

iii) The local Official Plan shall contain policies to ensure orderly and appropriate *development*.

iv) All new *development* shall be on full municipal sewage services and municipal water services.

v) Cost effective *development* patterns and those which reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

3.2.4.1 Policies

The following policies apply to *Primary Settlement Areas*:

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.

d) All new *development* within *Primary Settlement Areas* shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.

e) Expansions of the boundaries of a *Primary Settlement Area* shall only occur in accordance with the Local Comprehensive Review policies in Section 3.2.3.1 of this Plan. An amendment to this Plan and the local Plan shall be required to alter the boundary of any "*Settlement Area*".

f) Downtown/Uptown areas should maintain and/or enhance the existing character of these areas. Mixed-use *development* and an accessible pedestrian oriented streetscape are encouraged. The preparation of Community Improvement Plans are also encouraged.

g) The County encourages the redevelopment of *brownfield* properties.

h) All types of land use are permitted within the "*Settlement Areas*" designation subject to the specific land use policies of the local Official Plans.

i) Cost effective *development* patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

j) The County supports universal physical access and encourages the building industry to incorporate such features into new structures.

3.2.5 Secondary Settlement Areas

The *Secondary Settlement Areas* shown on Schedule "A2" represent more than 40 small hamlet, village, employment based, or other site specific settlements or developments that have historically been identified in local Official Plans and were conceptually carried forward into the first version of the County Official Plan.

Secondary Settlement Areas do not meet the criteria outlined above for *Primary Settlement Areas*; however, they do have varying levels of community investment

such as full or partial services or public buildings. These communities do not have public transit, and have few housing options or *public services facilities*.

The majority of *Secondary Settlement Areas* in the County are residential in nature, such as the shoreline areas in the Towns of Essex and Kingsville and the Municipality of Leamington. There are also several employment based *Secondary Settlement Areas* such as Smith Industrial Park in the Town of Amherstburg and Ruthven in the Town of Kingsville. Further still, there are examples of *Secondary Settlement Areas* that contain a mixture of uses such as the Hamlet of Cottam in the Town of Kingsville and the Hamlet of McGregor in the Towns of Amherstburg and Essex.

The County recognizes the diversity among the many different *Secondary Settlements Areas* and accordingly has established the following policy framework that recognizes this diversity:

a) New *development* will be permitted to the boundaries of the *Secondary Settlement Areas* as shown on Schedule "A2" provided such *development* is consistent with the Provincial Policy Statement, the intent of this Plan, and the policies of the local Official Plan.

b) The *local municipalities* will be responsible for determining the hierarchy of *Secondary Settlement Areas*.

c) New *development* is encouraged on full municipal services unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.

d) Expansions to the boundaries of a *Secondary Settlement Area* are not permitted. However, the County encourages *local municipalities* to undertake a Local Comprehensive Review in accordance with Section 3.2.3.1 that may result in the reduction of the boundaries in conjunction with the corresponding expansion of a *Primary Settlement Area* boundary. An amendment to this Plan and the local Plan shall be required to alter the boundary of any "*Settlement Area"*.

e) All types of land uses are permitted within the *Secondary Settlement Areas* designation subject to the specific land use policies of the local Official Plans.

f) In some cases *Secondary Settlement Areas* are unnamed and do not contain the basic elements that comprise a *settlement area* as defined by the PPS. The County encourages *local municipalities* to remove these areas from the land use schedule or permit no new *development*.

g) *Secondary Settlement Areas*, or portions thereof, that generally contain or are planned for non-employment uses, are subject to the following additional policies:

i) They shall not be the focus of growth or public or private investment in a municipality, and they should, at most, retain their existing historic development patterns. In the interest of clarity, the County Official Plan permits growth and investment in these *Secondary Settlement Areas*, provided the *Primary Settlement Area(s)* in the municipality remains the focus of growth.

ii) New *development* will generally be limited to infilling, *redevelopment* on existing lots of records, and limited *residential intensification*.

iii) *Residential intensification*, outside of infilling, shall only occur on full municipal sewage services and municipal water services.

h) *Secondary Settlement Areas*, or portions thereof, that generally consist of employment uses are subject to the following additional policies:

i) Cost effective *development* patterns and those which reduce servicing costs are encouraged.

ii) Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

iii) New *development* shall not have a negative impact on traffic movement, turning movement or the overall function of a Provincial Highway or County Road.

iv) New *development* on private or partial sewage services and water services shall generally be limited to dry industrial uses.

v) Local Official Plan policies will ensure the orderly and appropriate development of these areas.

i) Cost effective development patterns and those which reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

3.2.6 General Settlement Area Policies

The following policies apply to all "*Settlement Areas*" identified on Schedule "A1" of this Plan:

a) Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial,

residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years. Residential growth projections for *local municipalities* are to be in accordance with the population projections contained within this Plan.

b) The County supports residential *intensification* within *Primary Settlement Area*s.

c) The County supports the provision of housing which is affordable to *low and moderate income households*.

d) Local Official Plans are encouraged to establish land requirement needs based on densities which meet the following:

   i) Efficiently use land, resources, *infrastructure* and *public service facilities.*

   ii) Avoid the need for unnecessary and/or uneconomical expansion of *infrastructure*.

   iii) Support the use of public transit where available or where it can be provided in future years.

   iv) Are appropriate to the type of *sewage and water systems* which are planned or available.

e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* as outlined below:

   i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification*, *redevelopment* and if necessary, lands which are *designated and available* as defined by Provincial Policy.

   ii) Maintaining at all times, where new *development* is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

   iii) Permitting and facilitating all forms of housing, including *special needs* housing, required to meet the social, health and well-being requirements of current and future residents.

f) Local Official Plans are encouraged to provide opportunities for *redevelopment*, *intensification* and revitalization in areas that have sufficient existing or planned *infrastructure*.

g) It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:

   i) Make provision such that *infrastructure* and *public service facilities* will be available to accommodate projected growth.

   ii) Provide a supply of land to meet long term requirements.

   iii) Provide for an efficient, cost effective, reliable, *multi-modal transportation system* that is integrated with adjacent systems and those of other jurisdictions and is appropriate to address expected growth.

   iv) Conserve energy and water by providing for energy and water efficiency.

   v) Maintain the well-being of downtowns and mainstreets.

   vi) Optimize the long term availability, viability and use of agricultural and other resources.

   vii) Plan so that major facilities such as transportation corridors, sewage treatment facilities, *waste management systems*, industries and *mineral aggregate resource* activities and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants.

h) Local Official Plans are encouraged to develop growth management strategies as part of their Official Plans and to establish the type, amount, location and timing of growth and *development* including a servicing strategy that is in keeping with the servicing and growth projection policies contained within this Plan.

i) Some of the policies contained within Section 3.4, Natural Environment, of this Plan may also pertain to lands designated "*Settlement Areas*".

3.2.7 Intensification & Redevelopment

The County encourages well-planned *intensification development* projects in the "*Settlement Areas"* to encourage more efficient use of land and municipal *infrastructure*, renew urban areas and to facilitate economic and social benefits for the community.

The County also specifically encourages *residential intensification* and *redevelopment* within *Primary Settlement Areas* in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of *infrastructure* and *public service facilities.*

The County requires that 15 percent of all new residential *development* within each *local municipality* occur by way of *residential intensification* and *redevelopment*. Implementation and annual reporting to the County on meeting this target will be the responsibility of the *local municipalities*.

The County will permit *intensification* and *redevelopment* within *Secondary Settlement Areas* to assist in meeting the target provided it occurs on full municipal sewage services and municipal water services.

Where possible, new *development* in older established areas of historic, architectural, or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.

3.2.8 Affordable Housing

The County supports the provision of *affordable housing* for *low and moderate income households* through the following policies:

a) The County requires that each *local municipality* achieve a minimum *affordable housing* target of 20 percent of all new *development*.

b) *Affordable housing* should be focused within *Primary Settlement Areas* which offer residents easy access to existing services, facilities and *infrastructure*.

c) The County encourages *local municipalities* to waive (in full or in part) municipal fees to encourage the development of *affordable housing.*

d) The County encourages each *local municipality* to prepare a housing strategy that outlines opportunities to increase the supply of *affordable housing* consistent with the Windsor Essex Housing and Homelessness Plan.

e) The County discourages the demolition or conversion of affordable rental housing in order to maintain the rental housing stock.

f) The County generally permits *second dwelling units* within all single detached, semi-detached, and townhouse dwelling units where a residential unit is not permitted in an ancillary structure to those house types on the property. If the principle residential dwelling on the property contains only a single residential unit, then an accessory structure may contain the *second dwelling unit* on the property.

Local municipal Official Plans and implementing Zoning By-laws, will contain detailed policies and provisions relating to *second dwelling units* which generally support their creation, including but not limited to the following:

i) Areas of the municipality where *second dwelling units* would be inappropriate such as floodprone areas or areas with inadequate servicing.

ii) Minimum unit size, access and parking requirements.

iii) Whether *second dwelling units* will be phased into new *developments*, at the time of *development*/design/construction.

iv) The health and safety requirements for *second dwelling units* to be contained within an accessory structure.

v) Garden suites.

3.3 AGRICULTURAL

This section contains the general directive, goals and policies for lands designated "Agricultural" on Schedule "A1" of this Plan. The "Agricultural" designation pertains to all of the lands that are not otherwise designated as "*Settlement Areas*" or "Natural Environment". In addition, the policies in Section 3.4 of this Plan may also pertain to some of the lands designated "Agricultural".

3.3.1 General Directive

The vision for lands designated "Agricultural" is one which includes a viable agricultural community comprised of many types of agriculture such as cash crop farming, greenhouse farming, orchard farming, vineyard farming, mushroom farming and livestock farming. Essex County offers one of the most complex and technologically advanced agricultural areas in Ontario, and it is the intent of this Plan to protect this important resource for the long-term.

All lands outside of those designated as "*Settlement Areas*" and "Natural Environment" are considered the County's *prime agricultural area* in accordance with Provincial Policy. The County promotes a diverse, innovative and economically strong agricultural industry and *settlement area* expansions, lot creation and the establishment of new uses will be carefully managed, and where necessary, restricted.

Because this County is rich in natural resources, it is also acknowledged that there is a need to permit other types of land use in the "Agricultural" designation such as the extraction of gas and oil and the extraction of mineral aggregate. These extractive uses are also permitted in accordance with Provincial Policy as interim

Under conditions of approval attached to plans of subdivision or condominium pursuant to the Planning Act, the County shall require that the applicant enter into an agreement with the *local municipality* which may be registered against the title of the subject lands and which shall address such matters as services, financial requirements, County Road facilities, dedication of land for public uses and parks, warning clauses regarding the possibility of having children bussed to schools other than the closest school because of capacity issues, local roads, drainage, grading and landscaping, natural habitat restoration, sidewalks, school bus loading areas and other requirements to implement the provision of this Plan and the local Official Plan.

4.6.2 Condominium Conversions

The County of Essex discourages the conversion of rental units to condominium tenure in order to protect the existing stock of rental and *affordable housing*. The County will consider condominium conversions only where the applicant has demonstrated to the County's and *local municipality's* satisfaction that the supply of rental housing has not been reduced. In assessing applications for condominium conversion, the County shall consider the number of new rental units being constructed, as well as the existing supply of *affordable housing*. The County of Essex shall prepare a procedural manual outlining the process that it will follow for the processing of applications for condominium conversion.

4.6.3 Part Lot Control Exemption By-Laws

The County of Essex shall prepare a procedural manual outlining the process that it will follow for the approval of locally adopted Part Lot Control Exemption By-laws.

4.6.4 Consent To Sever

The County has delegated approval authority for consent applications to the *local municipalities*.

Applications to create lots through the consent to sever process will continue to be the responsibility of *local municipalities* in accordance with the policies contained in local Official Plans which are required to be in conformity with the policies contained herein and Provincial Policy. The County may comment on consent applications particularly those that involve lands abutting County Roads. Consents shall not be granted if the application is contrary to the policies of this Plan or local Official Plans. Appeals may be lodged by the County for approved consent applications that are contrary to the policies of this Plan.

4.7 SITE PLAN CONTROL

This Plan encourages the use of site plan control by *local municipalities*. Provisions for site plan control shall be detailed in the local Official Plans and shall include urban and architectural design guidelines that enhance the development of the *local*

municipality. Those *developments* that propose to obtain access from a County Road are required to consult with the County regarding access requirements, setbacks and possible road improvements.

4.8 MUNICIPAL PLAN (ONE WINDOW) REVIEW

The Ministry of Municipal Affairs and Housing is the approval authority for this Plan and any amendments hereto. The Ministry will be consulted prior to the approval of any Plan or Amendment.

The County of Essex is the approval authority for local Official Plans and amendments, as well as plans of subdivision and condominium, as well as part lot control applications. The *local municipality* and/or the applicant shall consult with the County, and where appropriate, the Ministry of Municipal Affairs and Housing, and appropriate agencies. The County will work with the *local municipality* to facilitate pre-consultation between applicants and the relevant Provincial agencies and the *Conservation Authorities* to ensure that all legislative requirements related to any given *development* proposal are identified and understood at the outset of the planning approval process.

Where this Plan requires an evaluation, demonstration or other action "to the satisfaction of" one or more of the Provincial Ministries, the policy should generally be interpreted to mean that it is the responsibility of the County and/or the Ministry of Municipal Affairs and Housing to ensure consistency with Provincial policies, standards or guidelines.

4.9 PUBLIC, FIRST NATIONS & METIS CONSULTATION

County *Council* and local municipal Councils shall actively encourage meaningful public participation by seeking the opinions and the advice of First Nations, Metis, individuals, and community and stakeholder groups in the on-going task of implementing, monitoring and reviewing this Plan.

County *Council* and the local municipal Councils shall ensure that the public is adequately notified and consulted. The measures utilized to facilitate public participation will be consistent with the scope and nature of the planning matter being addressed. Prior to making decisions related to planning matters, County *Council* and the local municipal Councils will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared. Measures such as peer review and Alternate Dispute Resolution will be used when determined to be appropriate.

Appendix D

Town of Amerstburg – Official Plan Policies

SECTION 2 LAND USE MANAGEMENT STRATEGY FOR DEVELOPMENT

2.1 GENERAL

In order to effectively accommodate the current and future inhabitants of the Town of Amherstburg in an orderly and logical manner the following general development policies and principles shall be applied to all land use designations and development within the Town.

The Town of Amherstburg will endeavour to ensure that:

(1) the various School Boards are satisfied that adequate provision to accommodate any additional school children be made;
(2) sufficient community facilities such as parks or recreational facilities can be provided;
(3) any increases in traffic can be accommodated by the road network without causing unacceptable congestion, accident hazard, or nuisance to adjacent residential areas;
(4) residential amenities are maintained;
(5) development has regard for the natural environment and ensures that *it is demonstrated there are no negative impacts on the features or their functions; (Modification #2)* and
(6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available without undue additional cost.

Council will promote the economic growth by promoting Amherstburg and cooperating with the Federal Government, the Province, and the County to attract industry and commerce to the Town.

The Land Use Management Strategy for Development policies of this Plan have been established in order that future development of the Planning Area is controlled in an orderly and systematic basis. New development or redevelopment in Amherstburg should follow the guidelines outlined below.

2.2 LOCATION OF DEVELOPMENT

In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Town or by the developer. As per Section 34(5) of the Planning Act, R.S.O. 1990 c.P.13, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning.

Sufficient land has been designated in this Plan to accommodate the anticipated growth within the planning horizon, and site specific expansions of the settlement area boundaries will not be permitted. (Modification #3) In keeping with the Provincial Policy Statement there will be no expansion of the boundaries of the Settlement Area beyond those identified on Schedule “A”, Land Use Plan, unless the expansion is part of a five year review process and/or it has been determined through a comprehensive review that there is insufficient opportunities for growth through intensification, redevelopment, and designated growth areas to accommodate the projected needs of the Town of Amherstburg over the identified planning horizon.

of the lands to their prior use, and the estimation of the costs of decommissioning and how this would be funded entirely by the developer, including the determination of securities.

e) Landscaping plans.
f) Stormwater management plans.
g) Emergency management which includes details concerning on-site safety and measures to ensure emergency services personnel are adequately trained.
h) Preventative maintenance and maintenance plans.

2.15 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings, or structures normally incidental, accessory, and essential to that use are also permitted.

2.16 MOBILE HOMES/TRAILERS/GARDEN SUITES

Mobile homes and trailers shall not be permitted except in appropriate designations such as a Modular Home Park designation or a Recreational Commercial designation. Mobile homes used for seasonal farm labour shall be specifically listed as a permitted use in the Agricultural Zones in the Zoning By-law. Mobile homes for other purposes may be permitted by the adoption of temporary use by-laws.

2.17 BARRIER FREE ACCESS

It shall be a policy of this Plan that, in reviewing development applications and when the Town is undertaking public works, serious consideration be given to the creation of a barrier free environment. Encouragement will also be given to design standards that create a safe pedestrian environment.

Barrier free design will be applied to intersection, curb cuts, pedestrian activated signals, public buildings, all new institutional, recreational, commercial, industrial, or multi-unit structures.

The Town will explore ways to eliminate barriers to wheelchairs and mobility aids on public lands and buildings. The Town will encourage developers to provide barrier free developments.

Proposals for the installation of barrier free access involving heritage structures must demonstrate that the alteration will not adversely impact the heritage attributes.

The Town's Zoning By-law will establish standards for the provision of parking spaces for persons with disabilities where the magnitude of the development warrants the provision.

2.18 BROWNFIELDS REDEVELOPMENT POLICIES

The Province of Ontario recently amended Section 28 of the Planning Act. Section 28 allows municipalities to create Community Improvement Areas. The changes to the Act are intended to provide greater flexibility in how a municipality utilizes this Section of the Act when carrying out remedial works or redevelopment projects. The changes have expanded the range of projects and now include the ability to carry out remedial measures to clean up sites with environmental issues.

The Town can provide grants and loans to owners of brownfields to assist in the cost of any clean up. There are a number of sites within the community that could benefit from more flexible community improvement policies. The former General Chemical site, the former SKD site, the former Church and Dwight site, and the former Nexen site could possibly benefit from the new

redevelopment policies.

More detailed policies on how this Official Plan addresses Community Improvement Areas are found in Section 6.3 of this Plan.

2.19 SMART GROWTH POLICIES

The Town of Amherstburg will continue to encourage development and redevelopment that addresses the principles of "Smart Growth". The Ontario Smart Growth Initiative identified six strategic directions for the Western Zone of Ontario in which Amherstburg is located. The six strategic directions include: identify and invest in a system of service nodes and sectoral networks; protect the natural environment and resources and quality of life through more effective planning, co-ordination and co-operation across the zone; support a strong and viable agricultural sector; facilitate more efficient movement of people, goods and information; ensure a sustainable, reliable and affordable supply of energy and promote a strong and vibrant economy. This Official Plan has incorporated those principles within the Land Use Management Strategy for Development and within the specific Land Use designation policies and Implementation methodologies.

The Town will accommodate projected growth within the defined Settlement Areas and encourage a more efficient use of land and services. The Town also supports revitalization of the downtown and commercial areas of the community while having appropriate and sensitive regard to the heritage features of this community.

Included in the Town's positive outlook for the commercial areas of the Downtown will be the continued encouragement of residential development on the upper floors of the commercial buildings, the added parking concessions to existing and new development and the promotion of the tourism aspects of the Town.

2.20 BONUSING

As part of the Smart Growth approach and/or Community Improvement Plan directives, development standards may be incorporated into the Zoning By-law to permit increases in the height or density of development, where such development:

(1) provides a specific type of housing, such as housing for low or moderate income groups, senior citizens or persons with disabilities;
(2) preserves areas, sites, buildings or structures of cultural heritage value or environmental sensitivity;
(3) provides additional lands for park or other public recreational purposes over and above that required by the parkland dedication policies of this plan; and/or
(4) provides additional landscaping, setbacks, greenspace or other elements that enhance streetscape design in core urban areas.

Increased height or density provisions enacted in the Zoning By-law as outlined above shall specify the development standards that would apply where such special provisions are to be permitted. Council may require the provision of executed agreements which include the special provisions.

2.21 DEVELOPMENT ALONG INLAND WATERCOURSES

For those inland watercourses, municipal drains and marshes where engineered floodlines are not available, the municipality in consultation with the Essex Region Conservation Authority will incorporate appropriate building setbacks from the top of such watercourses, municipal drains and marshes into the Zoning By-Law. When determining such setbacks, the municipality shall take into consideration the type of watercourse, bank stability, angle of bank slope, Ontario Regulation 358 of the Environmental Protection Act and other relevant aspects. In evaluating development

SECTION 4 SETTLEMENT AREAS - LAND USE POLICIES

4.1 GENERAL

Section 4 of this Plan deals with the Settlement Areas of the Town of Amherstburg. The land use designations and policies are intended to accommodate the anticipated population increases in a variety of locations, densities, and housing types as well as provide for employment opportunities, economic growth, recreational needs and institutional needs. The Residential Subsections deal with a variety of settlement areas as shown on Schedules “A” and “B”. In addition, there are areas designated for specific land uses such as industrial, commercial and recreational that are single purpose land use areas that are also Settlement Areas for the purpose of the Provincial Policy Statement and this Official Plan. Changes within any Settlement Area from one designation to another will be dealt with as an amendment to the Official Plan. Changes to the boundary of any Settlement Area or an attempt to create a new Settlement Area will be dealt with as required under Section 22(7.1) and Section 22(7.2) of the Planning Act.

The Town will work with the County of Essex to identify targets for intensification, infill and redevelopment and the Plan will be amended to incorporate such targets. (Modification #32)

4.2 RESIDENTIAL USES

4.2.1 General

It is the intention of this Plan to ensure that sufficient lands have been placed in various Residential designations to accommodate the anticipated population in a suitable variety of locations, densities, and unit types. This Plan also intends to ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, and incorporates energy efficient aspects in its design.

The Plan also intends to encourage the development of economical housing in a suitable environment. Existing housing and existing residential areas shall be preserved and improved.

4.2.2 Goals

The following goals are established for the various Residential areas:

(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 20 year planning period as the capacity of the Town's services permit.

Modular Home Residential land may be zoned in separate zoning categories in the implementing Zoning By-Law.

The Modular Home Residential designation located on the north side of County Road 18 (Simcoe Street/Pike Road), as shown on Schedule "A", is also used as a recreational trailer park and recreational camping facility. It is anticipated that over time this facility will be redeveloped into a year-round residential community. If the site redevelops as a year-round residential use:

(1) density shall not exceed six units per gross hectare;
(2) buildings will be restricted to two storeys in height;
(3) development must satisfy the Ministry of the Environment or its designated agent;
(4) roads shall be built to suitable standard, should the municipality need to assume the roads in the future; and
(5) the development may be phased, thus permitting the existing recreational trailer park uses to continue.

4.3.7 Residential Special Policy Areas

Certain residential areas exist or may develop that do not fit into an existing designation and may be identified as a Special Policy Area. Special Policy Areas include:

(1) The lands located at and abutting the former Anderdon Tavern site on the east side of County Road 20, north of Texas Road and south of Middle Side Road and identified as Special Policy Area 9, shall have a dual designation of Neighbourhood Commercial and High Density Residential. Medium and/or Low Density Residential development and/or a hotel shall also be permitted subject to an approved concept plan by Council. Height limitations shall be incorporated into the Zoning By-law. A restaurant (not fast food or drive through) may form part of the permitted uses under the designation if integrated into either a hotel or a Neighbourhood Commercial development. The west side of the site may be used as either low density residential or as a marina associated with the residential development to the east of County Road 20.
(2) Lands located south of Lowes Side Road on the east side of County Road 20, being the former Boblo Island parking lot and abutting lands and identified as Special Policy Area 12, shall have a dual designation of Medium Density Residential and General Commercial. Development and shall be subject to an approved concept plan by Council.

4.4 COMMERCIAL LAND USE DESIGNATIONS

The Commercial classification of land shall mean that the predominant use of land in the area so designated shall be in accordance with the uses as defined in these sub-classifications: Neighbourhood Commercial and General Commercial. The General Commercial designation also has special added policies for select areas to guide automobile oriented development to appropriate locations on Sandwich Street and Simcoe Street, to permit added enhancements in gate way locations and to provide incentives for the core area. In addition, such non-commercial use as are complementary to and serve the respective Commercial uses shall also be permitted where defined as such under the commercial sub-classification definitions. In addition, there are commercial areas identified as Special Policy Areas. The general principles to be considered in the development and control of the use of such lands are as follows:

4.4.1 Neighbourhood Commercial

The uses permitted in the Neighbourhood Commercial designation shall be limited to those commercial uses which provide for the sale of convenience goods and services to meet the daily living needs in foods, sundries and personal services, and may include neighbourhood business and professional offices.

The development of Neighbourhood Commercial areas may take place in the form of a small shopping plaza owned and operated as a unit or as individual establishments. The scale of development shall be guided by the population of the area to be served, the location of the site relative to abutting land uses and road classification. The actual size of the uses permitted will be specified by the Zoning By-law.

Adequate parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

No open storage shall be permitted in Neighbourhood Commercial areas.

The location of the Neighbourhood Commercial areas shall be in accordance with Schedules “A” and “B”. Any new Neighbourhood Commercial facilities will require an amendment to this Plan, and shall be sited to minimize its effect on adjoining Residential areas.

The building or buildings contained within a Neighbourhood Commercial area, and any lighting or signs, shall be designed and arranged so as to blend in with the character of the adjacent Residential area, and all development will be subject to Site Plan Control.

The Neighbourhood Commercial uses may be included in separate zoning classifications in the implementing Zoning By-Law.

4.4.2 General Commercial Areas

The uses permitted in the General Commercial designation shall include those commercial establishments offering goods and services which primarily serve the whole of the municipality's market area and shall include such uses as retail commercial establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential uses above the first floor.

Multi-family residential development will be considered as an alternative form of land use on lands designated General Commercial. Unless otherwise specified, the height of multi-family residential development within the General Commercial designation shall be limited to 5 storeys and unless a site specific zoning by-law states otherwise, residential units will not occupy the first floor abutting Richmond Street or Dalhousie Street.

In order to ensure compatibility with the Heritage Residential area abutting the General Commercial designation in the Central Business District, development on the east side of Dalhousie Street and/or on the south side of Murray Street shall be limited to only Medium Density Residential development with access restricted to Dalhousie Street and/or Murray Street and height restricted to three storeys. Properties along the west side of Dalhousie Street within the General Commercial Designation may be considered for a High Density Residential development. Height, however, would be restricted to a maximum of five

storeys. Public participation meetings would be held as part of any site plan reviews for multi-family developments.

Hotels and multi-family residential development within the Sandwich Street corridor (County road 20) of the General Commercial designation may have heights of up to eight storeys.

Retail uses requiring large enclosed or open storage areas such as, but not limited to, building supplies, warehouse outlets, food stores, and catalogue stores servicing domestic customers, may locate within the General Commercial designation located on Sandwich Street north of Alma Street or south of Park Street.

Recreational uses, automobile service stations and automobile sales and service agencies, car washes, agencies for recreational vehicles, motels, drive-through restaurants or other drive through establishments shall be restricted to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street.

Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas and such buffer planting may include provisions for grass strips, berms, screening and appropriate planting of trees and shrubs, or distance, and all development will be subject to Site Plan Control and any lighting or signs shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P.13, provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning By-Law. Section 40 allows the Town to collect money which can then be used to provide municipal parking within the area. Under such a policy the Town may exempt part or all of the parking space requirement of the Zoning By-Law in return for a cash payment. The amount of the payment will change over time as it is to be based on land costs in the vicinity of the development site. This policy of payment in lieu does not guarantee that parking will be provided near the given development to be exempt from their parking requirements. Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied. See Subsection 6.2.5 for additional policies regarding downtown revitalization for a portion of the General Commercial designation.

When applying the payment in lieu option the Town Council shall enter into an agreement exempting the owner or occupant, to whatever extent deemed appropriate, from the requirement of the Zoning By-Law to provide parking. Money received should be placed into a special account and the agreement registered against the land. Payment in lieu will only be considered within the General Commercial land use category. New residential developments should attempt to include all required tenant parking on site, however, the residential standards of the Zoning By-Law may be significantly reduced within the zones applied to the General Commercial area to encourage intensification and redevelopment that is deemed to have a positive impact on the downtown area. Some minor adjustments may be considered for conversion to residential of upper floors of existing commercial buildings. Caution will be used in considering payment in lieu for high traffic generators such as medical buildings, clinics, restaurants, convenience stores, banks and taverns.

Evaluation of a site as suitable for payment in lieu must carefully assess the effect the number of spaces required will have on the feasibility of the development, the availability of parking in the area, the opportunity or viability of ever providing parking in the area and the resulting cumulative effect of applying the payment in lieu policy and whether or not the opportunity to achieve a desirable development can occur without creating a significant parking deficiency. A parking fund shall be established from cash-in-lieu of parking spaces received from Commercial development in the General Commercial Area.

Within the General Commercial designation abutting Richmond Street, west of Sandwich Street and within the General Commercial designation abutting Dalhousie Street, south of Richmond Street to Gore Street, commercial development shall not be required to provide parking spaces resulting from a change in use or redevelopment of a site. Residential development within this portion of the General Commercial designation may also have reduced parking requirements in the implementing Zoning By-law. No loading spaces shall be required for this portion of the General Commercial designation. Should Council consider it appropriate, development application fees and building permit fees may be waived or reduced within this area of the Town.

Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern.
The general location of the General Commercial areas shall be in accordance with Schedules “A” and “B”.

Any public works or private redevelopment within the area should take into account the Heritage Policies and Downtown Revitalization Policies of this Plan and should implement any applicable portion.

The General Commercial lands may be placed in separate zoning classifications in the implementing Zoning By-Law.

4.4.3 Commercial Special Policy Areas

Certain commercial areas exist or may develop that do not fit into an existing designation and may be identified as a Special Policy Area. Special Policy Areas include:

(1) The General Commercial area north and south of Fort Street, and east and west of Sandwich Street, around the intersection of Fort Street and Sandwich Street, has dual designations which shall allow the lands to develop as one or the other designation but not both designations and the appropriate policies of the Official Plan would apply. The specific dual designations of “General Commercial” and, “High Density Residential”, “Medium Density Residential”, and “Office Residential” are as follows:
   a) Lands designated General Commercial and fronting on the east side of Sandwich Street and located south of Fort Street and generally north of North Street, shall have a dual designation of General Commercial and High Density Residential and shall have a height restriction of three storeys for the first 60 metres of the site fronting onto Sandwich Street in order to maintain the established streetscape elevations. Commercial land uses shall be restricted to the first floor of any new development;
   b) The area on the east and west sides of Sandwich Street, between Fort Street and Elm Avenue, has the dual designation of “Office Residential” and “General Commercial”. For the lands on the west side of Sandwich Street, the General

Commercial shall not include any uses involving food preparation or places of entertainment and shall be restricted to retail and office-type uses;

c) The area on the north side of Fort Street to Alma Street, between the abandoned railway line and the rear of the lots on Sandwich Street, has the dual designation of “High Density Residential” and “General Commercial”;

d) The area fronting on the south side of Fort Street, between the abandoned railway line and the rear lots on Sandwich Street, currently designated as “Low Density Residential” and shown as Special Policy Area 11 on Schedules “A” and “B-1”, shall also have the dual designation of “Office Residential” and “General Commercial”; and,

e) The area south of the properties fronting on the south side of Fort Street, between the abandoned railway line and the rear of the lots on Sandwich Street, has the dual designation of “Medium Density Residential” and “General Commercial.”

(2) In order to ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg and a portion of this area is within the Town’s Downtown Tourist District, additional policies will apply to commercial development established along Sandwich Street between Texas Road and Fort Street and for the area along Sandwich Street South to Lowes Side Road. This policy will allow for, within this area, additional landscaping requirements at the time of site plan approval and special attention will be given to lighting, fencing, and location of garbage disposal. This policy will also allow Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law. Council will seek the advice of Amherstburg’s Heritage Committee when dealing with development in this area on such matters as roof line, height, building material, and window placement in order to maintain the historic small town appearance. Site Plans associated with any Zoning By-law amendments to a General Commercial Zone shall be subject to public consultation.

Within this area, Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. Council may also require an enhanced landscaping plan as part of the site plan approval that requires that deciduous trees be planted in the boulevard having 2.0 metres clear stem and head room for pedestrians and cyclists. In addition Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street and that 20% of the landscaping be woody plant material that is capable of providing interest in all seasons. Fencing or dense hedge material shall be required to obscure the parking area if front yard parking is proposed. Chain link fences or wood construction fencing shall not be permitted unless they are fully screened from public view.

(3) Lands located on Dalhousie Street at Rankin and designated as General Commercial will require the provision of perspective drawings to Council’s satisfaction prior to any building permits being issued for development or redevelopment of the site and/or buildings in order to ensure preservation of compatibility to the heritage elements of Amherstburg’s Richmond/Dalhousie Commercial area. A holding provision may be applied in the Zoning By-law to require such approval of drawings prior to development or redevelopment.

(4) Lands located south of Lowes Side Road on the east side of County Road 20, being the former Boblo Island parking lot and abutting lands and identified as Special Policy Area 12, shall have a dual designation of Medium Density Residential and General Commercial. Development shall be subject to an approved concept plan by Council.

SECTION 5 TRANSPORTATION POLICIES

5.1 GENERAL

The road network indicated on Schedule "D" is based on the inter-relationship of land use and transportation. The primary objective shall be to provide optimum conditions for the movement of people and goods from one portion of the Planning Area to another as well as facilitating the traffic movement through the Planning Area. Every attempt should be made to ensure that the Planning Area road pattern is in harmony with the County Road System as well as those of adjoining municipalities and linkage to the Provincial Road System.

5.2 CLASSIFICATION

Each road within the Planning Area is not designed nor intended to serve the same function. The roads within the Planning Area have been classified according to the anticipated ultimate function that each road would fulfil. Where additional land is required for widenings, extensions, or intersection improvements, such land shall be obtained wherever possible in the course of approving plans of subdivision, development applications, or by conditions attached to individual consents.

5.2.1 Arterial Roads

Arterial roads are existing roads of 2 to 4 traffic lanes. Due to existing development, desired right-of-way widths may not always be achievable. Wherever possible, Sandwich Street/County Road 20 right-of-way width shall be 30 metres. Alma Street, Simcoe Street, Lowes Sideroad, Meloche Road, Fryer Street, Fox Road and County Roads 9 and 10 shall be 26 metres wherever possible. The number of access points from abutting properties should be restricted in number. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control. The function of the arterial roads is to facilitate the inter-municipal and through municipal movement of high volumes of traffic to and from major traffic generating sectors in the Planning Area.

New industrial, commercial, institutional, and multiple family residential uses may have access to arterial roads but in each instance an attempt shall be made to group developments, in order to reduce the number of access points which could hinder the movement of traffic. Strip or linear development shall be discouraged. Where such conditions exist, the number of access points shall be reduced wherever possible.

It is not the intention of this Plan that arterial roads existing in a built-up area will necessarily be widened, or that direct access will be eliminated or restricted, except where redevelopment is taking place.

5.2.2 Collector Roads

Collector roads are existing and proposed roads with a minimum of two traffic lanes and a right-of-way width of 20 to 26 metres, which are designed to collect and carry medium volumes of local traffic to arterial roads or distribute traffic to the local roads as well as provide access to abutting properties.

Collector roads shall include Essex County Roads 3, 5, 8, 11, 18, 41 and 50.

Planning Act, R.S.O. 1990 c. P.13 and the consent would not result in the creation of a new building lot;

(7) The consent-granting authority may exercise its powers under Section 53(2) of the Planning Act, R.S.O. 1990 when reviewing the shape, size, etc. of any proposed lot;

(8) It shall be the Town's policy to require one application fee per new lot created, each right-of-way, lot addition etc. Only one application outlining all the lots to be created, however, need be submitted. Such application shall have a corresponding series of numbers. Further, it shall be the Town's policy to deny consent applications that only remit one fee by applying for a new lot in the middle of an existing lot in an attempt to create three lots with one application;

(9) When considering consent applications or plans of subdivision, consideration will be given to the following requirements which may be stipulated as a condition of consent or plan of subdivision approval where applicable:

a) that a lot levy (including 5 percent of the value of the lot for park purposes or such fee as set from time to time by the Town) and charges as specified for community services in accordance with the Town's Development Charges By-Law be paid;

b) that the applicant enter into an agreement to maintain any drainage facilities servicing the agricultural sector which traverse the property;

c) that the applicant enter into an agreement to construct or maintain fences around the proposed lot;

d) that the Town's Zoning By-Law be amended to permit the proposed use, if necessary, prior to the stamping of deeds;

e) that access to the property is constructed to the satisfaction of the appropriate agency;

f) that all new development proposed within fully serviced areas shall be serviced by municipal piped water supply, municipal stormwater management facilities and municipal sanitary sewage facilities;

(10) *In areas designated in whole or in part as "Agricultural", or "Natural Environment", or "Wetland", minor boundary adjustments may be permitted that could have the effect of creating a lot of less than 40 hectares, conditional on one of the parcels being added to an adjacent property and the existing dwelling remaining on the remnant parcel so that no new building lots have been created. Generally the remnant lot must be either a viable farm parcel size or follow the policy of the surplus farm unit and be generally less than one (1) hectare in size. (Modification #35)*

6.2 POLICIES FOR DOWNTOWN REVITALIZATION

It is the intent of this Plan to encourage the continued viability of the downtown core area. To this end, the following specific policies are set out with respect to future development in the Central Business Area.

6.2.1 Description

(1) The Central Business Area shall comprise those lands adjacent to Richmond Street, west of Sandwich Street and Dalhousie Street from Rankin to Gore.

(2) The uses permitted in the Central Business Area shall consist primarily of those general commercial uses described in Section 4.4 hereof, but shall also include some mixed types of residential uses located primarily on the fringe of the Central Business Area.

(3) The limits of the Central Business Area do not coincide in all cases with those of land use areas. However, distinct and recognizable limits to the Central Business Area will

be achieved where possible by differences in intensity and character between it and adjoining areas.

(4) The Central Business Area is and shall continue to be characterized by an intensive use of land.

6.2.2 Role and Function

It is the intent of this Plan that the focal point of activity be the Central Business Area which shall continue to be the dominant and most intensive business area in the Town and in the surrounding market area. The Zoning by-law may apply square footage restrictions on uses beyond the Central Business Area in an attempt to encourage smaller retail and office uses to select the Central Business Area over locations on Sandwich Street.

6.2.3 Residential Uses

(1) Accessory residential uses and limited height apartments may be permitted in those areas designated General Commercial within the Central Business Area.

(2) Higher density residential development shall be permitted on the periphery of the Central Business Area provided Council is satisfied that such development will not prejudice the future re-development of the Central Business Area and provided the proposed development conforms to all other policies of this Plan with particular reference to Heritage Policies.

6.2.4 Traffic and Parking

(1) Truck and industrial traffic shall be discouraged in the Central Business Area except where such traffic has business in the downtown area.

(2) Store owners shall be encouraged to make maximum use of the areas behind their stores for the purposes of both loading and parking.

(3) Because the Central Business Area is the sector of the Town wherein the volume of pedestrians is the most dense, it shall be designed primarily to serve a pedestrian function and to encourage social interaction.

(4) Parking facilities within the Central Business Area shall be limited primarily to short-term parking with high turnover, serving shopping and business purposes. Long-term or all day parking facilities, except those developed by private business for their own use, shall be provided on the periphery rather than in the core of the Central Business Area. Where a fee is charged for off-street parking, the rate structure shall generally be such as to render the facility self-supporting. Moreover, rates shall be set so as to discourage all-day parking in the core of the Central Business Area and to encourage long-term parking on the periphery.

(5) Entrances and exits to off-street parking facilities shall be located so as to minimize interference with street traffic. The frontage on Richmond Street shall not be used for surface off-street parking facilities. The development of pedestrian walkways to parking areas located behind the Richmond Street frontage as well as Murray and Dalhousie Streets, shall be encouraged, as well as ensuring barrier free accessibility and accessible parking spaces.

(6) The provision of on-site parking shall not be prerequisite for new development in the Central Business Area provided Council is satisfied that undue traffic hazards would not arise.

6.2.5 Downtown Improvement and Revitalization

(1) It is the intent of this Plan that the progressive features and positive characteristics, which have developed in the Central Business Area, shall be retained and reinforced. Development of vacant sites and redevelopment of existing areas in the Central Business Area shall be encouraged in a comprehensive manner with a view to coordinating individual site designs and providing integrated solutions to pedestrian and vehicular traffic circulation problems. To further these objectives, Council may require that prospective developers of lands in the Central Business Area enter into a Development Agreement with the Municipality under Section 41 of the Planning Act, R.S.O. 1990 c.P.13.

(2) Although intensification of use will be inherent in most development or redevelopment, it is the intent of this Plan that in any rehabilitation, conservation, development, or redevelopment schemes for the Central Business Area, emphasis be placed on the provision of abundant light and air space, the provision of attractive and usable open space available to the public, the aesthetic value of enclosed areas as well as open areas, the importance of public buildings as focal points of civic improvement, the restoration of existing buildings wherever possible and the retention of historical atmosphere and buildings. High standards of civic design emphasizing unity, coherence, and aesthetic appeal shall be the goal throughout.

(3) No open storage shall be permitted in the Central Business Area.

(4) It is the intent of this Plan that the Central Business Area remain as compact as possible in order to serve the pedestrian most effectively. New development should be planned as an extension of the existing business area and should not be allowed to infiltrate unnecessarily into adjoining residential areas.

(5) Preference should be granted to the redevelopment of vacant or derelict commercial buildings within the Central Business Area before considering amendments to the Zoning By-Law to permit expansion into adjoining residential areas.

(6) Council shall endeavour to improve the environment of the Central Business Area by making use of small spaces for such amenities as benches and planting and to improve the design of street lighting and other street furniture.

(7) Council shall encourage merchants and property owners in the Central Business Area to improve their shop fronts and signs and thereby improve the overall appearance of the downtown area.

(8) Council shall encourage an adequate standard of building maintenance on all property within the Central Business Area through the enforcement of a maintenance and occupancy standards by-law pursuant to Section 31 of the Planning Act R.S.O. 1990 c.P.13.

(9) Council shall consider the assembling of land within the Central Business Area as assistance to redevelopment or rehabilitation schemes.

(10) Council shall have regard to the policies relating to Economic Development that are contained in Section 6.5 of this Plan when considering the improvement and revitalization of the downtown area.

6.3 POLICIES FOR COMMUNITY IMPROVEMENT

6.3.1 Designation of Community Improvement Areas

In any established area of the Town where there is evidence that physical and/or socio-economic change may occur if no public action is taken, Council in conjunction with the citizens shall determine whether it is in the best interest of the area and the Town as a whole to encourage such change by directing a program of orderly transformation or to encourage the conservation of the area.

Where the effects of physical and/or socio-economic change are already in evidence, Council shall determine in a similar manner whether or not this change is in the best interest of the area and the Town as a whole and, therefore, whether or not to encourage the rehabilitation and conservation of the area or its orderly transformation.

Council shall therefore, from time to time, develop Community Improvement Plans that provide details on how selected areas will be improved through conservation, rehabilitation, redevelopment, renovations, revitalization and/or environmental remediation. Community Improvement Plans may be applied to all types of uses, buildings, and/or structures in any given area.

Community Improvement Areas may be defined as that portion of the Town of Amherstburg that is bound on the west by the Detroit River, on the north by Texas Road on the east by Concession 3 North and on the south by Lowes Side Road.

6.3.2 Conservation, Rehabilitation, and Redevelopment

In areas of conservation and rehabilitation, Council shall institute a program to ensure the conservation and rehabilitation of existing buildings, both through direction and encouragement and by regulatory measures in order to discourage redevelopment. Council shall recognize, however, the justifiable redevelopment of selected buildings and uses within these areas as an integral part of such a program. Particular attention shall be directed initially to those buildings and uses thought to have the most deleterious effects on the surrounding area.

6.3.3 Goals and Objectives

(1) The principal goals for Community Improvement Area shall be:
   a) To protect and enhance the quality of the area which the residents value highly;
   b) To eliminate the deficiencies in municipal services and recreational facilities wherever it is economically and physically possible;
   c) To assist the community in improving the overall appearance of residential and commercial structures and to act as a catalyst for individual improvement by acquiring properties that are beyond rehabilitation and removing their blighting influences from the area; and
   d) To urge and assist owners of commercial, industrial and residential property to rehabilitate premises where necessary in order to eliminate deterioration and improve community pride in ownership or occupancy.

(2) The specific objectives of a Community Improvement Area shall be:
   a) To provide for the maximum feasible amount of rehabilitation of existing housing and commercial premises by making use of any government programs for financial assistance;
   b) To establish an active program for informing the property owners of various available forms of housing and commercial rehabilitation assistance;
   c) To enforce, if necessary, any controls which will contribute to the visual attractiveness of the community and the health and safety of the occupants;
   d) To improve the sanitary and flooding situation of the community by separating the sanitary and storm sewers on selected streets within the area identified as in need of community improvement on a phased program;
   e) To improve the water distribution system by installing new watermains on selected streets within the community improvement program area on a phased program;

f) To improve the safety and visual appearance of the community by installing new sidewalks, improved street lighting, power lines, curbs and gutters, and the resurfacing of selected streets within the area on a phased program;
g) To improve the visual appearance of the community by encouraging the relocating of non-conforming land uses and incompatible land uses;
h) To ensure that the residents have a full range of community, social and recreational facilities by further developing or improving the H. Murray Smith Centennial Park, the Austin "Toddy" Jones Park, Bill Wigle Park, King's Navy Yard Park, and the expansion of parkland along the Detroit River;
i) To encourage the residents and ratepayers to participate in the implementation of community improvement plans and other programs aimed at improving the community either by service clubs or individual actions or concerns;
j) To ensure underutilized sites and/or environmentally compromised sites be revitalized to be contributing assets to the town; and
k) To provide funding in the form of grants and/or loans and/or the waiving of fees for appropriate projects that meet the objectives of the Community Improvement Plan.

6.3.4 Criteria for Selecting Community Improvement Areas

In determining whether or not a portion of the Town of Amherstburg will be selected as a Community Improvement Area for the development of a Community Improvement Plan one or more of the following criteria would have to be met:

(1) There is a deficiency or deterioration[2] in one or more of the following municipal services:
   a) Sewers and watermains;
   b) Roads and streets;
   c) Curbs and sidewalks; and
   d) Street lighting and utilities
(2) There is a deterioration or deficiency in one or more of the following recreational and social facilities:
   a) Public indoor/outdoor recreational facilities;
   b) Public open space; and
   c) Public social facilities such as community centres, libraries, clinics, cultural facilities.
(3) That at least 25 percent of the housing stock is in need of rehabilitation, whether interior or exterior;
(4) That the area is potentially stable in terms of land use and densities, whether they be residential or commercial and that there are no indications of major redevelopment plans other than those in the form of improvements;
(5) That the area is composed of predominantly low and moderate income households in relationship to average provincial household income or to the rest of the community;
(6) For commercial areas, the area will be in whole or in part defined as the Central Business Area and the area will exhibit symptoms of physical, functional and/or economic decline in the form of, for example, buildings in need of rehabilitation, decrease in retail sales, high vacancy rates, or declining tax base;
(7) The area contains land use conflicts between non-compatible uses or contains underutilized lands which may detract from the viability of the area but which if

[2] The Engineering Standards for the Town of Amherstburg shall be used as a guide in determining the degree of deterioration and the priorities for improvement.

redeveloped or renovated or developed to another land use could enhance or revitalize the area;

(8) The overall streetscape or aesthetics of the area are in need of upgrades;

(9) The presence of land and/or buildings that may require environmental site assessments or designated substance analysis and the implementation of appropriate and necessary remedial measures.

6.3.5 Phasing of Improvements

The separation of sanitary and storm sewers will be a number one priority within the community with phasing occurring in a natural and logical sequence based on engineering studies.

Improvements to lighting, watermains, sidewalks and road surfaces will also be carried out in a logical, sequential manner in conjunction with the separation of sanitary and storm sewers.

Waterfront improvements are necessary to the continued acquisition of riverfront property for park purposes and the possible development of a marina. Necessary park improvements are also a priority in the community. The designation of a Community Improvement Project Area will be influenced by the availability of government assistance to help implement the necessary improvements.

Brownfields will be assessed on the benefit to be accrued to the community and on the willingness of the property owners to complete a redevelopment project.

6.3.6 Implementation

Implementation of the Community Improvements will occur through;

(1) implementation of the Property Standards By-Law;

(2) the support of the local Heritage Conservation committee and the application of Heritage designations;

(3) the acquisition of lands through Town expenditures;

(4) the sale of public lands for commercial redevelopment;

(5) the application for various government programs, grants and loans; and the encouragement of local incentive under private enterprise.

(6) the support of the Business Improvement Area;

(7) consideration of more flexible approaches to the zoning when community improvement objectives are being met;

(8) encouragement of private initiatives regarding conservation, rehabilitation, redevelopment and environmental remediation;

(9) consideration of the provision of grants and/or loans and/or the waiving of fees when local initiatives support the objectives of the community improvement plan; and

(10) when feasible, acquire buildings and/or land to carry out the community improvement plan and objectives.

6.4 POLICIES FOR HERITAGE CONSERVATION

6.4.1 General

The Central Business Area possesses many older structures that warrant preservation and restoration. The intent of this Official Plan is to ensure that the future development strategy for that portion of the Town identified as the Heritage Area be sensitive to the heritage

resource that is present. All new development within the Heritage Area will be carried out in such a manner as to respect the existing historical character while every effort will be made to preserve existing structures, building sites, as well as the overall character and atmosphere within the area.

It shall also be an objective of this Plan to coordinate the preservation, restoration, and utilization of the historical attributes of Amherstburg with comprehensive planning needs in order to benefit the community and posterity.

For the purpose of this Official Plan and any subsequent implementing documents, the term "heritage" shall mean those sites, structures, buildings, and environments which are of historical or architectural significance and interest to the Town of Amherstburg.

6.4.2 Objectives

In order to achieve the desired goal outlined in the preceding Section, the following objectives have been identified.

(1) To protect, preserve and restore the original architectural detail wherever feasible on those significant buildings having architectural and historical merit within the context of the Town of Amherstburg.
(2) To protect, preserve and restore the original architectural detail wherever feasible on those buildings contributing towards heritage value of the Town of Amherstburg.
(3) To encourage the construction of new buildings to be of a design compatible with existing structures and to restrict unsympathetic alteration to buildings that would, by doing so, detract from the character of the Heritage Area.
(4) To conserve and rehabilitate existing buildings and generally establish an area of stability through the removal of blighting influences, such as incompatible land uses, deteriorated structures and improvements to the streetscape.
(5) To prevent the demolition, destruction, or inappropriate alteration or use of heritage.
(6) To encourage appropriate character and uses adjacent to heritage in those areas designated on Schedule “B” as Heritage Residential.
(7) To develop and encourage creative, appropriate, and economic uses of heritage.
(8) To seek Legislative powers to enable Council to exercise controls necessary to ensure the preservation of the architectural and historical values of the Town.
(9) To consider social and community needs in the preservation, restoration, and utilization of heritage.
(10) To encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of heritage, including policy formulation.
(11) To encourage and develop private and public financial resources and techniques in the preservation, restoration, and utilization of heritage.
(12) To undertake research into the Town's heritage and to identify methods for its preservation, enhancement, and utilization.
(13) To coordinate heritage policies and programs with the comprehensive planning programs of the Town of Amherstburg.
(14) To provide for the periodic review and update of heritage policies and programs.
(15) To foster civic beauty, strengthen the local economy and to promote the use of heritage for the education, pleasure, and welfare of the residents of the Town and of visitors to the Town.

6.4.3 Criteria and Guidelines

A set of criteria has been established for the selection of sites, structures, buildings, areas, and environments of heritage significance. The basis for selection is tied to the historical and architectural development of the Town of Amherstburg. As a minimum, the criteria

found in Ontario Regulation 9/06 of the Ontario Heritage Act, which deals with designations for individual properties under Part IV, must be followed.

6.4.4 Criteria for Heritage Districts - Background

The Town's heritage and planning concerns require special attention for whole areas. A sizeable portion of Amherstburg's heritage properties are not individually significant. Rather it is the unique character of the buildings and street patterns as a whole which is most significant. Series of similar properties group logically to form such areas and contain a unity in their shared character and components. In addition, heritage areas provide reasonable units for effective planning and protection, because of their consistency and manageable size.

It is felt that a focus on areas, as a major direction for heritage programs will result in the most efficient use of resources and the most effective protection of heritage. This focus developed from the conclusion that local municipalities carry the responsibility for restricted area regulation and are best able to provide the framework within which the Town can promote and undertake preservation, restoration and rehabilitation.

A detailed Heritage Conservation District Plan shall be prepared for all areas which are to be designated as Heritage Conservation Districts. This plan shall contain the location, historical, or architectural significance of the area in the development of the community, and justification for the designation of the district and shall provide policies and guidelines for development, redevelopment and alterations..

The area should provide an example of the historical or architectural heritage of the community. The geographical extent of such an area in some cases will not be easily defined and for this reason, the following criteria should be considered by Council and the Amherstburg Heritage Committee when measuring the historical or architectural heritage of a proposed district.

(1) A significant number of buildings should reflect an aspect of the historical heritage of a community by nature of its historical location and significance of setting.
(2) A significant number of buildings should exhibit an architectural style of construction which is significant historically or architecturally to the community, Province, or Country.
(3) The area may contain other notable physical, environmental, and aesthetic characteristics which in themselves do not constitute sufficient grounds for the designation of a district, but which lend support when evaluating the criteria for designation.
(4) The district may be in an area surrounding several individually designated buildings, sites, and structures, or a more extensive area such as a neighbourhood or several town blocks.
(5) The boundaries should be clearly differing factors such as changes in land use, building, or environmental character, topography, or traffic corridors.

6.4.5 Criteria for Individual Buildings - Background

Council and the Heritage Committee shall consider the following criteria when evaluating individual buildings for designation under The Ontario Heritage Act. The buildings so designated should interpret the Town's heritage through architectural merit and/or historical association.

(1) Has the building been associated with the life of an historic personage or has it played a role in an important historic event?
(2) Does the building embody the distinguishing characteristics of an architectural type recognized for its style or period of construction, or is it a notable example of workmanship by an early master builder, designer, or significant architect? It is not imperative that antiquity alone be the basis for selection, however, it should be an important consideration if other more significant examples have disappeared.
(3) Does the building or building type have special significance in that it forms an integral component of a particular neighbourhood character within the community?
(4) The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.
(5) In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.
(6) Intangible elements such as feeling, association, and aesthetics shall be considered as important as the physical appearance of the building or structure.
(7) Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other detail including windows, doors, lights, signs, and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings.

6.4.6 Policies

(1) It shall be the policy of Council to encourage the preservation of buildings and sites having historical and/or architectural value. Council recognizes that there may be archaeological remnants of prehistoric habitation within the town and important archaeological evidence of historic activities, which would be of value in future conservation of the built environment. Council will, therefore, facilitate survey by government or private agencies should those agencies deem it necessary and will encourage the preservation or rescue excavation of archaeological resources which might be entailed in any future development.
(2) Council shall identify and maintain a list of possible heritage. This list will be the basis for the preservation, restoration, and utilization of heritage.
(3) Council will designate and regulate heritage under appropriate legislation, including The Ontario Heritage Act, The Planning Act, and The Municipal Act, whenever deemed feasible.
(4) Council shall exercise its legislative authority to control the demolition and alteration of heritage. Where Council has through by-laws designated individual buildings or districts under The Ontario Heritage Act, or established an area of Demolition Control under Section 33 of the Planning Act R.S.O. 1990, no person shall demolish the whole or any part of a designated property or property in a designated area, without first receiving a permit issued by Council.
(5) Council will establish criteria and guidelines to determine and regulate heritage.
(6) Council, with the advice and assistance of the Heritage Committee will regulate and guide alterations and additions of heritage.
(7) Council will regulate vehicular and pedestrian traffic matters which may affect heritage.
(8) Council will regulate, as appropriate, the character, use and development of the environs surrounding heritage resources to benefit heritage.
(9) Council will amend its property standards, as appropriate, to meet the needs of heritage.
(10) If necessary, Council will acquire, restore, and appropriately manage or dispose of heritage on a selective basis.

(11) It shall be the policy of Council to seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.
(12) Council will support applications for funds through various senior governmental programs to assist individual property owners with building improvements.
(13) Council will investigate and evaluate, as appropriate, methods to achieve its heritage objectives.
(14) Council will consider social and community needs in the preservation, improvement, and utilization of heritage.
(15) Council will undertake heritage plans and programs in accordance with a system of priorities. In particular, the following will be regarded as priority guidelines for Town programs:
   a) The protection of heritage areas.
   b) The stimulation of preservation, restoration, rehabilitation, and utilization of heritage by the public.
   c) Selective restoration and rehabilitation of heritage by the Town.
(16) Council will restore, rehabilitate, enhance, and maintain Town owned heritage in fulfilment of the heritage objectives and policies. As feasible, relevant by-laws, programs, and public works undertaken by the Town of Amherstburg will conform to and further the heritage objectives and policies.
(17) Council will foster the provisions of information and public awareness concerning heritage.
(18) Realizing that a great deal of cooperation and involvement on the part of the public and business community will be required to implement a heritage program of this magnitude, Council will, wherever feasible, encourage the private and public sectors to promote heritage preservation for the benefit of all citizens of the community and posterity.
(19) Council shall coordinate its heritage plans and programs with heritage plans and programs of the senior levels of government in an effort to avoid duplication of effort and to reinforce mutual objectives.
(20) Council will develop and establish heritage plans and programs in co-ordination with Town planning needs and requirements.
(21) Council will consult with and involve Town residents in heritage planning and programs.
(22) Council will continually review and update its heritage policies, plans and programs, and will conduct a comprehensive review every five years.
(23) The construction of new buildings on vacant lots in the heritage areas shall be encouraged and shall be sympathetic in their design to the heritage character of the area.
(24) Council will investigate, and wherever desirable, take advantage for heritage purposes of special assistance programs offered by the senior levels of government.
(25) Council will undertake whatever additional research is required on Town-wide, neighbourhood, and specific heritage matters and may adopt specific policies on these matters from time to time upon completion of this research.
(26) Council will actively encourage senior levels of government to enact legislation and undertake programs to preserve heritage which will further the achievement of the Town's objectives on heritage.

6.4.7 Implementation

(1) The Ontario Heritage Act
The Town of Amherstburg will, whenever desirable, use the provisions of the Ontario Heritage Act to implement the heritage policies of this Official Plan. The Heritage

Committee established pursuant to the Legislation shall advise and assist Council on all matters specified in the Ontario Heritage Act.

(2) Zoning

Special heritage zones may be established within the Zoning By-Law, to further the achievement of applicable objectives in this Official Plan. In particular, the establishment of heritage zones could enable the Town of Amherstburg to regulate matters such as the use of land, and the height, bulk, density, setback, and exterior design of buildings which are essential to the maintenance of the overall character of unique heritage areas.

Furthermore, heritage zoning regulations will stabilize development which, in turn, will encourage other investment, rehabilitation, and conversion of certain uses to uses which are more compatible with the stated objectives of this Plan. The establishment of heritage zones will endeavour to preserve existing heritage buildings or sites, and discourage their demolition.

(3) Demolition Control

A demolition Control By-Law has been enacted to include heritage, to protect residential properties, and to maintain the character of residential areas. Within the area of demolition control, the demolition of any residential property is prohibited unless Council has issued a Demolition Permit.

(4) Site Plan Control

A Site Plan Control By-Law shall be enacted to require an owner of property within a heritage area as a condition of development or redevelopment to enter into an agreement with the Town of Amherstburg. This agreement establishes conditions which shall be met by the property owner with regard to site development or redevelopment, and any other matters (permitted by the Planning Act) which the Town of Amherstburg deems necessary to achieve certain objectives of this Plan.

(5) Minimum Maintenance and Occupancy Standards By-Law

This By-Law will be amended, as appropriate, to provide special provisions for heritage.

(6) Committee of Adjustment

Applications for severances and minor variances to the Zoning By-Law's Heritage Zones will be carefully considered by the Committee of Adjustment and will only be approved where they are desirable to achieve the heritage objectives and policies of this Plan.

(7) Public Acquisition of Land

The Town of Amherstburg will, wherever desirable and economically feasible, purchase or otherwise acquire an interest in land to effect the implementation of the heritage policies of this Plan.

(8) Sign By-law

The Town of Amherstburg shall enact a Signs By-Law to regulate signs in heritage zones. This legislation will allow the Town of Amherstburg to control the visual impact of advertising and sign design and/or placement within the Heritage Area.

(9) Planning Act

The municipal heritage committee will be circulated notices, under regulations of the Planning Act, pertaining to plans of subdivisions, zoning by-laws, holding by-laws and interim control by-laws, if the subject lands includes or adjoins a property or district designated under Part IV or V of the Ontario Heritage Act.

Council shall, when appropriate for specific development proposals, consider increasing height and density of development otherwise permitted by the by-laws to facilitate the retention of heritage resources. These bonusing techniques are as permitted by the Planning Act.

As provided for by Section 28 of the Planning Act, Council may consider community improvement plans and programs for preservation, rehabilitation, renewal and reuse of heritage resources. Community Improvement Plans are described more fully in section 6 of this Plan.

6.5 ECONOMIC DEVELOPMENT

It is the intent of this Plan to develop the Town to its fullest economic potential, while maintaining the quality of life existing residents have come to expect. This Plan hopes to promote the economic well-being of Town residents and to provide employment opportunities. It is also the intent of the Plan to achieve greater diversification in the Town's overall economic base, while continuing to encourage and promote the development of the traditional agricultural, industrial and commercial base of the Town. In addition, economic development through tourism will also be promoted and encouraged in the Town.

The general principles to be considered in the economic development of the Town are as follows:

6.5.1 Economic Development Policies

(1) The Town shall encourage the expansion and diversification of the Town's economic base in order to maximize the number and types of employment opportunities and to stabilize the impacts of cyclical and long-term economic trends in various agricultural, industrial, service and commercial sectors upon the Town and its residents.

(2) The Town recognizes the importance of tourism to growth in the local economy and in employment, and will encourage the strengthening of and promote the further development of tourism and recreation opportunities in the Town by preserving heritage through maintaining historic sites, maintaining public access to the waterfront, the enhancement of the natural environment and wetland ecosystem of the area, and through the promotion of the Town.

(3) The Town shall undertake and adopt an economic development strategy for the Town in order to give focus and direction to its economic development efforts. This economic development strategy shall serve as a basis for the promotion of economic development in the Town to include three main areas of emphasis - agricultural diversity and stability, industrial development and retail/tourism development. The Economic Development strategy may be undertaken in cooperation with neighbouring municipalities, the County of Essex and the Windsor-Essex County Development Commission.

(4) The Town may participate in any programs offered by other levels of government to improve employment opportunities and promote economic development.

(5) The Town may cooperate with other levels of government to develop a strategy and program to acquire and develop land for economic development purposes.

(6) The Town may cooperate to develop an incubator mall, which may utilize existing vacant or underutilized buildings, to nurture new business ventures.

(7) The Town shall consider, upon request, participating in data collection and providing support services for public agencies engaged in tourism.

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(7) The Town shall consider, upon request, participating in data collection and providing support services for public agencies engaged in tourism.

(8) The Town shall consider participating through financial or other support in County-wide cultural, heritage, convention and recreation activities which support tourism.
(9) Within areas under an industrial designation, the Town shall promote efficient, economical use of the land resources. The use of large lots by small industries will be discouraged unless there is a need for future expansion.
(10) As part of its on-going planning process, the Town will consider the short and long-term, direct and indirect, economic impacts of various types of development.
(11) In pursuing economic development, the Town will, at all times, ensure that the costs associated with development are within the Town's financial capabilities, and that there are no undue social or environmental costs.
(12) The Town shall promote, and may participate in partnership with private development and/or the Essex Region Conservation Authority, in the development of a new docking facility in the community.

6.6 HOUSING POLICIES

6.6.1 General

The Town of Amherstburg is concerned about the availability, affordability and appropriateness of the existing and future housing stock of the Town.

The existence of serviced and/or serviceable land can influence the supply and therefore the availability of building lots, and because the mix of housing type can influence issues such as the correct fit between available housing stock to family structures and because lot size can affect the price of the finished home; the Town of Amherstburg has deemed it appropriate to try and influence the development industry and assist in directing it towards supplying the most appropriate mix of housing stock to meet the Town's residential needs.

6.6.2 Housing Objectives

To this end the Town of Amherstburg shall attempt to achieve the following objectives:

(1) To encourage a broad range of housing types which are suitable for the different age groups, lifestyles, and household structure of existing and future residents.
(2) To encourage an adequate supply of affordable housing as required by the provincial policy statement on housing.
(3) To encourage the rehabilitation and maintenance of the existing housing stock.
(4) To provide housing opportunities for those people in need of specialized care.

6.6.3 Housing Supply

(1) In order to support the creation of a livable, sustainable community and in keeping with the County of Essex Affordable Housing Action Plan the Town of Amherstburg wishes to ensure that there is an available mix of housing types for all household types, income levels and for persons with special needs. In approving development proposals, the housing needs, both type and tenure, shall be considered for low, medium and high income groups and all age related housing needs and all lifestyle needs of Amherstburg residents.
(2) The Town shall, where appropriate, inform the public of and encourage the use of federal and provincial housing programs.
(3) In order to implement the requirements of the policy statement, the Town shall have regard to the County of Essex Municipal Housing Statement. In an effort to reduce the time of processing residential applications has prepared a Procedural Guideline/Development Manual.

structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, and water facilities.

7.5 SITE PLAN CONTROL

(1) Council may, by by-law, designate areas where Site Plan Control will be in effect as provided in the Planning Act, R.S.O. 1990. The entire Town of Amherstburg, with the exception of land used or proposed for single detached or two family dwellings or for agricultural land uses, is proposed as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. Non agricultural land uses permitted within areas designated Agricultural within the Town are in the proposed Site Plan Control Area. Single detached and two family dwellings within a Heritage Zone may not be exempt from Site Plan Control.

(2) For the approval of developments proposed in the Site Plan Control Area, Council may require plans showing the location of buildings, structures and facilities to be developed in order to ensure that such plans meet the objectives stated below. Council may require drawings showing plan, elevation and cross-section views for each building to be erected.

(3) The overall objective of Site Plan Control is to improve the efficiency of land use and servicing, to protect adjacent land use and to encourage a more attractive form of development by:

a) Improving the treatment of site plan details to maintain a consistent municipal standard in the proposed Site Plan Control Area;
b) Ensuring the safety and efficiency of vehicular and pedestrian access;
c) Minimizing land use incompatibility between new and existing development and ensure any identified mitigation measures required by the Town are maintained;
d) Providing functional and attractive on-site facilities such as landscaping and lighting;
e) Controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection;
f) Securing easements to provide for public utilities and site drainage;
g) Ensuring that the development proposed is built and maintained as approved by Council.

(4) In order to achieve these objectives, Site Plan Control will address such matters as the location of buildings and structures, proposed road widenings, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage facilities, private and common outdoor areas, easements over and grading of the lands, provision of the disposal of storm, surface and waste water from the site and such matters as may be appropriate in each case. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

(5) Site Plan Control may be used by the Town to secure property for proposed road widenings without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. In cases that existing uses or topographical features do not allow for equal widenings of both sides of a roadway, a side being measured from the centreline of the road outwards, then only one-half of the total widening shall be taken under Site Plan Control and the remainder shall be obtained by other means.

7.6 INTERIM CONTROL BY-LAW

An Interim Control By-Law may be used by the Town to restrict development in areas subject to certain studies such as servicing feasibility studies, parkland feasibility studies, etc.

Appendix E

Town of Amherstburg – Zoning By-law

(12) LANDSCAPING

(a) LANDSCAPED OPEN SPACE

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following general provisions:

(i) Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural use or permitted outdoor storage areas shall be maintained as landscaped open space.

(ii) Except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space.

(iii) Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways.

(iv) No part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot

(b) PLANTING STRIPS

(i) Where the lot line of a lot containing a non-residential use and located in a Commercial Zone or Industrial Zone abuts a lot in a Residential Zone, or abuts a street on the opposite side of which is located a lot in a Residential Zone, then that part of the lot containing such non-residential use or directly adjoining the said lot line shall be used for no purpose other than having a minimum width of 3 metres measured perpendicularly to the said lot line.

(ii) Where a fence, a wall, a row of trees or a hedgerow is provided as part of a planting strip required by this By-law, such fence, wall, row of trees or hedgerow shall be designed to have an ultimate height of not less than 1.5 metres above the elevation of the ground at the nearest lot line, except that within a sight triangle the maximum height of any landscaping materials shall be 0.6 metre.

(iii) Where a planting strip required hereby is traversed by a pedestrian walkway or by a driveway, in accordance with Paragraph (iii) of Clause (a) of this Subsection, such planting strip shall not be required to extend closer than 1 metre to the edge of such walkway or 2 metres closer to the edge of such driveway, provided that any intervening space between the said planting strip and the said walkway or driveway is maintained as landscaped open space.

(13) LICENCED CANNABIS PRODUCTION FACILITY

The following provisions apply to a Licenced Cannabis Production Facility:

1. A Licenced Cannabis Production Facility shall be subject to the following provisions and only be permitted in the following zones:
   a. Heavy Industrial (HI)
   b. Light Industrial (LI)
   c. Agricultural (A)
2. Facilities shall be located and designed in accordance with Federal regulations to mitigate potential impacts including light emissions, air emissions, odour, and so forth as allowed by Heath Canada regulations.
3. The following distance separations shall apply to buildings and structures associated with a Licenced Cannabis Facility:
   a. No Cannabis Production Facility shall be located closer than 150 m from a residential use; and,

(i) the front yard on a lot containing an agricultural use, for a temporary roadside retail farm sales outlet for produce grown on the said lot; or

(ii) a lot containing a single dwelling, for a special temporary sale, by auction or otherwise, of personal possessions belonging to the occupants thereof.

(22) OUTDOOR PATIO ASSOCIATED WITH A RESTAURANT

Notwithstanding any other provisions of this By-law, the following shall apply to an outdoor patio associated with a permitted restaurant:

(a) CAPACITY

No outdoor patio shall accommodate more than 50 percent (50%) of the licensed capacity of the restaurant with which the patio is associated, or 50 persons, whichever is the greater.

(b) LOCATION

(i) No outdoor patio shall be permitted where any lot line adjoins lands which are in a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(ii) Notwithstanding the provisions of paragraph (i), where only the rear lot line adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane, an outdoor patio shall be permitted in the front yard.

(iii) No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(c) LIGHTING

Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets.

(d) LOADING

Notwithstanding Subsection (14), no loading space shall be required for an outdoor patio restaurant.

(e) ENTERTAINMENT

No music (whether performed live or recorded), dancing or other forms of entertainment shall be permitted.

(f) PARKING

Parking spaces shall be required for the gross floor area associated with the outdoor patio at the same ratio as for restaurants.

(23) PARKING REGULATIONS

(a) PARKING SPACES REQUIRED

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in Clause (b) and Clause (c) of this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, one or more parking spaces in accordance with the provisions of this Subsection. In addition to the parking spaces required by Section 3(21)(b) and 3(21)(c) where the parking requirement for any use is in excess of twenty (20) spaces, one (1) space out of the first twenty (20) spaces required and one additional space out of each additional one hundred (100) spaces or portion thereof, shall be provided near and accessible to the building and clearly marked for the parking of vehicles used by the physically handicapped person or persons. Parking spaces for the physically handicapped shall have a minimum width of 3.7 metres and a minimum length of 6.0 metres.

(b) PARKING SPACE REQUIREMENTS FOR RESIDENTIAL USES (MINIMA)

(i)	Apartment Building	1 per unit
(ii)	Boarding Dwelling	0.33 per unit
(iii)	Boarding House	See Lodging House
(iv)	Converted Dwelling	1 per unit
(v)	Duplex	1 per unit

(vi)	Fourplex	1.5 per unit
(vii)	Group Home	2 spaces
(viii)	Lodging House	0.33 per unit
(ix)	Mobile Home	1 per unit
(x)	Rooming Dwelling	0.33 per unit
(xi)	Rooming House	See Lodging House
(xii)	Rowhouse	1 per unit
(xiii)	Semi-Detached Dwelling	2 per unit
(xiv)	Single Detached	2 per unit
(xv)	Special Needs Apartment Building	0.25 per unit
(xvi)	Street Rowhouse	2 per unit
(xvii)	Triplex 1 per unit	

(c) PARKING SPACE REQUIREMENTS FOR NON-RESIDENTIAL USES (MINIMA)

Agricultural Service Establishment	1 per 30 m² (323 sq. ft.)
Agricultural Supply Establishment	1 per 30 m² (323 sq. ft.) for retail showroom, plus 1 per 200 m² 2,153 sq. ft.) for warehousing/ wholesaling
Amusement Game Establishment	1 per 25 m² (269 sq. ft.)
Animal Hospital	1 per 45 m² (484 sq. ft.)
Arena (No Seats)	1 per 35 m² (376 sq. ft.)
Arena (With Seats)	1 per 8 seats
Art Gallery	1 per 50² (538 sq. ft.)
Assembly Hall	1 per 8 seats or

	1 per 35 m^2 (376 sq. ft) whichever is greater
Auction Establishment	1 per 30 m² (323 sq. ft.)
Auditorium	1 per 8 seats
Automobile Rental Establishment	1 per 25 m² (269 sq. ft.)
Automobile Sales & Service Establishment	See Vehicle Sales and Rental Establishment
Automobile Service Station	6 per bay
Automobile Supply Store	1 per 25 m² (269 sq. ft.)
Bake Shop	1 per 25 m² (269 sq. ft.)
Bakery	1 per 100 m² (1,076 sq. ft.)
Banquet Hall	See Assembly Hall
Body Shop	1 per 30 m² (323 sq. ft.)
Bowling Alley	See Commercial Recreation Establishment
Building or Contracting Establishment	See Manufacturing Establishment
Building Supply Outlet	1 per 30 m² (323 sq. ft.) for retail/showroom plus 1 per 200 m^2 (2,153 sq. ft.) for warehousing/ wholesaling
Bulk Beverage Establishment	1 per 30 m² (323 sq. ft.)
Bulk Sales Establishment	1 per 30 m² (323 sq. ft.)
Business Service Establishment	1 per 50 m² (538 sq. ft.)
Car Wash	*3 queuing spaces in advance of each service bay or area for a manual car wash; 6 queuing*

	spaces in advance of each service bay for an automated car wash (By-law 2006-61)
Catalogue Store	See Retail Store
Caterer's Establishment	1 per 200 m² (2,153 sq. ft.)
Chronic Care Facility	See Nursing Home
Church	See Place of Worship
Cinema	See Auditorium
Clinic and Outpatient Clinic	1 per 20 m² (215 sq. ft.)
Commercial Outdoor Recreation Facility	1 per 1000 m² (10,764 sq. ft.)
Commercial Recreation Establishment	1 per 30 m² (323 sq. ft.)
Commercial School	See School
Commercial Storage Unit	1 per 200 m² (2,153 sq. ft.)
Community Centre and Hall	1 per 8 seats or 1 per 35 m^2 (376 sq. ft.) whichever is greater
Continuum-of-Care Facility	See Appropriate Components as Proportioned
Convenience Store	See Variety Store
Data Processing Establishment	1 per 40 m² (430 sq. ft.)
Day Care	1 per 40 m² (430 sq. ft.)
Department Store	1 per 30 m² (323 sq. ft.)
Drive-Through Facility	*3 queuing spaces in advance of each drive-through window or service outlet (By-law 2006-61)*

Driving Range (Golf)	1.5 per tee
Drug Store	See Pharmacy
Dry Cleaning and Laundry Depot	1 per 25 m² (269 sq. ft.)
Dry Cleaning and Laundry Plant	1 per 200 m² (2,153 sq. ft.)
Dry Cleaning Establishment	1 per 50 m² (538 sq. ft.)
Duplicating Shop	1 per 25 m² (269 sq. ft.)
Electrical and Electronic Products	See Manufacturing Establishment
Emergency Care Establishment	1 per 40 m² (430 sq. ft.)
Film Processing Depot	1 per 25 m² (269 sq. ft.)
Financial Institution	1 per 30 m² (323 sq. ft.)
Fire Station	1 per 1.5 employees
Florist Shop	See Retail Store
Food Store	1 per 25 m² (269 sq. ft.)
Food, Tobacco and Beverage Processing	See Manufacturing Establishment
Funeral Home	Greater of 1 per 20 m^2 (215 sq. ft) or 20 spaces
Gallery	See Art Gallery
Gas Bar	3 spaces
General Offices	1 per 40 m² (430 sq. ft.)
Grocery Store	See Food Store
Hardware Store	1 per 25 m² (269 sq. ft.)

Home and Auto Supply Store	1 per 25 m² (269 sq. ft.)
Home Appliance Store	1 per 30 m² (323 sq. ft.)
Home Decorating Store	1 per 30 m² (323 sq. ft.)
Home Furnishings Store	1 per 30 m² (323 sq. ft.)
Home Improvement Store	1 per 30 m² (323 sq. ft.)
Homes for the Aged	See Rest Home
Hospital	1.25 per bed
Hotel	1.25 per unit
Industrial and Agricultural Equipment and Service	1 per 30 m² (323 sq. ft.)
Kennel	1 per 25 m² (269 sq. ft.)
Laboratory	1 per 45 m² (484 sq. ft.)
Laundromat/Laundry	1 per 25 m² (269 sq. ft.)
Library	1 per 50 m² (538 sq. ft.)
Liquor, Beer and Wine Store	1 per 25 m² (269 sq. ft.)
Manufacturing and Assembly	See Manufacturing Establishment
Manufacturing Establishment	1 per 100 m² (1,076 sq. ft.)
Marina (Transient)	1 per 10 slips
Marina (Seasonal)	1 per slip
Miniature Golf Course	1 per tee
Motel	1.25 per unit

Museum	1 per 50 m² (538 sq. ft.)
Music School	1 per 45 m² (484 sq. ft.)
Nursery and Garden Store	1 per 30 m² (323 sq. ft.)
Nursing Home	1 per 3 beds
Office, Business, Service and Professional	1 per 40 m² (430 sq. ft.)
Office, Medical/Dental	1 per 20 m² (215 sq. ft.)
Office Supply Outlet	See Retail Store
Office, Support	1 per 45 m² (484 sq. ft.)
Open Storage	1 per hectare (2.5 acres)
Paper and Allied Products Industry	See Manufacturing Establishment
Personal Service Establishment	1 per 20 m² (215 sq. ft.)
Pharmaceutical and Medical Products Industry	See Manufacturing Establishment
Pharmacy	1 per 25 m² (269 sq. ft.)
Place of Worship	1 per each 5 persons seating capacity
Police Station	1 per 1.5 employees
Post Office	1 per 30 m² (323 sq. ft.)
Printing Establishment	1 per 200 m² (2,153 sq. ft.)
Printing Plant	1 per 100 m² (1,076 sq. ft.)
Printing, Reproduction and Data Processing Industries	See Manufacturing Establishment

Printing Shop	1 per 100 m² (1,076 sq. ft.)
Private Club	1 per 20 m² (215 sq. ft.)
Private Outdoor Recreation Club	1 per 700 m² (7,535 sq. ft.) of lot area for the first 10 ha (25 ac.), plus1 per 5000 m^2 (53,820 sq. ft.) of lot area over 10 ha (25 ac.)
Processed Goods Industry	See Manufacturing Establishment
Public Hall	See Assembly Hall
Public Recreation Facility	1 per 35 m² (376 sq. ft.)
Public Use	1 per 45 m² (484 sq. ft.)
Public Utility	See Public Use
Racquet Facility	2 per court
Raw Materials Processing	See Manufacturing Establishment
Recreational Establishment	1 per 20 m² (215 sq. ft.)
Repair and Rental Establishment	1 per 20 m² (215 sq. ft.)
Research and Development Establishment	See Manufacturing Establishment
Resource Extraction Operation	2 spaces
Rest Home	1 per 3 beds
Restaurant, Drive-Through	*1 per 10 m^2 plus 6 queuing spaces in advance of each drive-through window or service outlet (By-law 2006-61)*
Restaurant, Eat-In and Outdoor Patio	1 per 15 m² (161 sq. ft.)

Restaurant, Fast-Food, and Take-Out	1 per 10 m² (107 sq. ft.)
Restricted Manufacturing and Assembly	See Manufacturing Establishment
Retail Store	1 per 25 m² (269 sq. ft.)
Retirement Lodge	1 per 3 beds
School, Commercial	1 per 45 m² (484 sq. ft.)
School, Community College	1 per 100 m² (1,076 sq. ft.) plus 1 per 15 students
School, Elementary	3 plus 1 per classroom
School, Private	3 per classroom
School, Secondary	3 per classroom
Service and Repair Establishment	1 per 25 m² (269 sq. ft.)
Service Shop	1 per 25 m² (269 sq. ft.)
Shopping Centre (Greater than 2000 m² and with 4 or more individual business establishments)	1 per 30 m² (323 sq. ft.) Gross Leaseable Floor Area
Stadium	See Auditorium
Storage Depot	See Warehousing
Studio	1 per 45 m² (484 sq. ft.)
Supermarket	See Food Store
Supervised Residence	1 per 4 residents
Tavern	1 per 6 m² (65 sq. ft.)
Taxi Establishment	1 per 6 m² (65 sq. ft.)

(b) LOTS REDUCED BY PUBLIC ACQUISITION

Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition, to have a lot area, lot frontage, lot coverage, area of landscaped open space, setback, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then nothing in this By-law shall apply to prevent the continued use of the lot as reduced as if no such acquisition had taken place, provided that:

(i) no change is made in the dimensions, area or any other characteristics of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said nonconformity; and

(ii) no building or structure or addition thereto is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all the provisions hereof for the zone in which such lot is located.

(26) SETBACKS

(a) SPECIAL SETBACK SELECT ROADS

Notwithstanding any other provisions of this By-law, where a building or structure is located adjacent to a road listed below, setbacks shall be provided and maintained for each road as listed below or the front yard depth provision of the appropriate zone, whichever is the greater.

Road	Location	Setback
Sandwich St.	Brunner Road to Fort St	25 m
Sandwich St.	Fort St. to Park St.	11.5 m
Sandwich St.	Park St. to Southern limit of Corporation	30 m
Alma St.	Sandwich St. easterly to Corporation limits	25m

Road	Location	Setback
Simcoe St.	Sandwich St. easterly to Corporation limits	25m
Richmond St.	Seymour St. easterly to Corporation limits	No minimum
Murray St.	Sandwich St. to Dalhousie St.	No minimum
Dalhousie St.	Rankin St. to Park St.	No minimum

Notwithstanding any yard or setback provisions of this By-law to the contrary, no part of any building or structure erected hereafter shall be closer than twenty-six (26) metres to the centreline of a County Road and, where a municipal drain running parallel to the direction of the road lies within the road allowance or adjacent to it, the building setback shall be thirty-four (34) metres from the said road centreline on the side containing the municipal drain. This provision does not apply to County Road 20 between Brunner Avenue and Lowe Sideroad.

For all other streets within the Corporation, the front yard depth provision of the zone shall apply.

(b) EXEMPTION IN BUILT-UP AREAS

The minimum setback required on a lot that is between two adjacent lots on which are located existing buildings not more than 90 metres apart shall be the average of the established building lines on the said adjacent lots, provided that no setback requirement calculated in accordance with this Clause shall exceed the applicable setbacks required of the appropriate zone provisions.

(c) SETBACKS FROM LAKE ERIE

Notwithstanding any other provisions of the By-law to the contrary, no part of any building or structure, other than a fence, hedge or shoreline protection wall, shall be erected in any zone or defined area:

(i) within thirty (30) metres of the water's edge of Lake Erie where erosion facilities and shore protection works described below have not been constructed;

(ii) within fifteen (15) metres of the water's side of the erosion facility or the shoreline protective work where adequate erosion facilities and shore protective works as recommended by the Essex Region Conservation Authority or a qualified professional engineer have been constructed.

iii) 1. Rear Yard Depth

In addition to the setback requirements in the Subsections above, on any lot that abuts Lake Erie the required rear yard depth shall be the rear yard depth required by the zone regulation applicable to the site, or the established waterfront building line or the setback as determined in the Subsections above, whichever is the greater. For the purpose of this Subsection, established waterfront building line shall be calculated by taking the average depth of the existing main building on the two adjacent lots as measured from the water's edge to the closest exterior wall of the main building and parallel to the front lot line. Where there is an existing building on only one side of the lot, the established waterfront building line will be calculated by taking the average depth of the existing main building on the adjacent lot as measured from the water's edge to the closest exterior wall of the main building and the measurement of 7.5 m for the vacant adjacent lot.

(By-law 2006-61)

2. Accessory Buildings and Structures

Notwithstanding Section 3(1) of the General Provisions, no person shall construct an accessory building or structure within the prescribed rear yard limits, except a deck, boat lift, boat well, boat house, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a permit issued by the applicable Conservation Authority in consultation with the Town.

(By-law 2015-114)

(d) SETBACK FROM DETROIT RIVER SHORELINE

Notwithstanding any other provisions of this By-law to the contrary, no part of any building or structure, other than a fence, hedge or shoreline protection work shall hereafter be erected in any zone or defined area:

(i) within fifteen (15.0) metres of the water's edge of the Detroit River, measured horizontally along a line perpendicular to a line drawn along the water's edge, where adequate erosion facilities and shore protection works as recommended by the Essex Region Conservation Authority or a qualified professional engineer have **not** been constructed;

(ii) within eight (8.0) metres plus the depth of the water's edge of the Detroit River, measured horizontally along a line perpendicular to a line drawn along the water's edge, where adequate erosion facilities and shore protection works as recommended by the Essex Region Conservation Authority or a professional hydrological engineer **have** been constructed; (2019-028)

(iii) in addition to the setback requirements in the Subsections above, on any lot that abuts the Detroit River, west of County Road 20 (former Highway No. 18), south of County Road 10 and north of Texas Road, the following regulations shall also apply:

a) On the north half of part Lot 14 and Part of Lots 15, 16, 17, and 18, Concession 1, no part of any building or structure shall be erected beyond a line measured forty-seven (47) metres from the centreline of County Road 20 road allowance. The General Provision on Yard Encroachment does not apply to this area;

b) On the southern half of Part of Lot 14 and Part of Lots 13, 12, 11, and 10, Concession 1, no part of any building or structure shall be erected beyond an established building line. For the purpose of this Section, an established building line shall be drawn from the closest existing single dwelling to the north of the proposed development to the closest existing single dwelling to the south of the proposed development. That part of the existing single dwelling that is to be used when drawing the established building line is that point of each dwelling that is closest to the Detroit River. The General Provisions Section on Yard Encroachments in required yards does not apply to development in this area;

c) Notwithstanding the section above, on Lot described as Parts 1, 2, 3, and 4 of Registered Plan 12R-6025, Part of Lot 11, Concession 1, no part of any building or structure shall be erected beyond an established building line. For this lot only, the established building line shall be drawn from the existing single dwelling two (2) lots to the north (municipally known as 600 Front Road N) of the subject property to the existing single dwelling to the south of the proposed development. That part of the existing single dwelling that is to be used when drawing the established building line is that point of the foundation of each dwelling that is closest to the shoreline of the Detroit River. The General Provisions Section on Yard Encroachment in required yards does not apply to development on the lot described as Parts 1,2,3, and 4 of Registered Plan 12R-6025, Part of Lot 11, Concession 1;

d) Nothing in this Section shall apply to the construction of an unenclosed boat dock not greater than one (1) metre above the high water datum.

(e) SETBACKS FROM INLAND WATERCOURSES AND MUNICIPAL DRAINS

No part of any building or structure, other than a permeable fence, shall hereafter be erected in any zone or defined area closer to an inland watercourse not affected by the Floodplain Development Control Area or an open municipal drain than eight (8.0) metres (26.24 feet) plus the depth of the watercourse or drain to a maximum of fifteen (15) metres (50 feet), from the top of bank, measured horizontally along a line perpendicular to a line drawn along the top of bank, or in the case where a drain may be covered, the minimum setback shall be six (6) metres (20 feet) from the centreline of the drain, except that the minimum setback shall be one and a half (1.5) metres (5 feet) from a covered drain for accessory buildings or structures in Residential zones. (2019-028)

(f) *CAR WASHES AND DRIVE-THROUGHS - SETBACKS FROM RESIDENTIAL*

Drive-through facilities, drive-through restaurants and car washes, as defined herein, shall be separated from any boundary of a Residential Zone by a minimum distance of 10 metres, measured from the nearest point along the lane providing access to and egress from the drive-through or car wash facility, and any part of the associated buildings or structures

including speakers and menus/display boards, to the nearest point along the Residential Zone boundary.

(By-law 2006-61)

(27) SHIPPING CONTAINERS

The permanent placement of shipping containers as storage containers is prohibited in all areas other than Industrial Zones and Agricultural Zones. For those areas not zoned Industrial or Agricultural, the temporary use of shipping containers for moving purposes or on construction sites will be permitted subject to regulations such as limiting the duration of the temporary placement of a shipping container, specifying setback distance from lot lines to maintain proper spatial separation and safe sight lines, and restricting the number of containers per property and the maximum size of a container.

For Agricultural and Industrial Zones, the use of permanent shipping containers for storage would be allowed subject to the following provisions:

(i) Permanent Shipping Containers require building permits and shall only be permitted as an accessory use on a lot where a principal use already exists;

(ii) Shipping Containers shall be used exclusively for storage purposes and not be used for human habitation, home industry, or any occupation or business;

(iii) The maximum number of shipping containers on any property shall be limited to two (2) unless the shipping containers are used in transportation of goods and materials in which case no maximum shall apply.

(iv) shall not be used for human habitation, office use, display, advertising, screening or fencing;

(v) shall only be located in the side yard or rear yard provided it:

a) is screened from view if the side yard or rear yard abuts a street or properties zoned other than industrial or agricultural;

b) complies with the lot coverage and accessory buildings and setback requirements of the zone;

c) is not located in any required parking areas or landscaped areas/buffer;

SECTION 13 RESIDENTIAL OFFICE (RO) ZONE

(1) SCOPE

The provisions of this Section shall apply in all Residential Office (RO) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED

No person shall within any RO Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RO uses, namely:

(i) uses permitted within a Residential Heritage Zone as provided in Section 12 hereto;
(ii) professional office;
(iii) working room for a tailor, dressmaker and draftsman;
(iv) studio for an artist, music teacher, academic tutor, and author;
(v) public use;
(vi) personal service shop (excluding laundry, laundromat, and dry cleaning establishment)[2];
(vii) existing uses[2];
(viii) dwelling unit;
(ix) medical/dental office;
(x) business office;
(xi) service office.

(3) ZONE REQUIREMENTS

No person shall within any RO Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Lot Area (Minimum)

(i)	Single detached dwelling unit, converted board or rooming dwelling	465 m²
(ii)	Duplex dwelling	560 m^2
(iii)	- Semi-detached dwelling - Semi-detached unit	600 m^2 280 m^2

[2] By-Law No. 1772.

	(iv)	- Non-residential uses and residential combination - Dwelling unit (Per unit)	465 m^2 185 m^2
(b)	Lot Frontage (Minimum)		
	(i)	Single detached dwelling unit, converted board or rooming dwelling	15 m
	(ii)	Duplex dwelling	18 m
	(iii)	- Semi-detached dwelling - Semi-detached unit	18 m 8.5 m
	(iv)	- Non-residential uses and residential combination	15 m
(c)	Front Yard Depth (Minimum)		6 m
(d)	Interior Side Yard Width (Minimum)		1.5 m
	provided that on a lot where there is no attached private garage or attached carport the minimum interior side yard width shall be 2.5 m on one side and 1.5 m on the other side		
(e)	Exterior Side Yard Width (Minimum)		6 m
(f)	Rear Yard Depth (Minimum)		7.5 m
(g)	Lot Coverage (Maximum)		40%
(h)	Landscaped Open Space (Minimum)		20%
(i)	Dwelling Unit Area (Minimum)		
	(i)	Single detached unit	75 m^2
	(ii)	Semi-detached and duplex unit	65 m^2
	(iii)	Converted, boarding, or rooming establishment per unit	30 m^2
(j)	Height (Maximum)		8.5 m
(k)	Parking and Loading		
	No parking or loading areas shall be located in the front yard		
(l)	Non-Residential Permitted Uses Restrictions		
	No non-residential use permitted in this Section shall create or become a nuisance in regard to noise, odour, vibration, radiation, traffic generated or parking.		

(m) Replacement

If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(n) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

(4) SPECIAL PROVISIONS

(a) RO-1 (CLINIC)

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-1 on Schedule "A" hereto the following special provisions shall apply:

(i) Uses Permitted

1. a clinic;
2. any use permitted in an RO Zone.

(b) RO-2

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-2 on Schedule "A" hereto the zone requirements of Section 13(3) shall apply with the exception of Section 13(3)(b)(ii). A permitted non-residential use may occupy up to 100 percent of the total gross floor area of the building.

(c) *RO-3 (193 Simcoe Street)*

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-3 on Schedule "A" hereto, the requirements of Subsection 13 of this By-law shall apply with the exception of the following special provisions:

(i) *Uses Permitted*

1. *Any use permitted in an RO Zone;*
2. *Day care.*

(ii) *Parking Provision*

Notwithstanding the parking requirements of Section 3(21), the parking requirements for any area zoned RO-3 on Schedule "A"

SECTION 15 COMMERCIAL GENERAL (CG) ZONE

(1) SCOPE

The provisions of this Section shall apply in all Commercial General (CG) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED

No person shall within any CG Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CG uses, namely:

(i) amusement game establishment;
(ii) animal hospital;
(iii) art gallery;
(iv) assembly hall;
(v) bakery shop;
(vi) catalogue store;
(vii) cinema;
(viii) clinic;
(ix) commercial recreation establishment;
(x) commercial school;
(xi) continuum of care facility;
(xii) data processing establishment;
(xiii) day care;
(xiv) department store;
(xv) drive through facility; (By-law No. 2012-65)
(xvi) dry cleaning or laundry establishment or distribution centre;
(xvii) dwelling units restricted to above the first floor;
(xviii) existing place of worship;
(xix) financial establishment;
(xx) florist shop;
(xxi) food store;
(xxii) funeral home;
(xxiii) hardware store;
(xxiv) home and auto supply store;
(xxv) home appliance store;
(xxvi) home decorating store;
(xxvii) home for the aged;
(xxviii) home furnishing store;
(xxix) home improvement store;
(xxx) hotel or motel;

(xxxi) institutional use;
(xxxii) laboratory;
(xxxiii) laundromat;
(xxxiv) library;
(xxxv) medical/dental office;
(xxxvi) merchandise service shop;
(xxxvii) marina;
(xxxviii) nursing home;
(xxxix) office;
(xl) parking lot;
(xli) personal service shop;
(xlii) pharmacy;
(xliii) place of entertainment;
(xliv) printing shop;
(xlv) public use;
(xlvi) recreational establishment;
(xlvii) repair and rental establishment;
(xlviii) restaurant;
(xlix) restaurant, fast-food;
(l) retail store;
(li) retirement lodge;
(lii) studio
(liii) supermarket;
(liv) tavern;
(lv) theatre;
(lvi) taxi establishment;
(lvii) vehicle repair shop;
(lviii) veterinarian clinic;
(lix) video rental establishment;
(lx) wholesale use accessory to a permitted CG use;
(lxi) any existing automotive use.

(3) ZONE REQUIREMENTS

No person shall within any CG Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a)	Lot Area (Minimum)	No minimum
(b)	Lot Frontage (Minimum)	No minimum
(c)	Front Yard Depth (Minimum)	No Minimum except as provided in Section 3(23) thereof

(d)	Interior Side Yard Width (Minimum) provided that where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.	No Minimum
(e)	Exterior Side Yard Width (Minimum)	No Minimum
(f)	Rear Yard Depth (Minimum)	7.5 m
(g)	Dwelling Unit Area (Minimum)	55 m^2
(h)	Height (Maximum)	*10 m*

(By-law 2012-65)

(i) Heritage Buildings

If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(j) Open Storage

No open storage of goods, materials or waste shall be permitted.

(k) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

(4) <u>SPECIAL PROVISIONS</u>

(a) CG-1 (BUILDING SUPPLIES)

(i) Uses Permitted

1. a building supply yard;
2. any use permitted in the CG Zone.

(b) CG-2 (SUPERMARKET AND ASSOCIATED RETAIL)

Notwithstanding any provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-2 on Schedule “A” hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i)	Frontage on Sandwich Street	30 m contiguous
(ii)	Front Yard Depth (Minimum) Sandwich	6 m from the street
(iii)	Interior Side Yard Width (Minimum)	7 m
(iv)	Exterior Side Yard Depth (Minimum)	3 m from Fort Street
(v)	Rear Yard Depth (Minimum)	7 m
(vi)	Minimum Widths for Landscaped Planting Strips	
	Abutting Sandwich Street	6 m
	Abutting Fort Street	3 m
	Abutting East Boundary	0 m
	Abutting existing residential Interior Side Yards	6 m
	Abutting all other boundaries	3 m
(vii)	Loading Spaces Required	1
(viii)	Location of Parking	
	Access and limited front yard parking shall be permitted on Part Lots 14 and 15, subject to the required landscaped planting strips as provided for in Subsection (vi) of By-law 2001-58. No access will be permitted from Part Lot 12.	
(ix)	Lot Area	1.5 hectares

(By-law 2001-58)
(By-law 2002-14)

(c) CG-3 (AUTOMOBILE SERVICE STATION)

Notwithstanding any provisions of this By-law to the contrary, within any area designated CG-3 on Schedule “A” hereto the following special provisions shall apply:

(i) Uses Permitted

1. an automobile service station;
2. any use permitted in a CG Zone.

(d) CG-4 (PARKING SPECIAL PROVISION)

Notwithstanding the parking requirements of Section 21(a) (b) or (c), the parking requirements for any area zoned CG-4 on Schedule "A" for residential units shall be 0.33 per unit and there shall be not parking requirements for non-residential land uses. All other parking regulations shall apply.

(By-law 2002-51)

The minimum height shall be 7 metres and the maximum height shall be 18 metres.

(By-law 2012-65)

(e) *CG-5 (DEPARTMENT STORE AND ASSOCIATED RETAIL)*

1. Zone Requirements

Notwithstanding any provision of this By-law to the contrary including Section 3(23), within any area zone CG-5 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i)	*Frontage on Sandwich Street*	*30 m contiguous*
(ii)	*Front Yard Depth (Minimum)*	*6 m from Sandwich St, however, at least 25% of buildings fronting on to Sandwich Street shall not be setback further than 25 metres maximum*
(iii)	*Interior Side Yard Width (Minimum)*	*7 m*
(iv)	*Exterior Side Yard Depth (Minimum)*	*3.0 from Brunner Ave.*
(v)	*Rear Yard Depth (Minimum)*	*7 m*
(vi)	*Minimum Widths for Landscaped Planting Strips*	
	Abutting Sandwich Street	*6 m*
	Abutting Brunner Ave	*3 m*
	Abutting East Boundary	*0 m*

Abutting all other boundaries *0 m*

(vii) Restricted Build Area

The land area at the north east corner of Sandwich Street and Brunner Ave., within the CG-5 zone, shall be a Restricted Build Area. Such "Restricted Build Area" shall not be used for a restaurant or a restaurant, fast-food. Parking for uses permitted within the "Restricted Build Area" shall be prohibited within the front yard and exterior side yard. The "Restricted Build Area" shall extend northward a minimum of 18 m from the Brunner Ave. property line and extend a minimum of 138 m eastward from the Sandwich Street property line.

(viii) Restricted Uses

Notwithstanding Section 15(2) no lands zoned CG-5 may be used for a continuum of care facility, day care, home for the aged, hotel or motel, nursing home, retirement home, a dwelling unit or any land use involving overnight accommodation.

Notwithstanding Section 15(2) or the provisions of Section 15(4)(e)(ix), a department store will not be permitted until such time as the site plan has been approved and a building permit issued for the use.

(ix) Gross Floor Area

Maximum gross floor area for all permitted uses within the CG-5 Zone shall be 9000 square metres.

Individual retail uses shall have a minimum gross floor area of not less than 250 square metres, with the exception of a car wash accessory to a convenience store which shall have a minimum gross floor area of not less than 150 square metres.

Supermarkets, home and auto supply stores shall not be permitted unless support for such use is substantiated by a retail market study that has determined to Council's satisfaction that no negative impact on the planned function of established commercial development will result.

(x) Height

Maximum building height for a department store shall be 15 metres.

(xi) Permitted Uses

Notwithstanding Section 15(2) or 15(4)(viii) additional uses permitted in the CG-5 Zone include automobile service, business/professional office and convenience store.

(By-law 2004-80)
(By-law 2015-119)

(f) *CG-6*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-6 on Schedule 'A' hereto, the following special provisions shall apply:

(i) Uses Permitted

(a) Any use permitted in a CG zone;

(b) A maximum of 14 dwelling units including units on the first floor.

(ii) *Other Provisions*

(a) Rear Yard Depth (minimum)
4.5 m

(b) Building Height to roof peak 14 m maximum and 10 m minimum

(c) Heritage Building replacement shall be as approved on a site plan under Section 41 of the Planning Act with Council approval to drawings being required as per Section 41(4) of the Planning Act.

(d) Access to Parking Area and Required Spaces

Notwithstanding Section 3(21)(i)(i) access to the underground parking structure may be provided from a right of way that does not access an improved street and notwithstanding Section 3(21)(a)(b)or(c) the parking requirement for a residential unit shall be 0.33 spaces per unit and there shall not be parking requirements for non-residential land uses. All other parking requirements shall apply.

(By-law 2005-16)

(g) *CG-7*

Notwithstanding any other provisions of Section 15(3) and Section 3(23) to the contrary, within any area zoned CG-7 on Schedule "A" hereto, the minimum setback from the front lot line shall be 6 metres and the maximum setback from the front lot line shall be 15 metres. The minimum building height shall be 6 metres and the maximum building height shall be 10 metres. All other general provision and regulations of By-law 1999-52, as amended from time to time shall apply.

(By-law 2005-36)

(h) *CG-8 (Sandwich at Crownridge)*

(i) The following special provisions shall apply to lands zoned (CG-8):

Height (Maximum)	*29 metres*
Maximum residential density	*50 units*
Maximum hotel units	*70 bedroom units*

All other provisions under Subsection 15(3) Zone Regulations shall apply to lands zoned (CG-8).

(By-law 2010-28)

(i) *CG-9 (SPECIAL PROVISION- FRONT YARD DEPTH/ PARKING)*

The following special provisions shall apply to lands zoned (CG-9):

Notwithstanding Section 15(3)(c), the front yard depth within the CG-9 zone shall be a minimum of 14m and a maximum front yard depth of 34m.

Notwithstanding Section 3(21)(g) parking may be provided in the front yard in the CG-9 zone.

All other provisions under Section 3 and Section 15, as amended from time to time shall apply.

(By-law 2012-79)

(j) *CG-10*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-10 on Schedule 'A' hereto, the following special provisions shall apply:

(i) *Uses Permitted*

(a) Any use permitted in a CG zone;
(b) A maximum of 17 dwelling units including dwelling units on the first floor.

(ii) *Notwithstanding the parking requirements of Section 3(21)(a), (b), or (c), the parking requirements for any area zoned CG-10 on Schedule "A" for residential units shall be 0.33 per unit and there shall be no parking requirements for non-residential land uses. All other parking regulations shall apply.*

(iii) *The minimum height shall be 7 metres and the maximum height shall be 18 metres.*

(iv) *Other Provisions*

(a) Rear Yard Depth (minimum) Northwest corner 1.8 m

Southwest corner 3.2 m

(By-law 2014-79)

(k) *CG-11 (274-286 Dalhousie Street)*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-11 on Schedule 'A' hereto, the requirements of Subsection 15 of this By-law shall apply with the exception of the following special provisions:

(i) *Parking Provision*

Notwithstanding the parking requirements of Section 3(21), the parking requirements for any area zoned CG-11 on Schedule "A" for the residential units shall be 0.33 per unit and there shall be no parking requirements for non-residential land uses. All other parking regulations shall apply (By-law No. 2002-51).

(ii) *Height of Building*

The minimum building height shall be 7 metres and the maximum height shall be 18 metres.

(iii) *Rear yard for commercial uses*

0m minimum rear yard is permitted for commercial uses.

(iv) *Residential Units*

The location of residential units is restricted to above the commercial units. Entrances and stairways for the residential units are permitted to be located on the ground floor of the structure. The residential units may have road frontage associated with the units.

(By-law 2015-63)

(l) CG-12 (83 Sandwich Street South)

(i) Uses Permitted

Notwithstanding Section 15(2) additional uses permitted within the CG-12 Zone include a drive-through restaurant as defined in the definitions section of the by-law.

Notwithstanding any other provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-12 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(ii)	*Frontage on Sandwich Street*	*30 m contiguous*
(iii)	*Front Yard Depth (Minimum)*	*6 m from the street*
(iv)	*Interior Side Yard Width (Minimum)*	*6 m*
(v)	*Exterior Side Yard Depth (Minimum)*	*3 m from Fort Street*
(vi)	*Rear Yard Depth (Minimum)*	*7 m*
(vii)	*Minimum Widths for Landscaped Planting Strips*	
	Abutting Sandwich Street	*6 m*
	Abutting Fort Street	*3 m*
	Abutting East Boundary	*0 m*
	Abutting Existing Residential Interior Side Yards	*3 m*

Abutting all other boundaries *3 m*

(viii) *Loading Spaces Required* *1*

(ix) *Notwithstanding Section 3(21)(c) the minimum number of parking spaces required shall be 190.*

(x) *Location of Parking*
Access and limited front yard parking shall be permitted on Lot 14 and Part Lot 15, subject to the required landscaped planting strips as provided for in Subsection (vi). No access will be permitted from Part Lot 12.

(xi) *An outdoor patio associated with a restaurant shall be permitted on lands adjoining a residential zone class with a maximum gross area of 44 sq m. All other provisions in Section 3(20) shall apply.*

(xii) *Lot Area* *1.5 hectares*

(xiii) The exit of the drive-thru lane be a minimum of 25 metres from the western property line.

(By-Law 2019-030)

(m) *CG-13 (253, 257-265 Dalhousie Street)*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-12 on Schedule "A" hereto, the zone requirements of Section 16 of the By-law shall apply with the addition of the following special provisions:

(viii) *Uses Permitted*

(d) *a brewery accessory to a main use;*

(e) *any use permitted in a CG Zone.*

(ix) *Notwithstanding the parking requirements of Section 21(a) (b) or (c), the parking requirements for any area zoned CG-12 on Schedule "A" for residential units shall be 0.33 per unit and there shall be not parking requirements for non-residential land uses. All other parking regulations shall apply.*

(x) *The minimum height shall be 7 metres and the maximum height shall be 18 metres.*

(n) h-3 CG-14 (305, 319 and 327 Dalhousie Street)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-14 on Schedule 'A' hereto, the requirements of Subsection 15 of this By-law shall apply with the exception of the following special provisions:

(i) Height (Maximum) 16 m

(ii) Parking Provision

Notwithstanding Section 3(21)(c) the minimum number of parking spaces required shall be 75 with three barrier free parking spaces. Additional parking may be required on the vacant lot on Ramsey Street.

(2019-044)

MEMO

TO:	Toad One Inc.
FROM:	Aakash Bagchi, P.Eng., Dillon Consulting Limited
DATE:	April 4, 2022
SUBJECT:	Stormwater Management for Mixed-Use Development at 51 and 57 Sandwich Street South, Town of Amherstburg
OUR FILE:	22-3779

1.0 Introduction

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc. to complete the planning approvals for a proposed Mixed-Use development in the Town of Amherstburg.

This Stormwater Management (SWM) memo has been prepared to support the conceptual design of the proposed development. The total site area is 0.42 ha and is located south east of the intersection of Alma Street and Sandwich Street South, and north-east of the Elm Avenue and Sandwich Street South intersection, in the Town of Amherstburg.

The proposed development will drain into the existing 0.6 m diameter storm sewer along Sandwich Street South that conveys flows south and eventually drains to the Detroit River through the outfall along Rankin Avenue. Under existing conditions, the site is developed and consists of a single-detached residential development on each of the two lots, 51 and 57 Sandwich Street South. The general slope of the ground directs flows westwards. The proposed development consists of two buildings. One of the buildings is primarily commercial while the second building is a multi-storey mixed-use development consisting of both commercial and residential.

This memo summarizes the SWM measures proposed to restrict the peak outflow from the site to an allowable release rate from the proposed development.

1.1 SWM Criteria

The following items were referred to while conducting the current analysis to evaluate the condition of the existing and proposed SWM infrastructure:

- Windsor-Essex Region Stormwater Management Standards Manual (ERCA, 2018) [WERSMSM]; and
- Pre-consultation through e-mail with the Town of Amherstburg to identify allowable release rate.

The criteria for SWM is to control flows from proposed developments to the estimated allowable release rate for all design storm event simulations, up to and including the 1:100 year return period event.

In addition, the maximum depth of ponding on site during the governing 1:100 year return period event simulation should not exceed 0.30 m above the lowest CB grate elevation.

The Urban Stress Test (approximately 1.4 times more volume than the 1:100 year event) design storm event is to be simulated to assess the proposed SWM infrastructure's resiliency to adapt to impacts of climate change.

The following design storm events, as recommended in the WERSMSM, were used to assess the on-site storage requirements under post-development conditions:

- 1:5 year, 4 hour design storm using Chicago distribution with a 15 minute time interval and a total rainfall depth of 49.5 mm;
- 1:2 year, 4 hour design storm using Chicago distribution with a 15 minute time interval and a total rainfall depth of 32 mm (Water Quality Storm);
- 1:100 year, 4 hour design storm using Chicago distribution with a 15 minute time interval and a total rainfall depth of 81.6 mm to determine the required 100 year design on-site storage;
- 1:100 year, 24 hour design storm using SCS distribution with a 2 hour time interval and a total rainfall depth of 108 mm to determine the required 100 year design on-site storage, and;
- 1:100 year, 24 hour design storm using Chicago distribution with 15 minute time interval and an additional 42 mm uniformly distributed, with a total rainfall depth of 150 mm. (Urban Stress Test Storm)

1.2 Hydrologic and Hydraulic Modelling Tool

Hydrologic and hydraulic modelling for both existing and proposed conditions was undertaken using the PCSWMM 2020 software distributed by CHI. PCSWMM is a modelling software for stormwater, wastewater, and watershed systems which provides a graphic user interface (GUI) for the United States Environmental Protection Agency's Stormwater Management Model (EPA SWMM).

The following information was used to populate the necessary subcatchment parameters for the site.

Based on the soil survey of Essex County (Richards et al, 1949) and the Ontario Ministry of Agriculture, Food, and Rural Affairs' (OMAFRA) soil mapping data, the stormwater catchment's soils are composed of Brookston Clay which has a hydrologic soil group (HSG) D classification.

The stormwater assessment for this development was completed using the Horton infiltration method for hydrologic calculations. With the soil group as class D, the following parameters were used in the PCSWMM model. The values below are recommended in the WERSMSM for hydrologic soil type D.

- Max. Infiltration rate = 75 mm/hr
- Min. Infiltration rate = 0.5 mm/hr
- Decay Constant = 4 /hr

For hydraulic conveyance, the stormwater assessment for this development was completed using the dynamic wave routing method.

2.0 Allowable Release Rate

Dillon conducted an analysis to estimate the allowable release rate for the development. The existing conditions modelling parameters and results of the analysis are represented in Table 1. Figure 1 shows the drainage area used for the existing conditions analysis to estimate allowable release rates for the development, in comparison to the total development area.

The Town of Amherstburg was consulted during this analysis. The Town identified that allowable release rates needed to be estimated based on a runoff coefficient ('c') value of 0.20, considering a drainage area from the property line along Sandwich Street South to the centre of the existing homes. This corresponds to a drainage area of 0.04 ha, while the total site area is 0.42 ha. A 'c' value of 0.20 is approximately equal to a percentage imperviousness of 0% (no paved or impervious area) for the purposes of the modeling analysis.

TABLE 1: EXISTING CONDITIONS SUBCATCHMENT PARAMETERS AND RELEASE RATE

Catchment	Area (Ha)	Percent Impervious (%)	Other Subcatchment Parameters	Design Storm Event	Release Rate (L/s)
Existing Development Site	0.04	0	Flow Length = 37 m Slope = 0.3% Impervious Depression Storage = 2.5 mm Pervious Depression Storage = 7.5 mm Manning's N Impervious = 0.013 Manning's N Pervious = 0.24 Subarea Routing = Outlet (100%) Horton Infiltration Parameters: Max. Infiltration = 75 mm/hr Min. Infiltration = 0.5 mm/hr Decay Constant = 4 /hr	1:5 year, 4 hour (Chicago)	1.4

For estimation of on-site storage required during post-development conditions, 1.4 L/s was estimated to be the allowable release rate for this development, for all design storm events up to and including the 1:100 year return period event. In order to prevent any adverse impacts on the downstream system due to the increased imperviousness level on the proposed development area, the maximum flow rate from the site is expected to be maintained at or below the allowable release rate for all events up to and including the 1:100 year event.

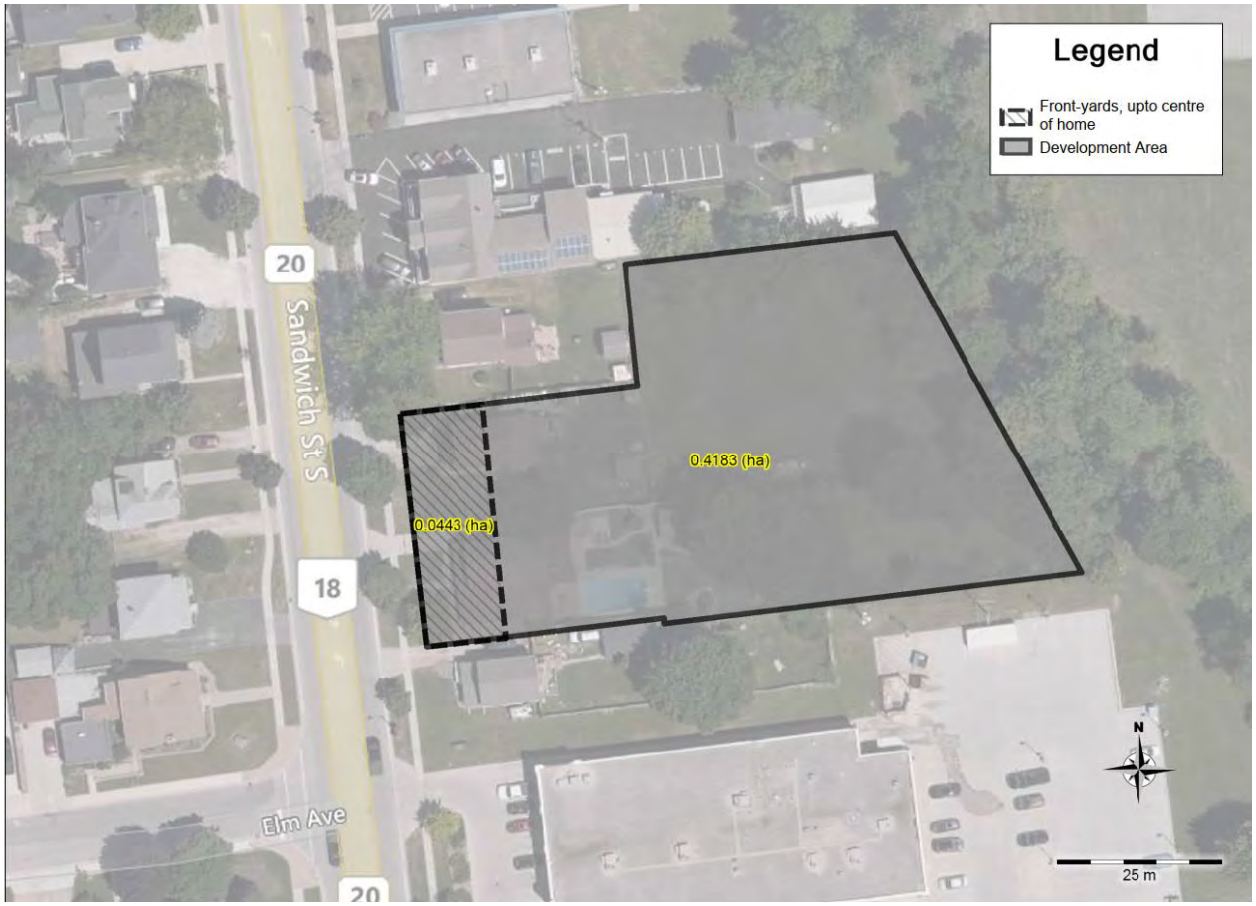


FIGURE 1: EXISTING CONDITIONS ANALYSIS DRAINAGE AREA COMPARED TO TOTAL DEVELOPMENT AREA

3.0 Proposed Conditions Analysis

For the proposed conditions analysis, a lumped modelling approach was used. The site was modelled as one lumped subcatchment in PCSWMM. A plan view of the post-development modeling schematic is shown in Figure 2 as attached. A consolidated storage node was used to represent both the on-site surface stormwater storage above catch basins and in sub-surface chambers. The volume of storage on the surface, around catch-basin (CB) locations in the parking lot area was estimated based on the available parking lot area (Appendix B) and Dillon's experience with similar developments in the past. Any additional storage volume required for peak flow attenuation will need to be accommodated in sub-surface storage. Sub-surface storage can be through oversized storm sewers, or in underground storage chambers, or a combination of both. A more accurate estimate of total available storage on the surface and sub-surface storage required to meet allowable release rate criteria will be completed during detailed design. Outflow to the downstream 0.6 m diameter storm sewer along Sandwich Street is restricted using a 0.025 m diameter orifice.

A fixed head was applied at the model outfall location to simulate tailwater conditions downstream, in the 0.6 m diameter storm sewer, during the 1:5 year, 1:100 year and UST events. The downstream head was fixed at 179.55 m based on a review of existing topography in the region. The Ontario Digital Terrain Model (Lidar-Derived) made available online by the Ontario Ministry of Natural Resources and Forestry was used to review the topography around the site. A review of the existing topography shows that maximum water surface elevation on the Sandwich Street South roadway is expected to be approximately 179.55 m before it spills further west towards Detroit River.

The modelling parameters for the lumped catchment under proposed conditions are represented in Table 2.

TABLE 2: PROPOSED CONDITIONS ANALYSIS: SUBCATCHMENT PARAMETERS

Catchment	Area (Ha)	Percent Impervious	Other Subcatchment Parameters
Proposed Development Site	0.42	90	Flow Length = 107 m Slope = 1.0% Impervious Depression Storage = 2.5 mm Pervious Depression Storage = 10 mm Manning's N Impervious = 0.013 Manning's N Pervious = 0.24 Subarea Routing = Outlet (100%) Horton Infiltration Parameters: Max. Infiltration = 75 mm/hr Min. Infiltration = 0.5 mm/hr Decay Constant = 4 /hr

Stormwater runoff is proposed to be contained within the site boundaries and is proposed to drain towards various catch basins around the site. Through a network of storm pipes, stormwater will be ultimately discharged to the 0.60 m diameter storm sewer along Sandwich Street South. A 0.025 m diameter orifice is required to restrict flows to the allowable release rate. Since smaller diameter orifices are susceptible to clogging, flow restriction is recommended using a vortex flow regulator. A specific product will be recommended during detailed design.

Our analysis revealed a storage requirement of 375 m^3 during the 1:100 year, 24 hour design storm simulation, which corresponds to a maximum 0.30 m storage depth above the lowest catch basin lid, in addition to storage underground in sub-surface chambers. A flap gate is recommended to be installed to prevent backflow from the Sandwich Street South storm sewers.

3.1 Peak Flow Attenuation and Stormwater Storage

Peak flows into the municipal storm sewers through the 0.03 m diameter orifice, and stormwater storage on-site, for all design storm events analyzed, are represented in Table 3.

TABLE 3: PROPOSED CONDITIONS MODEL RESULTS (PEAK OUTFLOW AND STORMWATER STORAGE)

Design Storm Events	Peak Flow Rate (L/s)	Storage on Site				Fixed Tailwater Condition Elevation (m)
		Total Volume (m^3)	Surface Storage (m^3)	Subsurface Storage (m^3)	Max. depth of surface storage at CB locations (m)	
Water Quality Test	1.1	103	0	103	0	(Free Outfall)
1:5 year, 4 hour (Chicago)	1.0	180	15	165	0.02	179.55
1:100 year, 4 hour (Chicago)	1.1	311	146	165	0.21	179.55
1:100 year, 24 hour (SCS)	1.2	375	210	165	0.30	179.55
Urban Stress Test	1.4	532*	367*	165	0.53*	179.55

* Total volume and maximum depth of storage on-site during the UST simulation will be confirmed during detailed design after site-grading design is completed.

For the 1:100 year 24 hour event (SCS Type-II) simulation, approximately 375 m^3 is required to be stored on site. The peak flow rates through the orifice restriction into the 0.6 m diameter storm sewer are less than the estimated allowable release rates during all design storm events in the proposed conditions analysis, which considers the effects of tail-water conditions. The total volume of stormwater on site includes surface ponding and subsurface storage.

3.2 Site overflow during storms more intense than 1:100 year event

The proposed conditions PCSWMM model was simulated using the Urban Stress Test design storm event to analyze response during storm events more intense than the 1:100 year return period events. The Urban Stress Test design storm has a total rainfall depth of 150 mm and a total duration of 24 hours. This is approximately 40% higher intensity and volume than a 1:100 year, 24 hour Chicago storm event.

During this simulation, approximately 532 m^3 is proposed to be stored on site. This volume includes storage around CB locations as surface ponding and subsurface storage in underground chambers. It corresponds to a maximum depth of water at surface storage locations around CBs of 0.53 m.

It is to be noted that the maximum possible depth of ponding on-site will be determined at the detailed design stage once site grading design is completed. The spillover elevation, which is the maximum possible elevation of stored stormwater on-site, will be estimated at the detailed design stage. The maximum

volume of water stored on-site and the maximum ponded depth, during the UST simulation, will be confirmed at the detailed design stage.

4.0 Flood-proofing Elevation

All buildings in the development are to be built with a finished floor elevation that is 0.30 m higher than the 1:100 year water surface elevation on site, and higher than the maximum water surface elevation on site during the UST simulation. The ultimate build-out lowest finished floor elevation will be confirmed during the detailed design.

5.0 Stormwater Quality Control

Since the impervious area on the subject site is increasing as compared to existing conditions, measures have to be undertaken to treat the quality of the stormwater runoff being discharged into receiving watercourses/sewers. Stormwater quality treatment will be provided using an oil-grit separator (OGS) positioned upstream of the Sandwich Street storm sewer. The 1200 mm diameter, FD-4HC unit supplied by ADS, or an approved equivalent, is recommended for this application.

The OGS unit is designed to meet the Ministry of Environment, Conservation and Parks (MECP) design requirements for 70% TSS removal (normal level of protection). Sizing details for the Water Quality Unit (WQU) recommended for the proposed development, provided by the supplier, are included in Appendix A.

5.1 Erosion and Sediment Control During Construction

Erosion and sediment control measures are to be implemented during construction in accordance with the “Guidelines on Erosion and Sediment Control for Urban Construction Sites” (Government of Ontario, May 1987) and “Construction Specification for Temporary Erosion and Sediment Control Measures” (OPSS 805).

6.0 Summary and Conclusions

This SWM Memo has been prepared to support planning approvals for the mixed-use development at 51 and 57 Sandwich Street South.

The PCSWMM software package was used for hydrologic and hydraulic modelling of the development.

The proposed development will drain into the existing 0.6 m diameter storm sewer along Sandwich Street South, which eventually drains into the Detroit River through the Rankin Avenue outfall.

The findings for the subject site are summarized below:

- The maximum allowable release rate from the site is 1.4 L/s. The peak discharge from the site will be restricted to this value for all events up to and including the 1:100 year return period rainfall event.

- It has been demonstrated through a modelling analysis that the peak outflow from the site during all proposed conditions simulations was less than the allowable release rate.
- Outflow from the site is controlled using a 0.025 m diameter orifice in the modelling analysis. A vortex flow regulator is recommended to restrict flows and prevent clogging of the outlet.
- Stormwater runoff storage on site was provided using surface ponding around CB locations in the parking lot area and underground storage chambers.
- During the 1:100 year, 24 hour (SCS Type-II), proposed conditions simulation, a maximum surface ponding depth of 0.30 m was observed. The total on-site storage provided was approximately 375 m^3 during this simulation. This included surface storage around CB locations in the parking lot area and underground storage chambers.
- During the Urban Stress Test rainfall event, a maximum surface ponding depth greater than 0.30 m was observed. The total on-site storage and maximum water surface elevation during the UST simulation will be confirmed at the detailed design stage.
- A flood-proofing elevation of 0.30 m higher than the 1:100 year water surface elevation on-site, and the maximum water surface elevation during the UST event simulation, is required as the minimum finished floor elevation of the proposed building.
- Stormwater quality control will be provided on site using an OGS unit, providing 70% TSS removal. The 1200 mm diameter, FD-4HC unit supplied by ADS, or an approved equivalent, is recommended.

We trust that our findings provide you with the information that you require at this time. We would be pleased to meet with you to review our findings in further detail.

If you have any questions in the interim, please feel free to contact the undersigned.

Yours sincerely,

DILLON CONSULTING LIMITED

Aakash Bagchi, P.Eng.
Water Resources Engineer

Amal Siddiqui
Principal Modeler

Figures

Figure 2
Post-development Model Schematic

Appendix A

ADS OGS Sizing Summary

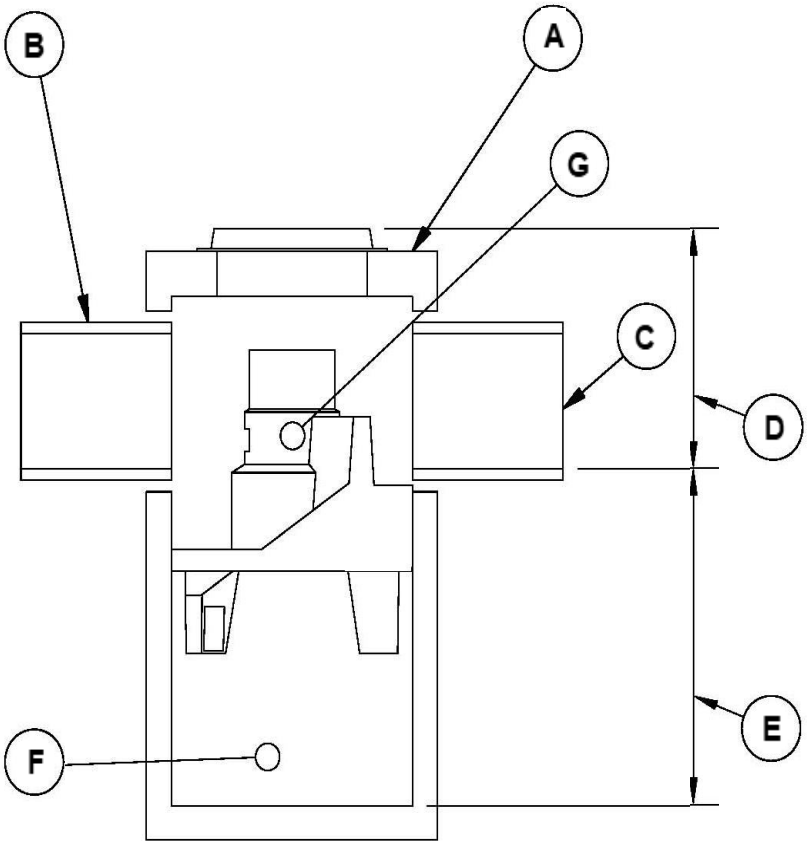
Project Name:	Dillon Amherstburg Project
Consulting Engineer:	Dillon Consulting
Location:	Amherstburg, ON
Sizing Completed By:	C. Neath
Email:	cody.neath@ads-pipe.com

Treatment Requirements		
Treatment Goal:	Normal (MOE)	
Selected Parameters:	70% TSS	90% Volume
Selected Unit:	**FD-4HC**	

Site Details	
Site Area:	0.42 ha
% Impervious:	90%
Rational C:	0.84
Rainfall Station:	Windsor, ONT
Particle Size Distribution:	Fine
Peak Flowrate:	---

Summary of Results		
Model	**TSS Removal**	**Volume Treated**
FD-4HC	84.0%	>90%
FD-5HC	88.0%	>90%
FD-6HC	90.0%	>90%
FD-8HC	94.0%	>90%
FD-10HC	96.0%	>90%

FD-4HC Specification	
Unit Diameter (A):	1,200 mm
Inlet Pipe Diameter (B):	300 mm
Outlet Pipe Diameter (C):	300 mm
Height, T/G to Outlet Invert (D):	2000 mm
Height, Outlet Invert to Sump (E):	1515 mm
Sediment Storage Capacity (F):	0.78 m³
Oil Storage Capacity (G):	723 L
Recommended Sediment Depth for Maintenance:	440 mm
Max. Pipe Diameter:	600 mm
Peak Flow Capacity:	510 L/s



Site Elevations:	
Rim Elevation:	100.00
Inlet Pipe Elevation:	98.00
Outlet Pipe Elevation:	98.00

Notes:

Removal efficiencies are based on NJDEP Test Protocols and independently verified.

All units supplied by ADS have numerous local, provincial, and international certifications (copies of which can be provided upon request). The design engineer is responsible for ensuring compliance with applicable regulations.

Project Name: Dillon Amherstburg Project
Consulting Engineer: Dillon Consulting
Location: Amherstburg, ON

Net Annual Removal Efficiency Summary: FD-4HC

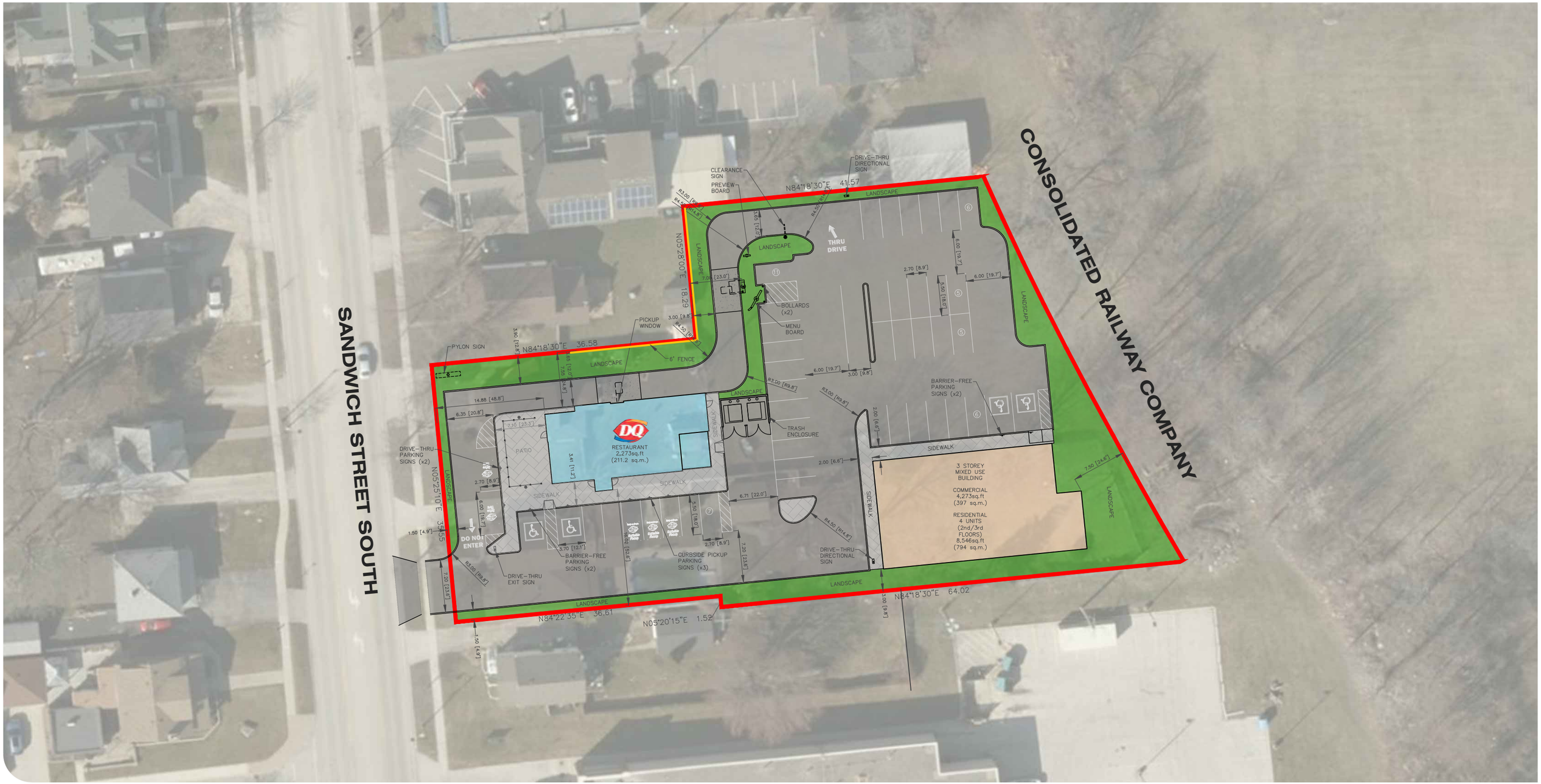
Rainfall Intensity(1)	Rational Equation Flowrate	Surface Loading Rate	Fraction of Rainfall(1)	FD-4HC Removal Efficiency	Weighted Net-Annual Removal Efficiency
mm/hr	L/s	L/min/m^2	%	%	%
3.00	2.9	156	13.2%	94%	12.4%
4.00	3.9	208	9.6%	92%	8.8%
5.00	4.9	260	7.5%	90%	6.7%
6.00	5.9	312	6.0%	88%	5.3%
7.00	6.9	364	4.8%	87%	4.2%
8.00	7.8	416	4.1%	86%	3.5%
9.00	8.8	468	3.6%	85%	3.1%
10.00	9.8	520	3.2%	84%	2.7%
11.00	10.8	572	2.8%	83%	2.3%
12.00	11.8	624	2.5%	83%	2.1%
15.00	14.7	780	6.6%	81%	5.3%
20.00	19.6	1040	8.3%	79%	6.5%
25.00	24.5	1300	5.8%	77%	4.5%
30.00	29.4	1560	4.6%	76%	3.5%
35.00	34.3	1820	3.8%	75%	2.8%
40.00	39.2	2080	2.9%	74%	2.1%
45.00	44.1	2340	2.4%	73%	1.8%
50.00	49.0	2600	1.8%	72%	1.3%
65.00	63.7	3379	6.6%	71%	4.7%
				Total Net Annual Removal Efficiency:	84.0%
				Total Runoff Volume Treated:	99.9%

Notes:

(1) Based on Windsor/Essex Region Stormwater Manual 2018, Table 3.4.1.5

(2) Based on third party verified data and appoximating the removal of a PSD similar to the STC Fine distribution

Appendix B



TOAD ONE INC.
51 & 57 SANDWICH ST. S., AMHERSTBURG, ON

MIXED USE DEVELOPMENT
CONCEPTUAL DEVELOPMENT PLAN

SUBJECT AREA (± 0.42 ha / 1.04 ac)

PROPOSED RESTAURANT WITH DRIVE-THRU

PROPOSED MIXED USE BUILDING

PROPOSED LANDSCAPE

PROPOSED SIDEWALK

PROPOSED FENCE

File Location:
c:\pw working directory\projects 2022\dillon_34jmm\dms13189\dq conceptual development plan.dwg
May, 04, 2022 3:49 PM

MAP/DRAWING INFORMATION
Base mapping from County of Essex Interactive Mapping.

CREATED BY: JMM
CHECKED BY: AMF

SCALE 1:500
0 5 10 20m

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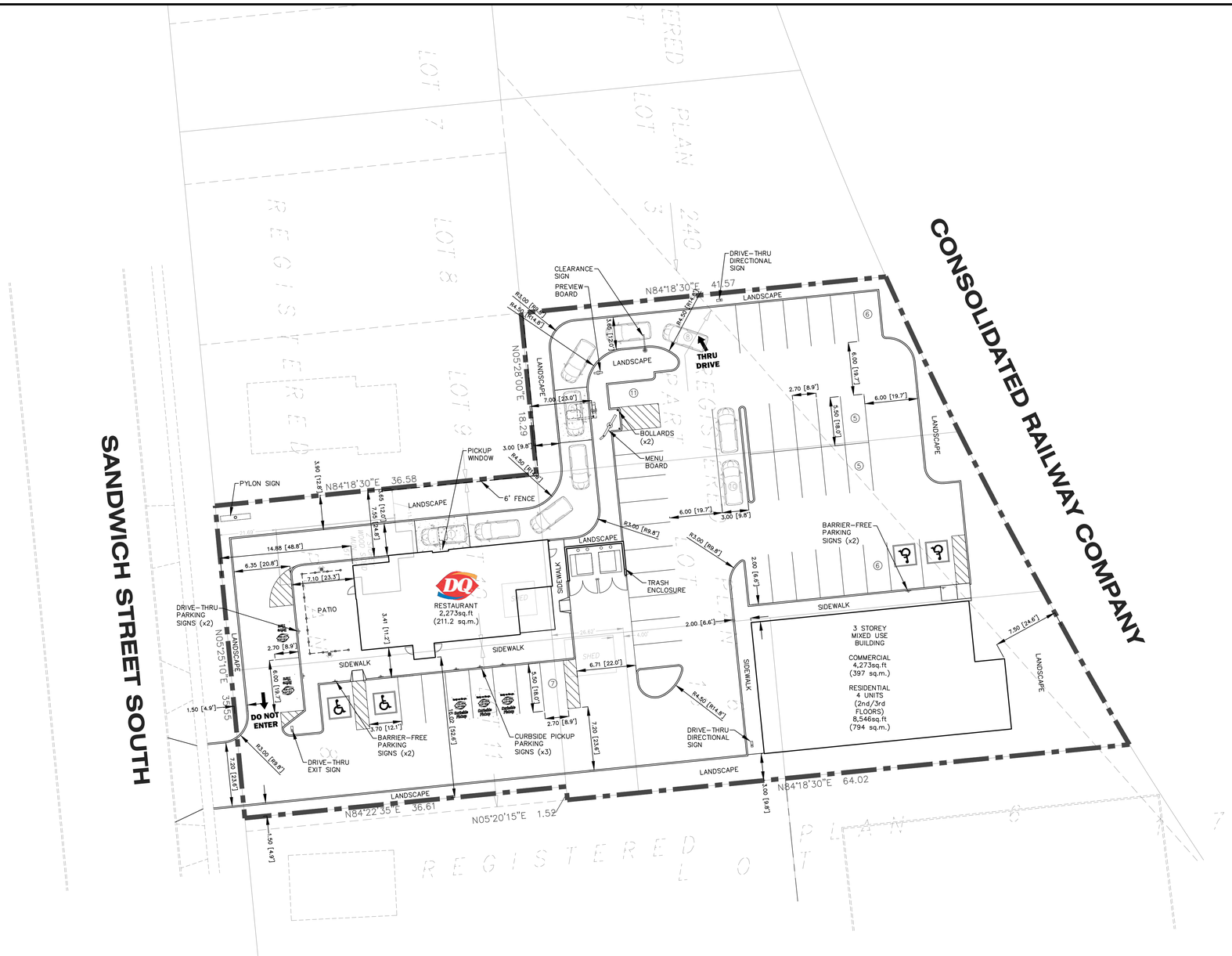
DILLON CONSULTING

PROJECT: 22 3779
STATUS: FOR SUBMISSION
DATE: 22.05.04



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1	ISSUED FOR REVIEW	22.04.04	JMM

DESIGN	REVIEWED BY
DRAWN JMM	CHECKED BY
DATE April 2022	
SCALE 1:250	

51 & 57 Sandwich Street S, Amherstburg ON

Site Plan

PROJECT NO. 22 3779

SHEET NO. SP

May 4, 2022

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
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Toad One Inc.
1199 Surf Club Drive
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N0R 1S0

Attention: Kurt Barr

51 and 57 Sandwich Street South, Amherstburg - Mixed Use Development
Transportation Impact Study

Introduction

Purpose

Dillon Consulting Limited has been retained by Toad One Inc. to undertake a Transportation Impact Study (TIS) to assess a proposed infill development at 51 and 57 Sandwich Street South in the town of Amherstburg, Ontario. The development application would see a Dairy Queen (DQ) restaurant and drive-through constructed on the western portion of the site, while a three-storey mixed-use building with commercial (retail) uses on the ground floor and four residential units on the upper two floors would be constructed on the southeast portion of the site. The existing residential dwellings on the two parcels would be demolished.

This assessment documents the anticipated change to traffic volumes and intersection operations due to the proposed mixed-use development and provides an assessment of the proposed site plan.

Proposed Development

The proposed site plan is presented in Appendix A. The subject site currently contains two residential dwellings which would be demolished in order to facilitate the mixed-used development.

The site plan includes a new Dairy Queen (DQ) restaurant and drive-through. The restaurant would have a gross floor area (GFA) of 2,273 square feet (211.2 m^2) and a drive-through lane that would be able to accommodate ten (10) passenger vehicles. The restaurant would be constructed on the western portion of the site, closer to Sandwich Street South. At the rear of the development, a new three-storey mixed-use building is envisioned. The ground floor of this building would have a commercial (retail) GFA of 4,273 square feet (397.0 m^2) while the upper two floors would contain four residential dwelling units. Each of the residential units would be two storeys high.

Forty (40) parking spaces are proposed with an additional four parking spaces being designated as accessible. Two of these parking spaces would be adjacent to the Dairy Queen (DQ) restaurant while the other two are located adjacent to the mixed-use building. Three parking spaces would be designated for curbside pick-up for the Dairy Queen restaurant. In addition, there would be two "standby" parking spaces designated for vehicles utilizing the drive-through as some vehicles may need to park and standby after placing their order, in the case the order is not ready at the pick-up window.

Scope of Analyses

This assessment documents the following:

- Existing traffic volumes, and traffic projections for the study area driveway and intersections under background conditions and with the site developed;
- Intersection capacity analyses under existing conditions, future background conditions and total future conditions; and
- A review of the proposed site plan from an on-site circulation perspective.

Traffic surveys, traffic projections and operational analyses were completed at the following intersections:

- Sandwich Street South at Fort Street;
- Sandwich Street South at Alma Street; and
- Sandwich Street South and the proposed site driveway.

Traffic projections and intersection analyses were completed for the peak hours within the following two peak periods:

- Weekday PM peak (4:00 PM – 7:00 PM); and
- Saturday mid-day peak (11:00 AM – 2:00 PM).

As the proposed mixed-use development is anticipated to be completed in 2023, the analysis of future conditions considered a single horizon year of 2028 (five years after site build-out).

Existing (2022) Conditions

Existing Transportation Network Characteristics

The following describes the existing road network in the immediate study area.

Sandwich Street South is an arterial road that is signed as County Road 20 but is under the jurisdiction of the Town of Amherstburg within the study area. It is the main north-south roadway extending through the town of Amherstburg built-up area. It provides access to a variety of commercial, residential and institutional uses and is characterized by frequent intersection and driveway spacing. It has a posted speed limit of 50 km/h. In the vicinity of the site, it has a three-lane cross-section consisting of one lane per direction plus a two-way left turn lane, as well as sidewalks on both sides of the street. Outside the study area, it is the primary route from Amherstburg to LaSalle and Windsor to the north, and provides a route to Harrow, Kingsville and Leamington to the east.

Alma Street is an arterial road that is also known as County Road 16 to the east of Sandwich Street South. Within the study area, Alma Street is under the jurisdiction of the Town of Amherstburg. It has a posted speed limit of 50 km/h. It has a two-lane cross-section consisting of one lane per direction. A sidewalk is present on the south side of the street to the east of Sandwich Street South and on both sides of the street to the west of Sandwich Street South.

Fort Street is a local street serving a residential neighbourhood to the east of the subject site. It has an unmarked pavement width of 9 metres, widening at Sandwich Street South to accommodate separate westbound left and right turn lanes. There are sidewalks on both sides of the street. There is a 40 km/h speed limit posted east of the study area.

The intersection of Sandwich Street South and Alma Street is signalized while the intersection of Sandwich Street South and Fort Street operates under two-way STOP control.

Existing Active Transportation Facilities

Sidewalks exist on both sides of Fort Street and Sandwich Street South while a sidewalk exists on the south side of Alma Street only. Exclusive cycling facilities are not present on any of study area streets (Sandwich Street South, Alma Street and Fort Street).

Existing (2022) Traffic Volumes

Turning movement count (TMC) data was collected by Dillon at the following two locations:

- Sandwich Street South and Alma Street; and
- Sandwich Street South and Fort Street.

Table 1 identifies the dates for the traffic counts.

Table 1: Traffic Data Collection Dates

Intersection	Weekday PM Period	Saturday Mid-day Period
Sandwich Street South and Alma Street	Friday, April 22, 2022	Saturday, April 23, 2022
Sandwich Street South and Fort Street	Friday, August 24, 2018	Saturday, August 25, 2018

Since the traffic volumes at the Sandwich Street South and Fort Street intersection were collected in August 2018, the volumes were factored up by a 2.0% per annum compounded growth rate to derive current volumes at the intersection. This growth rate would also account for the additional traffic generated by the Wendy's fast food restaurant (which was constructed after the 2018 counts).

Figure 1 illustrates the existing (2022) peak hour traffic volumes. The raw count data is provided in Appendix B.

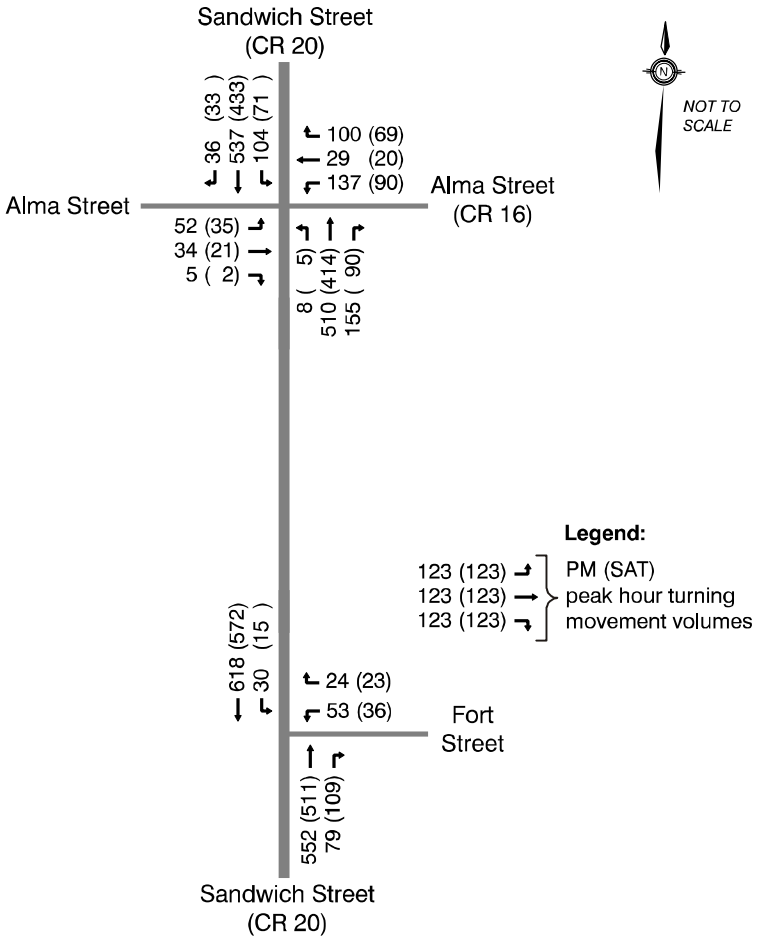


Figure 1: Existing (2022) Traffic Volumes

Existing (2022) Intersection Operations

Existing (2022) peak hour operations at the Sandwich Street South intersections were analyzed based on the methodology outlined in the Highway Capacity Manual (HCM), and facilitated using Synchro analysis software.

At the Sandwich Street South and Alma Street intersection, the current signal timings were obtained from the Town of Amherstburg and were included in the Synchro analysis. During both the weekday PM and Saturday mid-day peak hour, the traffic signal currently operates on a 100-second cycle length. The v/c ratio, level of service, average vehicle delay and 95th percentile were noted for all lanes and movements at this signalized intersection.

At the Sandwich Street South and Fort Street unsignalized intersection, the v/c ratio, level of service, average vehicle delay and 95th percentile queue length were noted for the stop-controlled approach and for the left-turn movement on the main street approach.

The analysis results are presented in Table 2. The Synchro analysis worksheets are provided in Appendix C.

Table 2: Existing (2022) Intersection Operations

Intersection	Movement	Weekday PM Peak Hour				Saturday Mid-day Peak Hour			
		v/c	LOS	Delay (s/veh)	95th %ile queue (m)	v/c	LOS	Delay (s/veh)	95th %ile queue (m)
Sandwich Street South and Alma Street	EBLTR	0.25	C	23.5	25	0.16	C	20.7	15
	WBTL	0.47	C	28.1	43	0.32	C	24.0	25
	WBR	0.22	A	6.6	11	0.15	A	6.7	9
	NBL	0.02	B	12.1	3	0.01	B	11.2	2
	NBT	0.57	B	17.6	96	0.40	B	13.9	68
	NBR	0.19	A	3.0	10	0.10	A	3.5	8
	SBL	0.22	A	7.2	14	0.12	A	5.7	9
	SBTR	0.52	B	10.4	82	0.37	A	7.5	54
	Overall	-	B	13.9	-	-	B	11.2	-
Sandwich Street South and Fort Street	WBLR	0.19	C	15.7	6	0.13	B	14.1	4
	SBL	0.03	A	9.0	1	0.02	A	8.8	0

Both of the study area intersections currently operate in an acceptable manner, with all movements operating well below capacity and at LOS C or better. The signalized intersection of Sandwich Street South and Alma Street operates at LOS B overall during both the weekday PM and Saturday mid-day peak hours.

Future Background (2028) Conditions

Future Background (2028) Traffic Volumes

Future background traffic volumes reflect the volume of traffic that is anticipated to be on the road network during the 2028 horizon year without the subject development in place. Typically this is comprised of two factors:

- The application of a growth rate to reflect general background traffic growth on the road network; and
- The application of site-specific traffic volumes for any background developments in the immediate vicinity of the site.

It is understood that the General Amherst High School, located to the south of the subject site on the west side of the Sandwich Street South and Fort Street intersection, is planned to be closed in June 2022. The closure would not substantially affect traffic volumes during the two design hours, since the peak hours for school traffic would occur at other times. Any redevelopment on the site of the school would result in traffic volume impacts; however, the nature of any redevelopment is not known at this time. No other background developments are planned in the study area.

To determine future background (2028) traffic volumes, a review of historical traffic data along the Sandwich Street South and Alma Street corridors was undertaken. It was found that along the Sandwich Street South corridor, traffic volumes have generally been increasing by 1.0% per annum on average while along Alma Street (to the east of Sandwich Street South), the respective traffic volumes have been increasing by an average of 2.0% per annum.

As a result, a 1.0% per annum growth rate was applied to the through traffic volumes on Sandwich Street South while a 2.0% per annum growth rate was applied to traffic volumes turning both to and from Alma Street to the east of Sandwich Street. No growth was applied to traffic volumes on the Fort Street corridor or on Alma Street to the west of Sandwich Street South.

The resulting future background traffic volumes are illustrated in Figure 2.

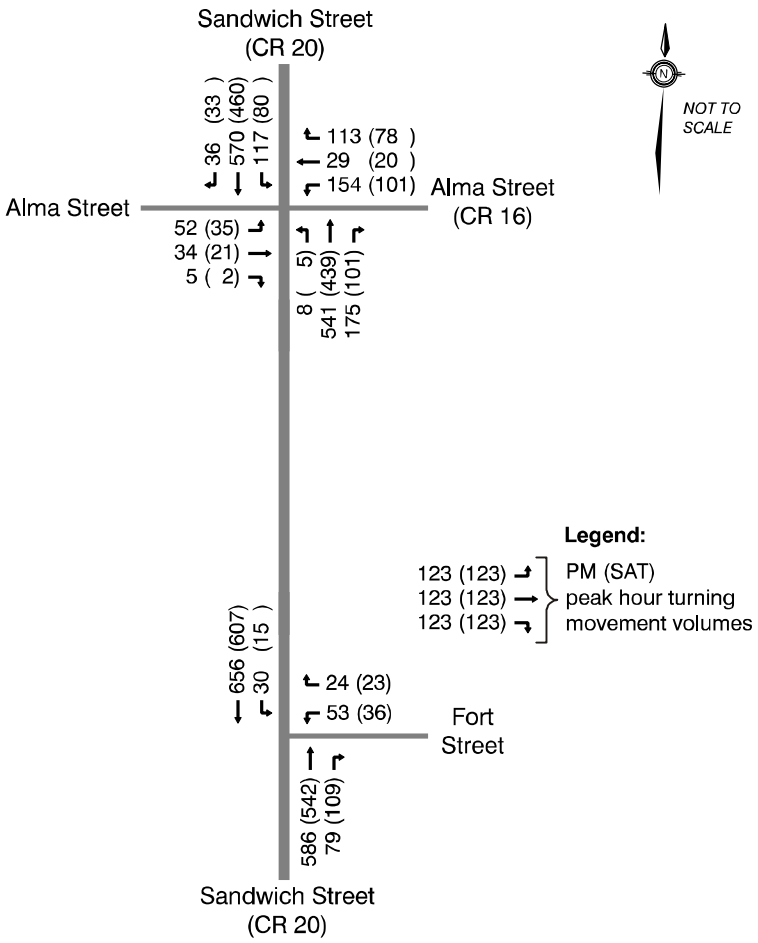


Figure 2: Future Background (2028) Traffic Volumes

Future Background (2028) Intersection Operations

Future background (2028) intersection operations were assessed using the same methodology as the existing (2022) conditions analyses. The analysis results are presented in Table 3.

Table 3: Future Background (2028) Intersection Operations

Intersection	Movement	Weekday PM Peak Hour				Saturday Mid-day Peak Hour			
		v/c	LOS	Delay (s/veh)	95th %ile queue (m)	v/c	LOS	Delay (s/veh)	95th %ile queue (m)
Sandwich Street South and Alma Street	EBLTR	0.24	C	24.2	26	0.17	C	21.2	15
	WBTL	0.51	C	29.9	50	0.39	C	25.7	28
	WBR	0.23	A	6.5	12	0.18	A	6.8	9
	NBL	0.02	B	12.5	3	0.01	B	11.0	2
	NBT	0.61	B	18.8	109	0.49	B	15.1	73
	NBR	0.21	A	3.0	11	0.13	A	3.3	8
	SBL	0.27	A	8.1	16	0.15	A	5.9	10
	SBTR	0.55	B	11.4	96	0.43	A	8.4	57
	Overall	-	B	14.8	-	-	B	12.0	-
Sandwich Street South and Fort Street	WBLR	0.20	C	16.4	6	0.14	B	14.6	4
	SBL	0.03	A	9.1	1	0.02	A	8.9	0

Under future background (2028) conditions, the two study area intersections are projected to continue operating in a similar manner. All movements are expected to continue to operate at LOS C or better. The signalized intersection of Sandwich Street South and Alma Street is envisioned to continue operating at LOS B overall during the weekday PM and Saturday mid-day peak hours.

Proposed Mixed-Use Development

As noted earlier, the development includes a new Dairy Queen (DQ) restaurant with a drive-through lane. The restaurant would have a GFA of 2,273 square feet (211.2 m^2). The drive-through lane has been sized to accommodate ten (10) passenger vehicles. The restaurant would be developed on the western portion of the site, closer to Sandwich Street South. At the rear of the site, a new three-storey mixed-use building is proposed. The ground floor in this building would have a commercial (retail) GFA of 4,273 square feet (397.0 m^2), while the upper two floors would contain four residential dwelling units. Each of the residential units would be two storeys high.

Trip Generation

The number of vehicle trips generated by the proposed development was estimated using a combination of trip generation rates and equations published by the Institute of Transportation Engineers (ITE) in the Trip Generation Manual, 11th edition, as well as some transactional data from a Dairy Queen restaurant and drive-through located in Chatham, Ontario.

Dairy Queen Restaurant

In order to determine the number of vehicles that may be generated by the proposed Dairy Queen restaurant, 2021 transactional data from the Chatham, Ontario Dairy Queen restaurant were reviewed. At this location, 122,724 transactions were recorded in 2021. It was found that Friday is the busiest weekday, while Saturday is the busiest day of the entire week. Of all transactions, 18.5% were found to occur on the Friday, while 19.0% occurred on the Saturday.

In addition, approximately 10% of all transactions took place in the month of July (the busiest month of the calendar year) as 12,445 transactions were recorded. December and January were found to be the least busy months of the calendar year (with less than 8,000 transactions per month).

Of all transactions at the Chatham Dairy Queen, approximately 65% took place in the drive-through lane, while another 25% were dine-in orders. The remaining transactions were generally ordered for delivery (8%), noting that very small percentage of transactions were ordered to-go or through a mobile app (less than 1% combined).

When considering the transactions at the Chatham Dairy Queen, approximately 19.5% were for lunch (assumed to occur between 11:00 AM and 2:00 PM), 25.4% were for a snack between lunch and dinner (assumed to occur between 2:00 PM and 4:00 PM), 33.1% were during dinnertime (assumed to occur between 4:00 PM and 7:00 PM), while the remaining 21.5% occurred after dinner (after 7:00 PM).

When applying these factors to the peak transactional data during the month of July, it was found that there were 57 peak hour dinner transactions on a Friday and 34 peak hour lunchtime (mid-day) transactions on a Saturday.

Assuming that each transaction is connected to a single vehicle that would both enter and exit the site during the respective peak hour, a total of 57 and 34 inbound and outbound vehicle trips would have been generated by the Chatham Dairy Queen restaurant during the Weekday PM and Saturday mid-day peak hours, respectively. This trip generation estimate was applied to the subject site.

The Trip Generation Manual, 11th edition also notes pass-by rates for any fast food restaurant (both with and without a drive-through lane). Pass-by trips are made by motorists that are already passing the site and are making a stop along the way at the subject site; these trips are observed on the site driveways but do not represent an increase in traffic on the road network. The Trip Generation Manual prescribes a 55% pass-by rate during the weekday PM peak hour. Given the nature of the proposed Dairy Queen restaurant, this same 55% pass-by rate was utilized during both the weekday PM peak hour and the Saturday mid-day peak hour. No pass-by rates are available for the Saturday mid-day peak hour.

Residential and Commercial (Retail) Building

The Trip Generation Manual, 11th edition was also reviewed to estimate the vehicle trips associated with the proposed commercial (retail) and residential building during the weekday PM peak hour and Saturday mid-day peak hour.

ITE Land Use code 220 – Multifamily Housing (Low-Rise) was utilized for the four residential dwelling units while ITE Land Use code 822 – Strip Retail Plaza was used for the ground-floor commercial.

Even though there are several different land uses on the site, no internal capture calculations were applied in the analysis given the nature and overall size of the proposed development.

Trip Generation Summary

Table 4 documents the number of primary and pass-by trips that are anticipated to be generated by the proposed development. The existing traffic generated by the site's two dwelling units was not subtracted in the trip generation calculations (since the number of vehicle trips is anticipated to be rather negligible).

Table 4: Trip Generation

	Weekday PM peak hour			Saturday Mid-day peak hour		
	In	Out	Total	In	Out	Total
Dairy Queen Restaurant (2,272 sq. ft. / 211 m^2 GFA) – Proxy Site Rate						
In/Out/Rate	50%	50%	Proxy	50%	50%	Proxy
Gross Vehicle Trips	57	57	114	34	34	68
Pass-By Rate	55%			55%		
Pass-by Reduction	-31	-31	-62	-19	-19	-38
Net Vehicle Trips	26	26	52	15	15	30
One Apartment Building (4 dwelling units) – ITE Land Use Code 220						
In/Out/Rate	61%	39%	0.51	51%	49%	0.41
Vehicle Trips	1	1	2	1	1	2
Commercial Retail Area (4,273 sq. ft. / 397.0m^2 GFA) – ITE Land Use Code 822						
In/Out/Rate	50%	50%	6.59	51	49%	6.57
Vehicle Trips	14	14	28	14	14	28
Net Vehicle Trips	41	41	82	30	30	60

The proposed mixed-use development at 51 and 57 Sandwich Street South is projected to generate 82 net vehicle trips (41 inbound, 41 outbound) during the Weekday PM peak hour and 60 net vehicle trips (30 inbound, 30 outbound) during the Saturday mid-day peak hour.

Trip Distribution and Assignment

The net site trips were distributed between the north, south and east approaches to the site. The distribution of these vehicles was based on the existing patterns of traffic volumes within the study area, as well as considering the location of the site within the built-up area of Amherstburg.

- 35% to/from the north
- 40% to/from the south
- 25% to/from the east.

For trips to/from the east, 75% were assigned to the Alma Street corridor while the remaining 25% were assigned to the Fort Street corridor.

The distribution of pass-by trips was proportional to the volume of traffic passing by the site along Sandwich Street South, which has been found to be essentially equal during both the weekday PM and Saturday mid-day peak hours. As a result, there would be a reduction in the number of vehicles travelling both north and south across the proposed driveway location.

Figure 3 shows how the vehicle trips generated by the proposed development were distributed and assigned in the study area.

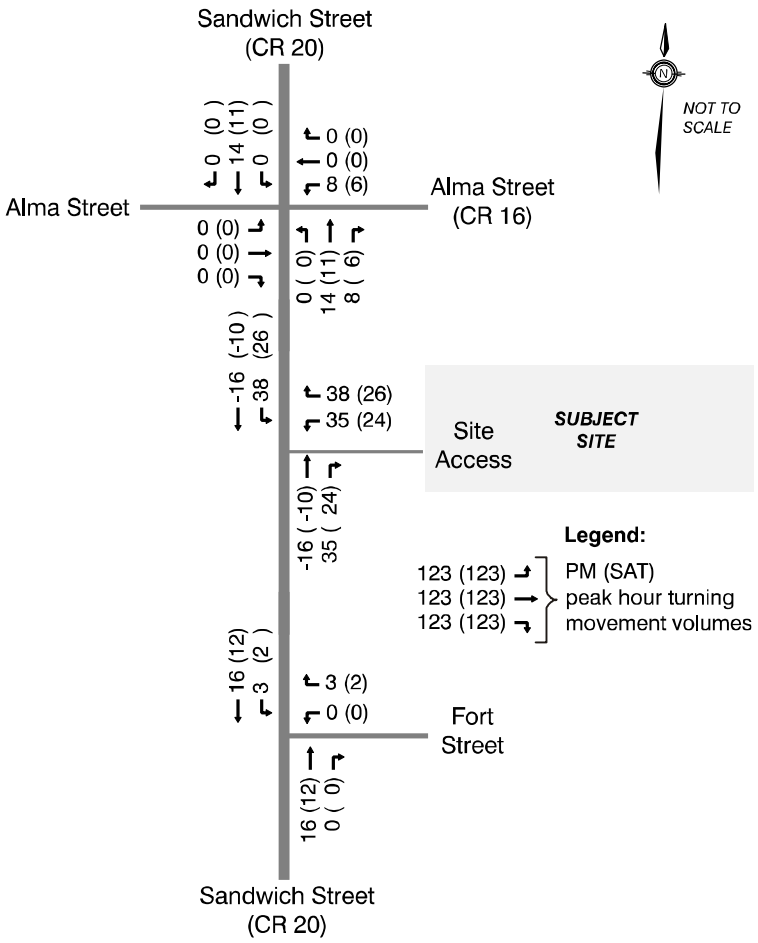


Figure 3: Site-Generated Vehicle Trips (includes both Pass-by and Primary)

Total Future (2028) Conditions

Total Future (2028) Traffic Volumes

Total future (2028) traffic volumes represent the level of traffic that would be anticipated with the development of the site, and were calculated by adding the site traffic volumes (both primary and pass-by trips) to the future background (2028) traffic volumes.

The resulting total future (2028) traffic volumes are illustrated in Figure 4.

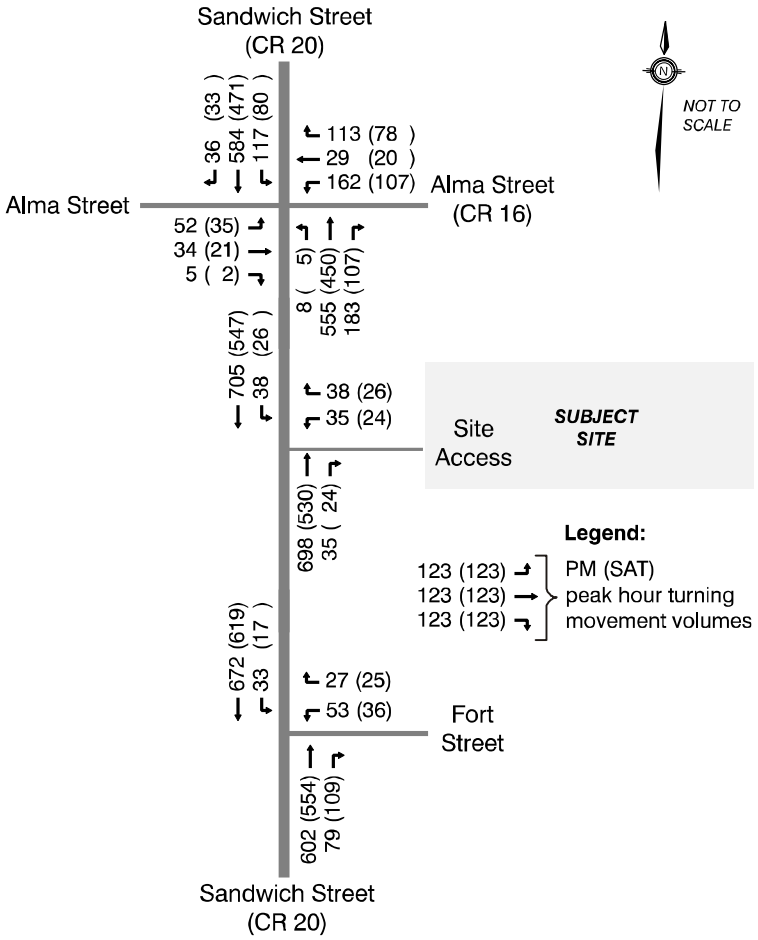


Figure 4: Total Future (2028) Traffic Volumes

Total Future (2028) Intersection Operations

Total future (2028) intersection operations were assessed using the same methodology as the existing (2022) and future background (2028) conditions analyses. At the proposed site driveway, a single outbound (westbound) lane was assumed. The total future analysis results are presented in Table 5.

Table 5: Total Future (2028) Intersection Operations

Intersection	Movement	Weekday PM Peak Hour				Saturday Mid-day Peak Hour			
		v/c	LOS	Delay (s/veh)	95th %ile queue (m)	v/c	LOS	Delay (s/veh)	95th %ile queue (m)
Sandwich Street South and Alma Street	EBLTR	0.24	C	24.5	26	0.17	C	21.6	15
	WBTL	0.52	C	30.5	53	0.41	C	26.6	31
	WBR	0.23	A	6.5	13	0.19	A	6.9	10
	NBL	0.02	B	12.8	3	0.01	B	10.8	2
	NBT	0.63	B	19.4	116	0.49	B	15.1	75
	NBR	0.22	A	3.0	11	0.13	A	3.1	8
	SBL	0.28	A	8.4	17	0.16	A	5.9	10
	SBTR	0.57	B	11.9	102	0.44	A	8.4	59
	Overall	-	B	15.2	-	-	B	12.1	-
Sandwich Street South and Fort Street	WBLR	0.21	C	16.8	6	0.15	B	14.8	4
	SBL	0.04	A	9.2	1	0.02	A	9.0	1
Proposed Driveway	WBLR	0.23	C	18.8	7	0.11	B	13.5	3
	SBL	0.05	A	9.6	1	0.03	A	8.7	1

Under the total future (2028) traffic volumes, the two study area intersections are projected to continue operating in generally the same manner as the future background (2028) conditions. All movements (including the proposed site driveway) are projected to operate at LOS C or better. The signalized intersection is projected to continue operating at LOS B overall during the weekday PM and Saturday mid-day peak hours.

On-Site Circulation

As noted in Appendix A, the proposed development includes a single site driveway to Sandwich Street South. All vehicles entering and exiting the site would use this driveway.

All vehicles entering the site to access the proposed Dairy Queen restaurant would need to travel along the drive-aisle found on the south limits of the site. This drive aisle connects to the on-site parking as well as to the Dairy Queen drive-through entrance. Waste collection vehicles would need to travel to the rear (east side) of the Dairy Queen restaurant to pick up any refuse. It is understood that the waste collection for both buildings will occur to the immediate east of the Dairy Queen restaurant.

Active Transportation

Concrete sidewalks are proposed along the edges of the proposed mixed-use building and the proposed Dairy Queen restaurant. However, there are no pedestrian connections found that would link to the existing sidewalk located on the east side of Sandwich Street South.

Residents in the mixed-use building would be required to walk along the drive aisle found on the south limits of the parcel and through the proposed driveway in order to access the sidewalk on the east side of Sandwich Street South.

Summary

Dillon Consulting Limited has been retained by Toad One Inc. to undertake a Transportation Impact Study (TIS) to assess the traffic impacts associated with a proposed mixed-use development at 51 and 57 Sandwich Street South in the town of Amherstburg, Ontario.

The proposed development includes a Dairy Queen (DQ) restaurant (with drive-through lane) and a three-storey mixed-use building where the ground floor would include commercial (retail) floor space and the upper two floors would contain four residential dwelling units.

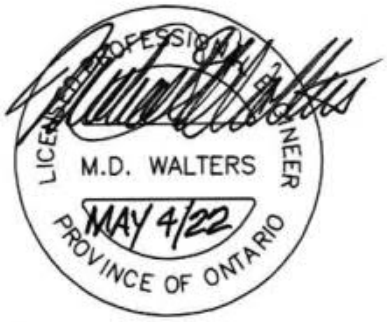
The proposed mixed-use development is projected to generate 82 net vehicle trips (41 inbound, 41 outbound) during the weekday PM peak hour and 60 net vehicle trips (30 inbound, 30 outbound) during the Saturday mid-day peak hour.

Both the study area intersections and the proposed driveway are projected to operate in an acceptable manner through to the 2028 horizon year. All movements are projected to operate at LOS C or better and the signalized intersection of Sandwich Street South and Alma Street is projected to operate at LOS B overall during the weekday PM and Saturday mid-day peak hours.

No modifications to off-site infrastructure or traffic control are needed to support this development.

Yours sincerely,

DILLON CONSULTING LIMITED

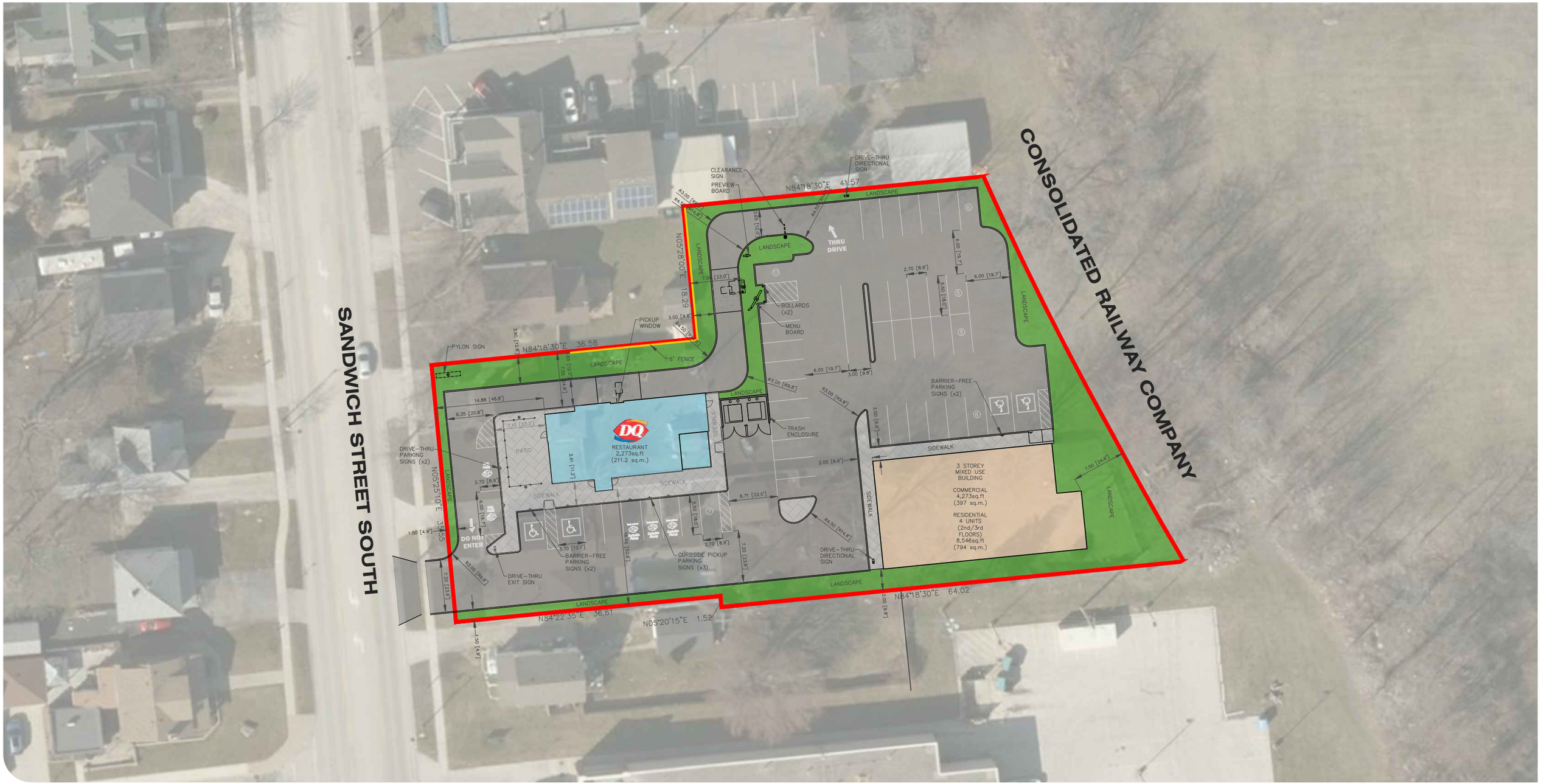


Tim Kooistra, C.E.T.
Traffic & Transportation Technologist

Mike Walters, P.Eng.
Transportation Engineer

Appendix A

Conceptual Development Plan



TOAD ONE INC.
51 & 57 SANDWICH ST. S., AMHERSTBURG, ON

MIXED USE DEVELOPMENT
CONCEPTUAL DEVELOPMENT PLAN

SUBJECT AREA (± 0.42 ha / 1.04 ac)

PROPOSED RESTAURANT WITH DRIVE-THRU

PROPOSED MIXED USE BUILDING

PROPOSED LANDSCAPE

PROPOSED SIDEWALK

PROPOSED FENCE

File Location:
c:\pw working directory\projects 2022\dillon_34jmm\dms13189\dq conceptual development plan.dwg
May, 04, 2022 3:49 PM

MAP/DRAWING INFORMATION
Base mapping from County of Essex Interactive Mapping.

CREATED BY: JMM
CHECKED BY: AMF

SCALE 1:500
0 5 10 20m

N W E S

DILLON CONSULTING

PROJECT: 22 3779
STATUS: FOR SUBMISSION
DATE: 22.05.04

Appendix B

Turning Movement Count (TMC Data)

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

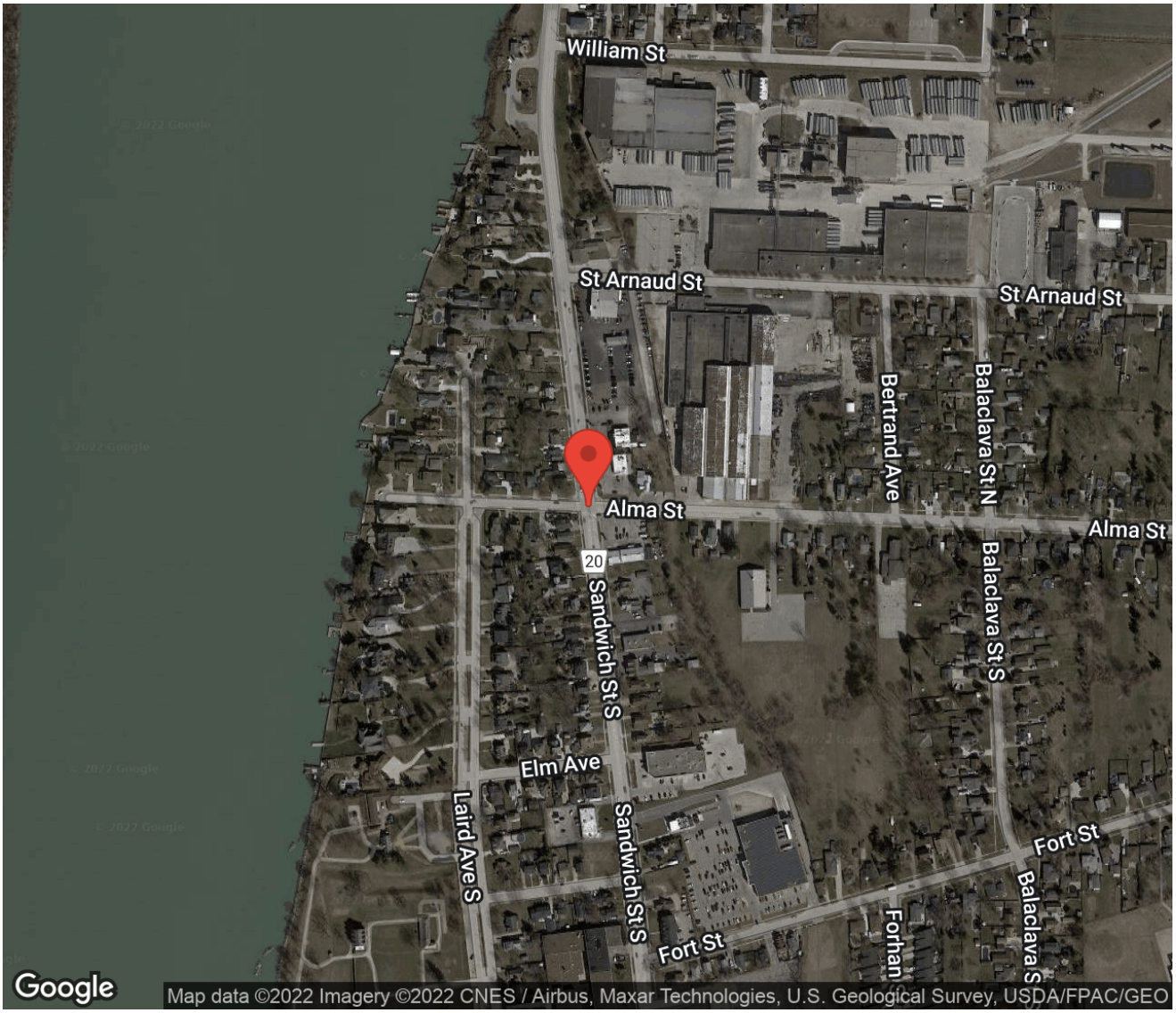
Project #22-138 - Dillon Consulting

Intersection Count Report

Intersection:	Sandwich St S & Alma St
Municipality:	Amherstburg
Count Date:	Apr 22, 2022
Site Code:	2213800001
Count Categories:	Cars, Trucks, Bicycles, Pedestrians
Count Period:	16:00-19:00
Weather:	Clear

Traffic Count Map

Intersection:	Sandwich St S & Alma St
Site Code:	2213800001
Municipality:	Amherstburg
Count Date:	Apr 22, 2022



Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Summary

Intersection:	Sandwich St S & Alma St
Site Code:	2213800001
Municipality:	Amherstburg
Count Date:	Apr 22, 2022

Sandwich St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	Left	Thru	Right	U-Turn	Total	Peds	Left	Thru	Right	U-Turn	Total	Peds	Total
16:00 - 17:00	104	510	38	0	652	1	7	472	152	0	631	5	1283
17:00 - 18:00	102	538	37	0	677	4	9	517	145	0	671	4	1348
18:00 - 19:00	88	460	38	0	586	2	6	421	113	0	540	5	1126
GRAND TOTAL	294	1508	113	0	1915	7	22	1410	410	0	1842	14	3757

Traffic Count Summary

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Municipality: Amherstburg
Count Date: Apr 22, 2022

Alma St - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	Left	Thru	Right	U-Turn	Total	Peds	Left	Thru	Right	U-Turn	Total	Peds	Total
16:00 - 17:00	142	29	99	0	270	4	46	34	4	0	84	1	354
17:00 - 18:00	120	24	90	0	234	5	55	34	4	0	93	1	327
18:00 - 19:00	94	20	66	0	180	2	43	23	3	0	69	2	249
GRAND TOTAL	356	73	255	0	684	11	144	91	11	0	246	4	930

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Municipality: Amherstburg
Count Date: Apr 22, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
16:00	23	128	10	0	161	0	1	0	0	1	0	0	0	0	0	1
16:15	26	122	8	0	156	0	1	0	0	1	0	0	0	0	0	0
16:30	27	131	12	0	170	0	0	0	0	0	0	0	0	0	0	0
16:45	28	127	8	0	163	0	0	0	0	0	0	0	0	0	0	0
17:00	26	134	7	0	167	1	1	0	0	2	0	1	0	0	1	2
17:15	22	141	9	0	172	0	2	0	0	2	0	0	0	0	0	1
17:30	25	136	11	0	172	1	1	0	0	2	0	0	0	0	0	1
17:45	27	122	10	0	159	0	0	0	0	0	0	0	0	0	0	0
18:00	24	128	8	0	160	0	0	0	0	0	0	2	0	0	2	0
18:15	23	116	12	0	151	1	1	0	0	2	0	0	0	0	0	1
18:30	22	108	10	0	140	0	1	0	0	1	0	0	0	0	0	0
18:45	18	104	8	0	130	0	0	0	0	0	0	0	0	0	0	1
SUBTOTAL	291	1497	113	0	1901	3	8	0	0	11	0	3	0	0	3	7
GRAND TOTAL	291	1497	113	0	1901	3	8	0	0	11	0	3	0	0	3	7

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Municipality: Amherstburg
Count Date: Apr 22, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
16:00	1	103	33	0	137	0	1	0	0	1	0	0	0	0	0	1
16:15	2	122	36	0	160	0	0	0	0	0	0	1	0	0	1	1
16:30	1	119	41	0	161	0	1	1	0	2	0	0	0	0	0	0
16:45	3	124	41	0	168	0	1	0	0	1	0	0	0	0	0	3
17:00	2	128	38	0	168	0	1	1	0	2	0	1	0	0	1	1
17:15	2	131	32	0	165	0	2	1	0	3	0	2	0	0	2	2
17:30	4	126	36	0	166	0	0	0	0	0	0	2	0	0	2	0
17:45	1	122	37	0	160	0	2	0	0	2	0	0	0	0	0	1
18:00	3	118	38	0	159	0	2	1	0	3	0	0	0	0	0	2
18:15	1	109	32	0	142	0	1	1	0	2	0	0	0	0	0	2
18:30	2	103	22	0	127	0	2	1	0	3	0	1	0	0	1	1
18:45	0	85	18	0	103	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	22	1390	404	0	1816	0	13	6	0	19	0	7	0	0	7	14
GRAND TOTAL	22	1390	404	0	1816	0	13	6	0	19	0	7	0	0	7	14

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Municipality: Amherstburg
Count Date: Apr 22, 2022

East Approach - Alma St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	36	6	23	0	65	0	0	0	0	0	0	1	0	0	1	0
16:15	33	7	22	0	62	1	0	1	0	2	0	0	0	0	0	3
16:30	34	8	24	0	66	0	0	1	0	1	0	0	0	0	0	1
16:45	38	6	28	0	72	0	0	0	0	0	0	1	0	0	1	0
17:00	34	6	24	0	64	0	0	0	0	0	0	1	0	0	1	2
17:15	31	7	21	0	59	0	0	2	0	2	0	0	0	0	0	0
17:30	26	5	19	0	50	0	0	1	0	1	0	0	0	0	0	1
17:45	28	5	23	0	56	1	0	0	0	1	0	0	0	0	0	2
18:00	24	6	18	0	48	0	0	1	0	1	0	0	0	0	0	0
18:15	22	4	16	0	42	0	0	0	0	0	0	0	0	0	0	0
18:30	23	5	17	0	45	0	0	0	0	0	0	0	0	0	0	2
18:45	25	5	14	0	44	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	354	70	249	0	673	2	0	6	0	8	0	3	0	0	3	11
GRAND TOTAL	354	70	249	0	673	2	0	6	0	8	0	3	0	0	3	11

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Municipality: Amherstburg
Count Date: Apr 22, 2022

West Approach - Alma St

Start Time	Cars					Trucks					Bicycles					Total Peds
	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	↰	↑	↱	↶	Total	
16:00	12	10	2	0	24	0	0	0	0	0	0	0	0	0	0	0
16:15	9	6	0	0	15	0	0	0	0	0	0	1	0	0	1	1
16:30	13	7	1	0	21	0	0	0	0	0	0	0	0	0	0	0
16:45	12	8	1	0	21	0	0	0	0	0	0	2	0	0	2	0
17:00	14	10	1	0	25	0	0	0	0	0	0	0	0	0	0	0
17:15	13	6	2	0	21	0	0	0	0	0	0	1	0	0	1	0
17:30	16	8	0	0	24	0	0	0	0	0	0	1	0	0	1	1
17:45	12	8	1	0	21	0	0	0	0	0	0	0	0	0	0	0
18:00	14	6	1	0	21	0	0	0	0	0	0	0	0	0	0	0
18:15	11	7	0	0	18	0	0	0	0	0	0	2	0	0	2	1
18:30	8	4	2	0	14	0	0	0	0	0	0	0	0	0	0	1
18:45	10	4	0	0	14	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	144	84	11	0	239	0	0	0	0	0	0	7	0	0	7	4
GRAND TOTAL	144	84	11	0	239	0	0	0	0	0	0	7	0	0	7	4

Ontario Traffic Inc.
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Peak Hour Diagram

Specified Period		One Hour Peak	
From:	16:00:00	From:	16:30:00
To:	19:00:00	To:	17:30:00

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Count Date: Apr 22, 2022

Weather conditions: Clear

**** Signalized Intersection ****

Major Road: Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	672	651	1323
Trucks	4	8	12
Bicycles	1	3	4
	677	**662**	**1339**

Sandwich St S

Bicycles	0	1	0	0
Trucks	0	3	1	0
Cars	36	533	103	0
Totals	**36**	**537**	**104**	**0**

Peds: 3

East Approach

	Out	In	Total
Cars	261	286	547
Trucks	3	4	7
Bicycles	2	3	5
	266	**293**	**559**

Alma St

Bicycles	Trucks	Cars	Totals
0	0	0	**0**
0	0	52	**52**
3	0	31	**34**
0	0	5	**5**

Peds: 0

Peds: 3

Alma St

Totals	Cars	Trucks	Bicycles
0	0	0	0
100	97	3	0
29	27	0	2
137	137	0	0

Peds: 6

West Approach

	Out	In	Total
Cars	88	71	159
Trucks	0	0	0
Bicycles	3	2	5
	91	**73**	**164**

Totals	**8**	**510**	**155**	**0**
Cars	8	502	152	0
Trucks	0	5	3	0
Bicycles	0	3	0	0

Sandwich St S

South Approach

	Out	In	Total
Cars	662	675	1337
Trucks	8	3	11
Bicycles	3	1	4
	673	**679**	**1352**

Cars - Trucks - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Sandwich St S & Alma St
Site Code: 2213800001
Count Date: Apr 22, 2022
Period: 16:00 - 19:00

Peak Hour Data (16:30 - 17:30)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Alma St						West Approach Alma St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
16:30	27	131	12	0	0	170	1	120	42	0	0	163	34	8	25	0	1	67	13	7	1	0	0	21	421
16:45	28	127	8	0	0	163	3	125	41	0	3	169	38	7	28	0	0	73	12	10	1	0	0	23	428
17:00	27	136	7	0	2	170	2	130	39	0	1	171	34	7	24	0	2	65	14	10	1	0	0	25	431
17:15	22	143	9	0	1	174	2	135	33	0	2	170	31	7	23	0	0	61	13	7	2	0	0	22	427
Grand Total	**104**	**537**	**36**	**0**	**3**	**677**	**8**	**510**	**155**	**0**	**6**	**673**	**137**	**29**	**100**	**0**	**3**	**266**	**52**	**34**	**5**	**0**	**0**	**91**	**1707**
Approach %	15.4	79.3	5.3	0		-	1.2	75.8	23	0		-	51.5	10.9	37.6	0		-	57.1	37.4	5.5	0		-	
Totals %	6.1	31.5	2.1	0		39.7	0.5	29.9	9.1	0		39.4	8	1.7	5.9	0		15.6	3	2	0.3	0		5.3	
PHF	**0.93**	**0.94**	**0.75**	**0**		**0.97**	**0.67**	**0.94**	**0.92**	**0**		**0.98**	**0.9**	**0.91**	**0.89**	**0**		**0.91**	**0.93**	**0.85**	**0.63**	**0**		**0.91**	**0.99**
Cars	103	533	36	0		672	8	502	152	0		662	137	27	97	0		261	52	31	5	0		88	1683
% Cars	99	99.3	100	0		99.3	100	98.4	98.1	0		98.4	100	93.1	97	0		98.1	100	91.2	100	0		96.7	98.6
Trucks	1	3	0	0		4	0	5	3	0		8	0	0	3	0		3	0	0	0	0		0	15
% Trucks	1	0.6	0	0		0.6	0	1	1.9	0		1.2	0	0	3	0		1.1	0	0	0	0		0	0.9
Bicycles	0	1	0	0		1	0	3	0	0		3	0	2	0	0		2	0	3	0	0		3	9
% Bicycles	0	0.2	0	0		0.1	0	0.6	0	0		0.4	0	6.9	0	0		0.8	0	8.8	0	0		3.3	0.5
Peds					3	-					6	-					3	-					0	-	12
% Peds					25	-					50	-					25	-					0	-	

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

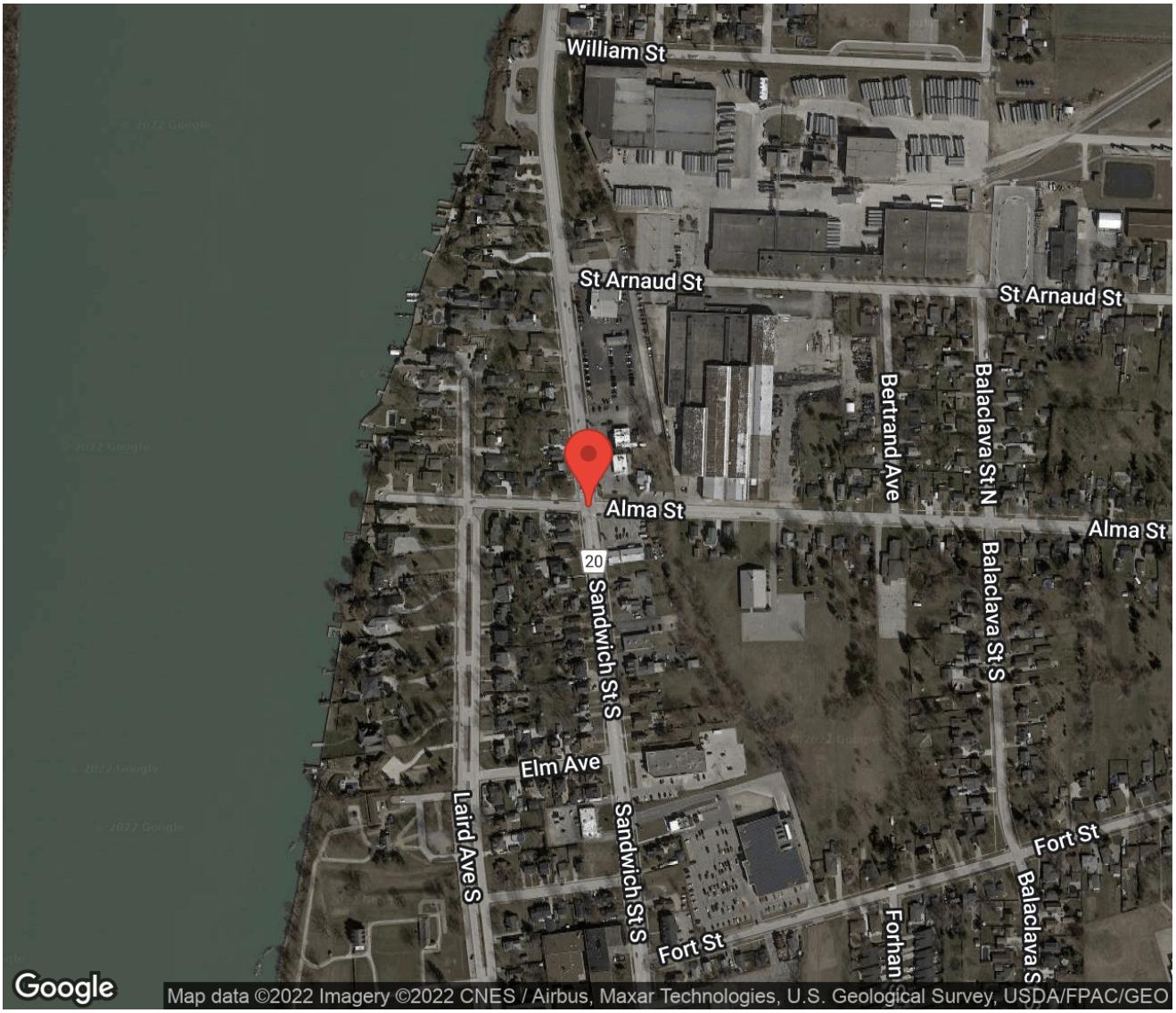
Project #22-138 - Dillon Consulting

Intersection Count Report

Intersection:	Sandwich St S & Alma St
Municipality:	Amherstburg
Count Date:	Apr 23, 2022
Site Code:	2213800002
Count Categories:	Cars, Trucks, Bicycles, Pedestrians
Count Period:	11:00-14:00
Weather:	Clear

Traffic Count Map

Intersection:	Sandwich St S & Alma St
Site Code:	2213800002
Municipality:	Amherstburg
Count Date:	Apr 23, 2022



Ontario Traffic Inc.
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Traffic Count Summary

Intersection:	Sandwich St S & Alma St
Site Code:	2213800002
Municipality:	Amherstburg
Count Date:	Apr 23, 2022

Sandwich St S - Traffic Summary

	North Approach Totals						South Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	Left	Thru	Right	U-Turn	Total	Peds	Left	Thru	Right	U-Turn	Total	Peds	Total
11:00 - 12:00	62	415	23	0	500	2	2	349	71	0	422	4	922
12:00 - 13:00	77	410	34	0	521	4	4	424	90	0	518	5	1039
13:00 - 14:00	62	420	26	0	508	4	4	374	85	0	463	5	971
GRAND TOTAL	201	1245	83	0	1529	10	10	1147	246	0	1403	14	2932

Traffic Count Summary

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Municipality: Amherstburg
Count Date: Apr 23, 2022

Alma St - Traffic Summary

	East Approach Totals						West Approach Totals						
	Includes Cars, Trucks, Bicycles						Includes Cars, Trucks, Bicycles						
Hour	Left	Thru	Right	U-Turn	Total	Peds	Left	Thru	Right	U-Turn	Total	Peds	Total
11:00 - 12:00	74	18	50	0	142	4	21	19	2	0	42	1	184
12:00 - 13:00	89	24	61	0	174	5	31	14	2	0	47	4	221
13:00 - 14:00	90	17	62	0	169	7	35	20	3	0	58	2	227
GRAND TOTAL	253	59	173	0	485	16	87	53	7	0	147	7	632

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Municipality: Amherstburg
Count Date: Apr 23, 2022

North Approach - Sandwich St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
11:00	16	94	7	0	117	0	0	0	0	0	0	0	0	0	0	0
11:15	13	99	5	0	117	0	0	0	0	0	0	0	0	0	0	1
11:30	15	112	5	0	132	0	1	0	0	1	0	0	0	0	0	1
11:45	18	108	6	0	132	0	0	0	0	0	0	1	0	0	1	0
12:00	22	96	8	0	126	0	0	0	0	0	0	0	0	0	0	0
12:15	18	98	7	0	123	0	1	0	0	1	0	0	0	0	0	2
12:30	16	103	10	0	129	0	1	0	0	1	0	1	0	0	1	0
12:45	21	109	9	0	139	0	0	0	0	0	0	1	0	0	1	2
13:00	17	105	8	0	130	0	0	0	0	0	0	1	0	0	1	0
13:15	16	112	6	0	134	1	0	0	0	1	0	0	0	0	0	1
13:30	13	106	7	0	126	0	1	0	0	1	0	1	0	0	1	1
13:45	15	94	5	0	114	0	0	0	0	0	0	0	0	0	0	2
SUBTOTAL	200	1236	83	0	1519	1	4	0	0	5	0	5	0	0	5	10
GRAND TOTAL	200	1236	83	0	1519	1	4	0	0	5	0	5	0	0	5	10

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Municipality: Amherstburg
Count Date: Apr 23, 2022

South Approach - Sandwich St S

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
11:00	0	82	16	0	98	0	0	0	0	0	0	0	0	0	0	0
11:15	0	88	18	0	106	0	1	1	0	2	0	0	0	0	0	2
11:30	1	94	22	0	117	0	1	0	0	1	0	1	0	0	1	0
11:45	1	82	14	0	97	0	0	0	0	0	0	0	0	0	0	2
12:00	0	97	23	0	120	0	0	0	0	0	0	0	0	0	0	2
12:15	2	113	19	0	134	0	1	0	0	1	0	0	0	0	0	2
12:30	0	108	21	0	129	0	0	1	0	1	0	0	0	0	0	1
12:45	2	104	26	0	132	0	1	0	0	1	0	0	0	0	0	0
13:00	2	94	24	0	120	0	1	0	0	1	0	1	0	0	1	1
13:15	1	103	18	0	122	0	1	0	0	1	0	1	0	0	1	3
13:30	1	85	22	0	108	0	0	1	0	1	0	0	0	0	0	0
13:45	0	88	20	0	108	0	0	0	0	0	0	0	0	0	0	1
SUBTOTAL	10	1138	243	0	1391	0	6	3	0	9	0	3	0	0	3	14
GRAND TOTAL	10	1138	243	0	1391	0	6	3	0	9	0	3	0	0	3	14

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Municipality: Amherstburg
Count Date: Apr 23, 2022

East Approach - Alma St

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
11:00	17	5	12	0	34	0	0	0	0	0	0	0	0	0	0	0
11:15	16	4	16	0	36	0	0	0	0	0	0	2	0	0	2	2
11:30	19	4	8	0	31	0	0	1	0	1	0	0	0	0	0	2
11:45	22	3	13	0	38	0	0	0	0	0	0	0	0	0	0	0
12:00	24	6	16	0	46	0	0	0	0	0	0	1	0	0	1	3
12:15	23	5	12	0	40	0	0	1	0	1	0	0	0	0	0	1
12:30	19	4	15	0	38	0	0	0	0	0	0	1	0	0	1	1
12:45	23	7	17	0	47	0	0	0	0	0	0	0	0	0	0	0
13:00	26	4	21	0	51	0	0	0	0	0	0	0	0	0	0	4
13:15	22	4	16	0	42	0	0	0	0	0	0	0	0	0	0	1
13:30	24	5	13	0	42	0	0	0	0	0	0	0	0	0	0	2
13:45	18	4	12	0	34	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	253	55	171	0	479	0	0	2	0	2	0	4	0	0	4	16
GRAND TOTAL	253	55	171	0	479	0	0	2	0	2	0	4	0	0	4	16

Ontario Traffic Inc.
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Traffic Count Data

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Municipality: Amherstburg
Count Date: Apr 23, 2022

West Approach - Alma St

Start Time	Cars					Trucks					Bicycles					Total Peds
					Total					Total					Total	
11:00	5	5	1	0	11	0	0	0	0	0	0	0	0	0	0	0
11:15	4	2	0	0	6	0	0	0	0	0	0	1	0	0	1	1
11:30	6	4	0	0	10	0	1	0	0	1	0	0	0	0	0	0
11:45	6	4	1	0	11	0	0	0	0	0	0	2	0	0	2	0
12:00	7	3	1	0	11	0	0	0	0	0	0	0	0	0	0	1
12:15	8	2	1	0	11	0	0	0	0	0	0	1	0	0	1	1
12:30	10	6	0	0	16	0	0	0	0	0	0	0	0	0	0	0
12:45	6	2	0	0	8	0	0	0	0	0	0	0	0	0	0	2
13:00	9	5	2	0	16	0	0	0	0	0	0	2	0	0	2	0
13:15	10	5	0	0	15	0	0	0	0	0	0	1	0	0	1	2
13:30	8	4	1	0	13	0	0	0	0	0	0	0	0	0	0	0
13:45	8	3	0	0	11	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	87	45	7	0	139	0	1	0	0	1	0	7	0	0	7	7
GRAND TOTAL	87	45	7	0	139	0	1	0	0	1	0	7	0	0	7	7

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Diagram

Specified Period		One Hour Peak	
From:	11:00:00	From:	12:30:00
To:	14:00:00	To:	13:30:00

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Count Date: Apr 23, 2022

Weather conditions: Clear

**** Signalized Intersection **** **Major Road:** Sandwich St S runs N/S

North Approach

	Out	In	Total
Cars	532	513	1045
Trucks	2	3	5
Bicycles	3	2	5
	537	**518**	**1055**

Sandwich St S

Bicycles	0	3	0	0
Trucks	0	1	1	0
Cars	33	429	70	0
Totals	**33**	**433**	**71**	**0**

East Approach

	Out	In	Total
Cars	178	177	355
Trucks	0	2	2
Bicycles	1	3	4
	179	**182**	**361**

Alma St

Bicycles	Trucks	Cars	Totals
0	0	0	**0**
0	0	35	**35**
3	0	18	**21**
0	0	2	**2**

Peds: 3

Peds: 4

Peds: 6

Peds: 5

Alma St

Totals	Cars	Trucks	Bicycles
0	0	0	0
69	69	0	0
20	19	0	1
90	90	0	0

West Approach

	Out	In	Total
Cars	55	57	112
Trucks	0	0	0
Bicycles	3	1	4
	58	**58**	**116**

Totals	**5**	**414**	**90**	**0**
Cars	5	409	89	0
Trucks	0	3	1	0
Bicycles	0	2	0	0

Sandwich St S

South Approach

	Out	In	Total
Cars	503	521	1024
Trucks	4	1	5
Bicycles	2	3	5
	509	**525**	**1034**

Cars - Trucks - Bicycles

Comments

Ontario Traffic Inc.
Traffic Monitoring • Services & Products

Peak Hour Summary

Intersection: Sandwich St S & Alma St
Site Code: 2213800002
Count Date: Apr 23, 2022
Period: 11:00 - 14:00

Peak Hour Data (12:30 - 13:30)

Start Time	North Approach Sandwich St S						South Approach Sandwich St S						East Approach Alma St						West Approach Alma St						Total Vehicles
					Peds	Total					Peds	Total					Peds	Total					Peds	Total	
12:30	16	105	10	0	0	131	0	108	22	0	1	130	19	5	15	0	1	39	10	6	0	0	0	16	316
12:45	21	110	9	0	2	140	2	105	26	0	0	133	23	7	17	0	0	47	6	2	0	0	2	8	328
13:00	17	106	8	0	0	131	2	96	24	0	1	122	26	4	21	0	4	51	9	7	2	0	0	18	322
13:15	17	112	6	0	1	135	1	105	18	0	3	124	22	4	16	0	1	42	10	6	0	0	2	16	317
Grand Total	**71**	**433**	**33**	**0**	**3**	**537**	**5**	**414**	**90**	**0**	**5**	**509**	**90**	**20**	**69**	**0**	**6**	**179**	**35**	**21**	**2**	**0**	**4**	**58**	**1283**
Approach %	13.2	80.6	6.1	0		-	1	81.3	17.7	0		-	50.3	11.2	38.5	0		-	60.3	36.2	3.4	0		-	
Totals %	5.5	33.7	2.6	0		41.9	0.4	32.3	7	0		39.7	7	1.6	5.4	0		14	2.7	1.6	0.2	0		4.5	
PHF	**0.85**	**0.97**	**0.83**	**0**		**0.96**	**0.63**	**0.96**	**0.87**	**0**		**0.96**	**0.87**	**0.71**	**0.82**	**0**		**0.88**	**0.88**	**0.75**	**0.25**	**0**		**0.81**	**0.98**
Cars	70	429	33	0		532	5	409	89	0		503	90	19	69	0		178	35	18	2	0		55	1268
% Cars	98.6	99.1	100	0		99.1	100	98.8	98.9	0		98.8	100	95	100	0		99.4	100	85.7	100	0		94.8	98.8
Trucks	1	1	0	0		2	0	3	1	0		4	0	0	0	0		0	0	0	0	0		0	6
% Trucks	1.4	0.2	0	0		0.4	0	0.7	1.1	0		0.8	0	0	0	0		0	0	0	0	0		0	0.5
Bicycles	0	3	0	0		3	0	2	0	0		2	0	1	0	0		1	0	3	0	0		3	9
% Bicycles	0	0.7	0	0		0.6	0	0.5	0	0		0.4	0	5	0	0		0.6	0	14.3	0	0		5.2	0.7
Peds					3	-					5	-					6	-					4	-	18
% Peds					16.7	-					27.8	-					33.3	-					22.2	-	

Turning Movement Count Report

Report Generated Using Turning Movement Count for Android by PortableStudies.com

Study Information

Study Summary

Count Name	Location	Performed By	Date
Amherstburg Sobeys	Sandwich Street South and Fort Street	Karl K	August 24, 2018

Notes

U = U Turn L = Left Turn T = Thru R = Right Turn
P1 = Pedestrian Direction 1 P2 = Pedestrian Direction 2
Veh = Total Vehicles for Approach

Peak Hour Volume	
1255	
% Bank 1	**% Bank 2**
99.1%	0.9%
% Bank 3	**% Bank 4**
0.0%	0.0%
Pedestrians Volume	
5	

Peak Hour Data

Time Period	Amherst highschool							Westbound Fort Street							Northbound Sandwich Street							Southbound Sandwich Street South							Total Vehicles	Total Pedestrians
	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh		
4:30 PM	0	0	0	0	1	0	0	0	16	0	3	0	1	19	0	0	124	20	0	0	144	0	6	153	0	0	0	159	322	2
4:45 PM	0	0	0	1	0	0	1	0	10	0	4	0	0	14	0	0	125	16	0	0	141	0	3	156	0	0	0	159	315	0
5:00 PM	0	0	0	0	0	0	0	0	17	0	9	0	0	26	0	0	118	19	0	0	137	0	10	126	0	0	0	136	299	0
5:15 PM	0	0	0	1	1	0	1	0	6	0	6	2	0	12	0	0	143	18	0	0	161	0	9	136	0	0	0	145	319	3

Vehicle Movement Summary

Movement / Details	Amherst highschool							Westbound Fort Street							Northbound Sandwich Street							Southbound Sandwich Street South							Entire Intersection	
	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	Vehicles	Pedestrians
Movement Volume	0	0	0	2	2	0	2	0	49	0	22	2	1	71	0	0	510	73	0	0	583	0	28	571	0	0	0	599	1255	5
PHF	-	-	-	0.50	0.50	-	0.50	-	0.72	-	0.61	0.25	0.25	0.68	-	-	0.89	0.91	-	-	0.91	-	0.70	0.92	-	-	-	0.94	0.97	0.42
% Bank 1	0.0%	0.0%	0.0%	100.0%				0.0%	100.0%	0.0%	100.0%				0.0%	100.0%	99.6%	100.0%				0.0%	100.0%	98.2%	100.0%					
% Bank 2	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.4%	0.0%				0.0%	0.0%	1.8%	0.0%				**Need a custom report?**	
% Bank 3	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				**Contact: support@portablestudies.com**	
% Bank 4	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%					

Raw Data																										
Time Period	Amherst highschool						Westbound Fort Street						Northbound Sandwich Street						Southbound Sandwich Street South						Total	
	U	L	T	R	P1	P2	U	L	T	R	P1	P2	U	L	T	R	P1	P2	U	L	T	R	P1	P2	Vehicles	Peds
4:00 PM	0	0	0	0	0	0	0	9	0	4	0	0	0	0	99	14	0	0	0	6	129	0	0	0	261	0
4:15 PM	0	0	0	0	0	0	0	11	0	3	0	1	0	1	140	21	0	0	0	7	126	0	0	0	309	1
4:30 PM	0	0	0	0	1	0	0	16	0	3	0	1	0	0	124	20	0	0	0	6	153	0	0	0	322	2
4:45 PM	0	0	0	1	0	0	0	10	0	4	0	0	0	0	125	16	0	0	0	3	156	0	0	0	315	0
5:00 PM	0	0	0	0	0	0	0	17	0	9	0	0	0	0	118	19	0	0	0	10	126	0	0	0	299	0
5:15 PM	0	0	0	1	1	0	0	6	0	6	2	0	0	0	143	18	0	0	0	9	136	0	0	0	319	3
5:30 PM	0	0	0	0	1	0	0	4	0	4	0	1	0	0	109	19	0	0	0	1	132	0	0	0	269	2
5:45 PM	0	0	0	0	0	1	0	11	0	1	0	0	0	0	116	18	0	0	0	3	111	0	0	0	260	1
6:00 PM	0	0	0	0	0	0	0	9	1	4	3	1	0	0	123	10	0	0	0	3	131	0	0	0	281	4
6:15 PM	0	0	0	1	0	0	0	11	0	4	3	0	0	0	104	17	0	0	0	2	97	0	0	0	236	3
6:30 PM	0	0	0	0	0	0	0	9	0	3	3	0	0	0	86	16	0	0	0	4	121	0	0	0	239	3
6:45 PM	0	0	0	0	2	1	0	5	0	1	0	7	0	0	108	15	0	0	0	6	91	0	0	0	226	10

Turning Movement Count Report

Report Generated Using Turning Movement Count for Android by PortableStudies.com

Study Information

Study Summary

Count Name
Amherstburg Sobeys
Location
Sandwich Street South and Fort Street
Performed By
Karl K
Date
August 25, 2018

Notes

U = U Turn L = Left Turn T = Thru R = Right Turn
P1 = Pedestrian Direction 1 P2 = Pedestrian Direction 2
Veh = Total Vehicles for Approach

Peak Hour Volume	
1172	
% Bank 1	**% Bank 2**
99.7%	0.0%
% Bank 3	**% Bank 4**
0.0%	0.3%
Pedestrians Volume	
4	

Peak Hour Data

Time Period	Amherst Highschool							Westbound Fort Street							Northbound Sandwich Street South							Southbound Sandwich Street South							Total Vehicles	Total Pedestrians
	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh		
12:30 PM	0	0	0	0	0	0	0	0	6	0	7	2	0	13	0	0	104	27	0	0	131	0	4	144	0	0	0	148	292	2
12:45 PM	1	0	0	0	0	0	1	0	9	0	7	0	0	16	0	0	136	28	0	0	164	0	3	114	0	1	0	117	298	1
1:00 PM	0	0	0	0	0	0	0	0	13	1	2	0	1	16	0	0	120	14	0	0	134	0	3	146	1	0	0	150	300	1
1:15 PM	0	0	0	0	0	0	0	0	5	0	5	0	0	10	0	0	112	32	0	0	144	0	4	124	0	0	0	128	282	0

Vehicle Movement Summary

Movement / Details	Amherst Highschool							Westbound Fort Street							Northbound Sandwich Street South							Southbound Sandwich Street South							Entire Intersection	
	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	U	L	T	R	P1	P2	Veh	Vehicles	Pedestrians
Movement Volume	1	0	0	0	0	0	1	0	33	1	21	2	1	55	0	0	472	101	0	0	573	0	14	528	1	1	0	543	1172	4
PHF	0.25	-	-	-	-	-	0.25	-	0.63	0.25	0.75	0.25	0.25	0.86	-	-	0.87	0.79	-	-	0.87	-	0.88	0.90	0.25	0.25	-	0.91	0.98	0.50
% Bank 1	100.0%	0.0%	0.0%	0.0%				0.0%	100.0%	100.0%	100.0%				0.0%	0.0%	99.2%	100.0%				0.0%	100.0%	100.0%	100.0%					
% Bank 2	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				**Need a custom report?**	
% Bank 3	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				**Contact: support@portablestudies.com**	
% Bank 4	0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.0%	0.0%				0.0%	0.0%	0.8%	0.0%				0.0%	0.0%	0.0%	0.0%					

Raw Data																										
Time Period	Amherst Highschool						Westbound Fort Street						Northbound Sandwich Street South						Southbound Sandwich Street South						Total	
	U	L	T	R	P1	P2	U	L	T	R	P1	P2	U	L	T	R	P1	P2	U	L	T	R	P1	P2	Vehicles	Peds
11:00 AM	0	1	0	0	0	0	1	10	0	2	0	0	0	1	115	23	0	0	0	1	125	0	0	0	279	0
11:15 AM	0	0	0	0	0	0	1	12	0	4	0	0	0	0	136	36	0	0	0	2	105	0	0	0	296	0
11:30 AM	0	0	0	0	0	0	0	10	0	3	5	0	0	0	115	31	0	0	0	1	108	0	0	0	268	5
11:45 AM	0	0	0	0	0	0	1	8	0	1	0	0	0	0	95	25	0	0	0	3	110	0	0	0	243	0
12:00 PM	0	0	0	0	0	0	0	12	0	7	0	0	0	0	117	27	0	0	0	3	107	0	0	0	273	0
12:15 PM	0	0	0	0	0	0	0	10	0	2	0	0	0	0	115	27	0	0	0	1	118	0	0	0	273	0
12:30 PM	0	0	0	0	0	0	0	6	0	7	2	0	0	0	104	27	0	0	0	4	144	0	0	0	292	2
12:45 PM	1	0	0	0	0	0	0	9	0	7	0	0	0	0	136	28	0	0	0	3	114	0	1	0	298	1
1:00 PM	0	0	0	0	0	0	0	13	1	2	0	1	0	0	120	14	0	0	0	3	146	1	0	0	300	1
1:15 PM	0	0	0	0	0	0	0	5	0	5	0	0	0	0	112	32	0	0	0	4	124	0	0	0	282	0
1:30 PM	0	0	0	0	0	0	0	4	0	8	0	0	0	1	119	22	0	0	0	4	119	0	0	0	277	0
1:45 PM	0	0	0	0	0	0	0	9	0	10	2	0	0	1	118	28	0	0	0	1	144	0	0	0	311	2

Appendix C

Synchro Analysis Worksheets

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	52	34	5	137	29	100	8	510	155	104	537	35
Future Volume (vph)	52	34	5	137	29	100	8	510	155	104	537	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98			0.97	1.00	1.00	
Frt		0.993				0.850			0.850		0.991	
Flt Protected		0.972			0.960		0.950			0.950		
Satd. Flow (prot)	0	1830	0	0	1824	1568	1805	1881	1583	1805	1862	0
Flt Permitted		0.766			0.745		0.447			0.298		
Satd. Flow (perm)	0	1439	0	0	1401	1540	849	1881	1539	565	1862	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		3				101			157		6	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		6	6		3			3	3		
Confl. Bikes (#/hr)			3			2			3			1
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	0%	0%	0%	0%	0%	3%	0%	1%	2%	0%	1%	1%
Adj. Flow (vph)	53	34	5	138	29	101	8	515	157	105	542	35
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	92	0	0	167	101	8	515	157	105	577	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		17.8			17.8	17.8	33.5	33.5	33.5	43.0	41.9	
Actuated g/C Ratio		0.25			0.25	0.25	0.48	0.48	0.48	0.62	0.60	
v/c Ratio		0.25			0.47	0.22	0.02	0.57	0.19	0.22	0.52	
Control Delay		23.5			28.1	6.6	12.1	17.6	3.0	7.2	10.4	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		23.5			28.1	6.6	12.1	17.6	3.0	7.2	10.4	
LOS		C			C	A	B	B	A	A	B	
Approach Delay		23.5			20.0			14.2			9.9	
Approach LOS		C			C			B			A	
Queue Length 50th (m)		9.5			19.0	0.0	0.6	47.3	0.0	4.5	34.9	
Queue Length 95th (m)		24.5			42.8	11.2	3.2	96.2	9.9	13.7	81.7	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		630			612	730	606	1342	1143	473	1620	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.15			0.27	0.14	0.01	0.38	0.14	0.22	0.36	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 69.9	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.57	
Intersection Signal Delay: 13.9	Intersection LOS: B
Intersection Capacity Utilization 81.2%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	53	24	552	79	30	618
Future Volume (Veh/h)	53	24	552	79	30	618
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Hourly flow rate (vph)	55	25	569	81	31	637
Pedestrians	3					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1312	612			653	
vC1, stage 1 conf vol	612					
vC2, stage 2 conf vol	699					
vCu, unblocked vol	1312	612			653	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	86	95			97	
cM capacity (veh/h)	386	495			941	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	80	650	31	637
Volume Left	55	0	31	0
Volume Right	25	81	0	0
cSH	415	1700	941	1700
Volume to Capacity	0.19	0.38	0.03	0.37
Queue Length 95th (m)	5.6	0.0	0.8	0.0
Control Delay (s)	15.7	0.0	9.0	0.0
Lane LOS	C		A	
Approach Delay (s)	15.7	0.0	0.4	
Approach LOS	C			

Intersection Summary			
Average Delay	1.1		
Intersection Capacity Utilization	45.0%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	35	21	2	90	20	69	5	414	90	71	433	33
Future Volume (vph)	35	21	2	90	20	69	5	414	90	71	433	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98	1.00		0.97	1.00	1.00	
Frt		0.995				0.850			0.850		0.989	
Flt Protected		0.970			0.961		0.950			0.950		
Satd. Flow (prot)	0	1832	0	0	1826	1615	1805	1881	1599	1787	1875	0
Flt Permitted		0.777			0.724		0.491			0.400		
Satd. Flow (perm)	0	1464	0	0	1363	1585	929	1881	1546	749	1875	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		2				70			92		7	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		5	5		3	4		6	6		4
Confl. Bikes (#/hr)			3			3			2			1
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	1%	1%	0%	0%
Adj. Flow (vph)	36	21	2	92	20	70	5	422	92	72	442	34
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	59	0	0	112	70	5	422	92	72	476	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		16.1			16.1	16.1	35.5	35.5	35.5	43.3	43.6	
Actuated g/C Ratio		0.25			0.25	0.25	0.56	0.56	0.56	0.68	0.69	
v/c Ratio		0.16			0.32	0.15	0.01	0.40	0.10	0.12	0.37	
Control Delay		20.7			24.0	6.7	11.2	13.9	3.5	5.7	7.5	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		20.7			24.0	6.7	11.2	13.9	3.5	5.7	7.5	
LOS		C			C	A	B	B	A	A	A	
Approach Delay		20.7			17.3			12.1			7.3	
Approach LOS		C			B			B			A	
Queue Length 50th (m)		5.9			12.1	0.0	0.3	35.7	0.0	3.0	26.4	
Queue Length 95th (m)		14.5			25.1	8.6	2.2	68.0	7.6	8.6	53.5	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		702			653	796	727	1472	1230	627	1723	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.08			0.17	0.09	0.01	0.29	0.07	0.11	0.28	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 63.5	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.40	
Intersection Signal Delay: 11.2	Intersection LOS: B
Intersection Capacity Utilization 75.6%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	36	23	511	109	15	572
Future Volume (Veh/h)	36	23	511	109	15	572
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Hourly flow rate (vph)	37	23	521	111	15	584
Pedestrians	3					1
Lane Width (m)	3.6					3.6
Walking Speed (m/s)	1.2					1.2
Percent Blockage	0					0
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1194	580			635	
vC1, stage 1 conf vol	580					
vC2, stage 2 conf vol	614					
vCu, unblocked vol	1194	580			635	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	91	96			98	
cM capacity (veh/h)	423	516			956	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	60	632	15	584
Volume Left	37	0	15	0
Volume Right	23	111	0	0
cSH	455	1700	956	1700
Volume to Capacity	0.13	0.37	0.02	0.34
Queue Length 95th (m)	3.6	0.0	0.4	0.0
Control Delay (s)	14.1	0.0	8.8	0.0
Lane LOS	B		A	
Approach Delay (s)	14.1	0.0	0.2	
Approach LOS	B			

Intersection Summary			
Average Delay	0.8		
Intersection Capacity Utilization	44.0%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	52	34	5	154	29	113	8	541	175	117	570	36
Future Volume (vph)	52	34	5	154	29	113	8	541	175	117	570	36
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98			0.97	1.00	1.00	
Frt		0.993				0.850			0.850		0.991	
Flt Protected		0.972			0.960		0.950			0.950		
Satd. Flow (prot)	0	1830	0	0	1824	1568	1805	1881	1583	1805	1862	0
Flt Permitted		0.761			0.739		0.426			0.272		
Satd. Flow (perm)	0	1430	0	0	1389	1540	809	1881	1539	516	1862	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		3				114			177		6	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		6	6		3			3	3		
Confl. Bikes (#/hr)			3			2			3			1
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	0%	0%	0%	0%	0%	3%	0%	1%	2%	0%	1%	1%
Adj. Flow (vph)	53	34	5	156	29	114	8	546	177	118	576	36
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	92	0	0	185	114	8	546	177	118	612	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		19.0			19.0	19.0	34.5	34.5	34.5	44.0	43.0	
Actuated g/C Ratio		0.26			0.26	0.26	0.48	0.48	0.48	0.61	0.59	
v/c Ratio		0.24			0.51	0.23	0.02	0.61	0.21	0.27	0.55	
Control Delay		24.2			29.9	6.5	12.5	18.8	3.0	8.1	11.4	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		24.2			29.9	6.5	12.5	18.8	3.0	8.1	11.4	
LOS		C			C	A	B	B	A	A	B	
Approach Delay		24.2			21.0			14.9			10.9	
Approach LOS		C			C			B			B	
Queue Length 50th (m)		9.5			21.4	0.0	0.6	53.6	0.0	5.4	40.7	
Queue Length 95th (m)		25.7			50.2	12.3	3.3	109.4	10.8	16.3	96.0	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		615			596	725	567	1318	1131	443	1570	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.15			0.31	0.16	0.01	0.41	0.16	0.27	0.39	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 72.3	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.61	
Intersection Signal Delay: 14.8	Intersection LOS: B
Intersection Capacity Utilization 84.3%	ICU Level of Service E
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	53	24	586	79	30	656
Future Volume (Veh/h)	53	24	586	79	30	656
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Hourly flow rate (vph)	55	25	604	81	31	676
Pedestrians	3					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1386	648			688	
vC1, stage 1 conf vol	648					
vC2, stage 2 conf vol	738					
vCu, unblocked vol	1386	648			688	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	85	95			97	
cM capacity (veh/h)	368	473			913	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	80	685	31	676
Volume Left	55	0	31	0
Volume Right	25	81	0	0
cSH	395	1700	913	1700
Volume to Capacity	0.20	0.40	0.03	0.40
Queue Length 95th (m)	6.0	0.0	0.8	0.0
Control Delay (s)	16.4	0.0	9.1	0.0
Lane LOS	C		A	
Approach Delay (s)	16.4	0.0	0.4	
Approach LOS	C			

Intersection Summary			
Average Delay	1.1		
Intersection Capacity Utilization	46.7%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	35	21	2	101	20	78	5	439	101	80	460	33
Future Volume (vph)	35	21	2	101	20	78	5	439	101	80	460	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98	1.00		0.97	1.00	1.00	
Frt		0.995				0.850			0.850		0.990	
Flt Protected		0.970			0.960		0.950			0.950		
Satd. Flow (prot)	0	1832	0	0	1824	1615	1805	1881	1599	1787	1877	0
Flt Permitted		0.793			0.720		0.479			0.359		
Satd. Flow (perm)	0	1494	0	0	1355	1585	906	1881	1546	672	1877	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		2				80			103		7	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		5	5		3	4		6	6		4
Confl. Bikes (#/hr)			3			3			2			1
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	1%	1%	0%	0%
Adj. Flow (vph)	36	21	2	103	20	80	5	448	103	82	469	34
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	59	0	0	123	80	5	448	103	82	503	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		16.0			16.0	16.0	33.4	33.4	33.4	43.0	42.0	
Actuated g/C Ratio		0.24			0.24	0.24	0.49	0.49	0.49	0.63	0.62	
v/c Ratio		0.17			0.39	0.18	0.01	0.49	0.13	0.15	0.43	
Control Delay		21.2			25.7	6.8	11.0	15.1	3.3	5.9	8.4	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		21.2			25.7	6.8	11.0	15.1	3.3	5.9	8.4	
LOS		C			C	A	B	B	A	A	A	
Approach Delay		21.2			18.3			12.9			8.0	
Approach LOS		C			B			B			A	
Queue Length 50th (m)		5.9			13.4	0.0	0.4	38.7	0.0	3.4	28.5	
Queue Length 95th (m)		15.1			28.4	9.4	2.3	72.5	7.9	9.5	57.1	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		661			599	745	654	1358	1145	540	1660	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.09			0.21	0.11	0.01	0.33	0.09	0.15	0.30	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 68	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.49	
Intersection Signal Delay: 12.0	Intersection LOS: B
Intersection Capacity Utilization 76.9%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	36	23	542	109	15	607
Future Volume (Veh/h)	36	23	542	109	15	607
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Hourly flow rate (vph)	37	23	553	111	15	619
Pedestrians	3					1
Lane Width (m)	3.6					3.6
Walking Speed (m/s)	1.2					1.2
Percent Blockage	0					0
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1260	612			667	
vC1, stage 1 conf vol	612					
vC2, stage 2 conf vol	649					
vCu, unblocked vol	1260	612			667	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	91	95			98	
cM capacity (veh/h)	405	495			930	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	60	664	15	619
Volume Left	37	0	15	0
Volume Right	23	111	0	0
cSH	435	1700	930	1700
Volume to Capacity	0.14	0.39	0.02	0.36
Queue Length 95th (m)	3.8	0.0	0.4	0.0
Control Delay (s)	14.6	0.0	8.9	0.0
Lane LOS	B		A	
Approach Delay (s)	14.6	0.0	0.2	
Approach LOS	B			

Intersection Summary			
Average Delay	0.7		
Intersection Capacity Utilization	45.6%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	52	34	5	162	29	113	8	555	183	117	584	36
Future Volume (vph)	52	34	5	162	29	113	8	555	183	117	584	36
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98			0.97	1.00	1.00	
Frt		0.993				0.850			0.850		0.991	
Flt Protected		0.972			0.959		0.950			0.950		
Satd. Flow (prot)	0	1830	0	0	1822	1568	1805	1881	1583	1805	1862	0
Flt Permitted		0.759			0.737		0.410			0.261		
Satd. Flow (perm)	0	1426	0	0	1385	1540	779	1881	1539	495	1862	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		3				114			185		5	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		6	6		3			3	3		
Confl. Bikes (#/hr)			3			2			3			1
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	0%	0%	0%	0%	0%	3%	0%	1%	2%	0%	1%	1%
Adj. Flow (vph)	53	34	5	164	29	114	8	561	185	118	590	36
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	92	0	0	193	114	8	561	185	118	626	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		19.5			19.5	19.5	35.0	35.0	35.0	44.5	43.4	
Actuated g/C Ratio		0.27			0.27	0.27	0.48	0.48	0.48	0.61	0.59	
v/c Ratio		0.24			0.52	0.23	0.02	0.63	0.22	0.28	0.57	
Control Delay		24.5			30.5	6.5	12.8	19.4	3.0	8.4	11.9	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		24.5			30.5	6.5	12.8	19.4	3.0	8.4	11.9	
LOS		C			C	A	B	B	A	A	B	
Approach Delay		24.5			21.6			15.3			11.4	
Approach LOS		C			C			B			B	
Queue Length 50th (m)		9.5			22.4	0.0	0.6	56.8	0.0	5.6	43.5	
Queue Length 95th (m)		26.3			53.6	12.5	3.4	115.8	11.1	16.8	102.3	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		608			589	720	541	1306	1125	430	1551	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.15			0.33	0.16	0.01	0.43	0.16	0.27	0.40	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 73.3	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.63	
Intersection Signal Delay: 15.2	Intersection LOS: B
Intersection Capacity Utilization 85.7%	ICU Level of Service E
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	53	27	602	79	33	672
Future Volume (Veh/h)	53	27	602	79	33	672
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Hourly flow rate (vph)	55	28	621	81	34	693
Pedestrians	3					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1426	664			705	
vC1, stage 1 conf vol	664					
vC2, stage 2 conf vol	761					
vCu, unblocked vol	1426	664			705	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	85	94			96	
cM capacity (veh/h)	357	463			900	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	83	702	34	693
Volume Left	55	0	34	0
Volume Right	28	81	0	0
cSH	387	1700	900	1700
Volume to Capacity	0.21	0.41	0.04	0.41
Queue Length 95th (m)	6.4	0.0	0.9	0.0
Control Delay (s)	16.8	0.0	9.2	0.0
Lane LOS	C		A	
Approach Delay (s)	16.8	0.0	0.4	
Approach LOS	C			

Intersection Summary			
Average Delay	1.1		
Intersection Capacity Utilization	47.8%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	35	38	698	35	38	705
Future Volume (Veh/h)	35	38	698	35	38	705
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	38	41	759	38	41	766
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						195
pX, platoon unblocked	0.80					
vC, conflicting volume	1626	778			797	
vC1, stage 1 conf vol	778					
vC2, stage 2 conf vol	848					
vCu, unblocked vol	1657	778			797	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	90			95	
cM capacity (veh/h)	294	396			825	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	79	797	41	766
Volume Left	38	0	41	0
Volume Right	41	38	0	0
cSH	340	1700	825	1700
Volume to Capacity	0.23	0.47	0.05	0.45
Queue Length 95th (m)	7.1	0.0	1.3	0.0
Control Delay (s)	18.8	0.0	9.6	0.0
Lane LOS	C		A	
Approach Delay (s)	18.8	0.0	0.5	
Approach LOS	C			

Intersection Summary			
Average Delay	1.1		
Intersection Capacity Utilization	49.8%	ICU Level of Service	A
Analysis Period (min)	15		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	35	21	2	107	20	78	5	450	107	80	471	33
Future Volume (vph)	35	21	2	107	20	78	5	450	107	80	471	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (m)	0.0		0.0	25.0		0.0	60.0		60.0	60.0		0.0
Storage Lanes	0		0	1		1	1		1	1		0
Taper Length (m)	30.0			30.0			30.0			30.0		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			0.99	0.98	1.00		0.97	1.00	1.00	
Frt		0.995				0.850			0.850		0.990	
Flt Protected		0.970			0.959		0.950			0.950		
Satd. Flow (prot)	0	1832	0	0	1822	1615	1805	1881	1599	1787	1877	0
Flt Permitted		0.790			0.718		0.474			0.352		
Satd. Flow (perm)	0	1488	0	0	1351	1585	897	1881	1546	659	1877	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		2				80			109		6	
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		123.8			531.3			195.3			178.5	
Travel Time (s)		8.9			38.3			14.1			12.9	
Confl. Peds. (#/hr)	3		5	5		3	4		6	6		4
Confl. Bikes (#/hr)			3			3			2			1
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	1%	1%	0%	0%
Adj. Flow (vph)	36	21	2	109	20	80	5	459	109	82	481	34
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	59	0	0	129	80	5	459	109	82	515	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		0.0			0.0			3.6			3.6	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width(m)		9.0			9.0			9.0			9.0	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (k/h)	25		15	25		15	25		15	25		15
Turn Type	Perm	NA		Perm	NA	Perm	Perm	NA	Perm	pm+pt	NA	
Protected Phases		4			4			2		1	6	
Permitted Phases	4			4		4	2		2	6		
Detector Phase	4	4		4	4	4	2	2	2	1	6	
Switch Phase												
Minimum Initial (s)	15.0	15.0		15.0	15.0	15.0	30.0	30.0	30.0	6.0	30.0	
Minimum Split (s)	34.6	34.6		34.6	34.6	34.6	36.2	36.2	36.2	11.0	36.2	
Total Split (s)	35.0	35.0		35.0	35.0	35.0	54.0	54.0	54.0	11.0	65.0	
Total Split (%)	35.0%	35.0%		35.0%	35.0%	35.0%	54.0%	54.0%	54.0%	11.0%	65.0%	
Yellow Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Lost Time Adjust (s)		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)		5.0			5.0	5.0	5.0	5.0	5.0	4.0	5.0	
Lead/Lag							Lag	Lag	Lag	Lead		
Lead-Lag Optimize?							Yes	Yes	Yes	Yes		

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Recall Mode	None	None		None	None	None	Ped	Ped	Ped	None	Ped	
Act Effct Green (s)		16.0			16.0	16.0	33.8	33.8	33.8	43.4	42.4	
Actuated g/C Ratio		0.23			0.23	0.23	0.49	0.49	0.49	0.63	0.62	
v/c Ratio		0.17			0.41	0.19	0.01	0.49	0.13	0.16	0.44	
Control Delay		21.6			26.6	6.9	10.8	15.1	3.1	5.9	8.4	
Queue Delay		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay		21.6			26.6	6.9	10.8	15.1	3.1	5.9	8.4	
LOS		C			C	A	B	B	A	A	A	
Approach Delay		21.6			19.1			12.8			8.1	
Approach LOS		C			B			B			A	
Queue Length 50th (m)		5.9			14.2	0.0	0.4	39.9	0.0	3.4	29.6	
Queue Length 95th (m)		15.4			30.6	9.7	2.2	74.5	8.0	9.5	58.6	
Internal Link Dist (m)		99.8			507.3			171.3			154.5	
Turn Bay Length (m)							60.0		60.0	60.0		
Base Capacity (vph)		655			594	742	644	1351	1141	533	1651	
Starvation Cap Reductn		0			0	0	0	0	0	0	0	
Spillback Cap Reductn		0			0	0	0	0	0	0	0	
Storage Cap Reductn		0			0	0	0	0	0	0	0	
Reduced v/c Ratio		0.09			0.22	0.11	0.01	0.34	0.10	0.15	0.31	

Intersection Summary	
Area Type: Other	
Cycle Length: 100	
Actuated Cycle Length: 68.4	
Natural Cycle: 85	
Control Type: Semi Act-Uncoord	
Maximum v/c Ratio: 0.49	
Intersection Signal Delay: 12.1	Intersection LOS: B
Intersection Capacity Utilization 77.5%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 100: Sandwich Street South (CR 20) & Alma Street

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	36	25	554	109	17	619
Future Volume (Veh/h)	36	25	554	109	17	619
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Hourly flow rate (vph)	37	26	565	111	17	632
Pedestrians	3					1
Lane Width (m)	3.6					3.6
Walking Speed (m/s)	1.2					1.2
Percent Blockage	0					0
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1290	624			679	
vC1, stage 1 conf vol	624					
vC2, stage 2 conf vol	666					
vCu, unblocked vol	1290	624			679	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	91	95			98	
cM capacity (veh/h)	397	487			920	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	63	676	17	632
Volume Left	37	0	17	0
Volume Right	26	111	0	0
cSH	429	1700	920	1700
Volume to Capacity	0.15	0.40	0.02	0.37
Queue Length 95th (m)	4.1	0.0	0.5	0.0
Control Delay (s)	14.8	0.0	9.0	0.0
Lane LOS	B		A	
Approach Delay (s)	14.8	0.0	0.2	
Approach LOS	B			

Intersection Summary			
Average Delay	0.8		
Intersection Capacity Utilization	46.4%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	24	26	530	24	26	547
Future Volume (Veh/h)	24	26	530	24	26	547
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98
Hourly flow rate (vph)	24	27	541	24	27	558
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			TWLTL			TWLTL
Median storage veh)			2			2
Upstream signal (m)						195
pX, platoon unblocked	0.88					
vC, conflicting volume	1165	553			565	
vC1, stage 1 conf vol	553					
vC2, stage 2 conf vol	612					
vCu, unblocked vol	1119	553			565	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3			2.2	
p0 queue free %	94	95			97	
cM capacity (veh/h)	421	533			1007	

Direction, Lane #	WB 1	NB 1	SB 1	SB 2
Volume Total	51	565	27	558
Volume Left	24	0	27	0
Volume Right	27	24	0	0
cSH	474	1700	1007	1700
Volume to Capacity	0.11	0.33	0.03	0.33
Queue Length 95th (m)	2.9	0.0	0.7	0.0
Control Delay (s)	13.5	0.0	8.7	0.0
Lane LOS	B		A	
Approach Delay (s)	13.5	0.0	0.4	
Approach LOS	B			

Intersection Summary			
Average Delay	0.8		
Intersection Capacity Utilization	39.3%	ICU Level of Service	A
Analysis Period (min)	15		

Memo

To: Chris Aspila, Manager of Planning Services, Town of Amherstburg

From: Amy Farkas, Dillon Consulting Limited

cc: Kurt Barr, Toad One Inc.

Date: June 20, 2022

Subject: 51 & 57 Sandwich Street S, Amendment to Site Specific Zoning Request

Our File: 22-3779

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc. (the Applicant) to assist with the planning approvals in support of the Official Plan and Zoning By-law Amendments for the proposed development located at 51 and 57 Sandwich Street South, southeast of the intersection of Alma Street and Sandwich Street South (Subject Site). This addendum has been prepared to include a 'multiple dwelling' as a permitted use in the proposed site specific zone.

The applicant wishes to develop the site for a Dairy Queen (DQ) restaurant and drive-through on the western portion of the site, adjacent to Sandwich Street S (County Road 20). A three-storey mixed-use building is currently being proposed on the southeast quadrant of the site, with commercial uses on the ground floor, and residential units on the upper two floors.

In keeping with the policies of the General Commercial land use designation of the Town of Amherstburg Official Plan, the subject site will require an Official Plan Amendment to permit a drive-through due to its location on Sandwich Street South. The subject site will also require a site specific Zoning By-law Amendment to facilitate the proposed development. More specifically, a site specific Commercial General (CG-X) Zone is being sought for the subject site that would include the following:

- A drive-through restaurant as a permitted use;
- A reduction in the minimum interior side yard width for buildings and structures associated with a drive-through abutting a residential use;
- A reduction in the minimum rear yard depth;
- A reduction in the minimum width of a landscaped planting strip abutting a residential interior side yard;
- An outdoor patio associated with a restaurant as a permitted use on lands adjoining a residential zone; and
- All other building requirements for the commercial and mixed use building to be in accordance with the requirements of the Commercial General (CG) zone.

The development proposal as submitted will not be changing at this time, however the applicant would like to request the addition of 'multiple dwelling' to the site specific Commercial General (CG-X) Zone. This request will allow for more flexibility during the Site Plan Control (SPC) approval process as the plans for the building in the southeast quadrant of the site are in the preliminary stage of development. The applicant would like to have the option to develop a three-storey residential building should it be more appropriate from a market demand and housing needs perspective.

To determine the feasibility and appropriateness of a 'multiple dwelling' on the subject site, a comprehensive evaluation of the potential planning issues and impacts has been undertaken.

Provincial Policy Statement (PPS, 2020)

According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns while accommodating a range and mix of housing. This includes affordable housing, which sustains financial well-being over the long term, and promotes cost effective development patterns to minimize land consumption and servicing costs (PPS, 1.1.1 (a)(b)(f)). This proposed infill development is consistent with these policies by encouraging the use of underutilized lands, and by proposing an intensification of land uses that can exist in harmony with the surrounding land uses. It also allows for new development to take place in a designated growth area in a compact form, with an increase in density and variability of tenures that allow for the efficient use of land, infrastructure and public service facilities (PPS, 1.1.3.6).

The proposed amendment and residential use would be consistent with the PPS.

County of Essex Official Plan

The subject lands are designated Primary Settlement Area in the County of Essex Official Plan. As per Section 3.2.7, the County specifically encourages redevelopment and residential intensification within Primary Settlement Areas in order to increase their vitality, offer a range of housing choices, and efficiently use land to optimize the use of infrastructure and public facilities. In addition, the County requires 15% of all new residential development within each municipality to occur through intensification and redevelopment. Additional residential units on the subject site would be in keeping with these policies.

The proposed amendment and residential use would be in conformity with the County of Essex Official Plan.

Town of Amherstburg Official Plan

The subject lands are designated General Commercial in the Official Plan. Section 4.4.2 of the Official Plan provides general policy direction for General Commercial development, which recognizes that it should be directed to appropriate locations and provide a broad range of commercial forms and services. The General Commercial designation also includes residential uses above the first floor and states that multi-family residential development will be considered as an alternative form of land use. It is noted in the policy that residential units abutting Richmond Street or Dalhousie Street are not permitted to occupy the first floor. This restriction is not specified for Sandwich Street South.

Should the development include a three-storey multiple dwelling, the intent of the Official Plan is still being achieved with the commercial use (Dairy Queen), fronting onto the Sandwich Street South corridor. It will also bring additional residential units to the Town Core (Section 1.7.5).

The proposed amendment and residential use would be in conformity with the Town of Amherstburg Official Plan.

Town of Amherstburg Zoning By-law No. 1999-52

The subject lands are currently zoned Residential Office (RO) Zone. A Zoning By-law Amendment application has been submitted to rezone the subject site to a site specific Commercial General (CG-X) Zone. In addition to the site specific provisions that have been requested in the ZBA submission, the applicant is also requesting the addition of a 'multiple dwelling' as a permitted use. The Commercial General zone permits residential dwelling units however they are restricted to above the first floor. The applicant is requesting the addition of 'multiple dwelling' as a permitted use for the three-storey building at the rear of the site.

The proposed change is not anticipated to have an impact on the adjacent or nearby land uses. The existing zoning on the subject site, Residential Office (RO), already permits a wide range of residential uses. In addition, the removal of ground floor commercial would result in a reduction in the number of parking spaces required for the development, with more parking being available for the Dairy Queen.

The proposed development has given consideration to the potential impact of the built form in relation to the existing residential, commercial, and institutional uses, and is a complimentary and efficient use of the land. The proposed infill intensification and redevelopment will provide an increased diversity of housing types, options for affordable housing, and an opportunity for the completion of a neighbourhood-orientated site.

The proposed infill intensification and redevelopment is compatible with the surrounding area in terms of scale, massing, architectural proportions, siting, orientation, setbacks, and parking.

Conclusion

We are of the opinion that the revision to the Zoning By-law Amendment is reasonable for the subject site, and that the development can be designed to be compatible and complementary to surrounding residential and commercial uses.

Amy Farkas

Amy Farkas, MCIP, RPP
Associate

Memo

To: Melissa Osborne, Deputy CAO, and Director of Planning and Building Services
Chris Aspila, Manager of Planning Services, Town of Amherstburg

From: Amy Farkas, Dillon Consulting Limited

cc: Kurt Barr, Toad One Inc.

Date: July 15, 2022

Subject: OPA-17/ZBA-11-22 - 51 & 57 Sandwich Street S, Public Meeting Summary

Our File: 22-3779

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc. (the Applicant) to assist with the planning approvals in support of the Official Plan and Zoning By-law Amendments for the proposed development located at 51 and 57 Sandwich Street South, southeast of the intersection of Alma Street and Sandwich Street South (Subject Site).

On June 27th, 2022, the statutory public meeting was held for the proposed OPA and ZBA applications for a Dairy Queen (DQ) restaurant and drive-through and a three-storey mixed-use building. The residents that were in attendance or submitted written comments, provided valuable feedback to project staff and Council. Following the meeting, there was also consultation with municipal staff.

Comments Received

The following represents the comments raised and our responses:

Comments	Response
Land Use: • Concerns that the development is not appropriate due to its location on Sandwich Street S	• All concerns regarding the change of land use have been noted. The purpose of the Public Meeting was to get feedback to determine whether the proposed use is appropriate for the site. Consideration has been given to all of the comments and concerns provided by residents, Council, and municipal staff. • The subject site is designated General Commercial in the Official Plan, which encourages a broad range of commercial forms and services including retail establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores, and residential uses.

Comments	Response
Traffic:	
• Concerns about traffic problems already existing in the area and the potential for increased traffic	• A Transportation Impact Study (TIS) and addendum was submitted as part of the OPA and ZBA application. The assessment documented existing traffic volumes and traffic projections for the driveway under existing conditions and with the proposed development, utilizing transaction data from proxy DQ sites. It also looked at on-site circulation, and intersection capacity under existing and future conditions. The TIS concluded that the study area intersections and the proposed driveway are projected to operate in an acceptable manner through to the 2028 horizon year and that no modifications to off-site infrastructure or traffic control are needed to support this development.
• Recommendation by municipal staff to add a 'Right-out' exit for the drive-through to reduce the number of vehicles exiting the site at the primary access	• This comment has been noted. A 'right-out' access has been included in the updated Conceptual Development Plan dated July 13, 2022 (see attached).
• Concern that the drive-through will create traffic conflict and back-ups onto Sandwich Street South	• The proposed development provides for ten (10) drive-through queuing spaces. Zoning By-law 1999-52, as amended, requires a minimum of 6 spaces. In addition, the parking lot can accommodate an additional 10 to 11 vehicles.
Lighting:	
• Concern about the lighting and high overhead lighting standards	• Current standards are set to ensure that lighting stays on the property. This is done using measures such a full cut-off lighting. A Photometric Plan will be prepared for the Site Plan Control submission.

Comments	Response
Heritage:	
• Concern regarding the design of the mixed use/residential building as it was not available at the time of the Public Meeting	• This concern has been noted. The development proposal has been updated to confirm that the building in the rear of the property will have twelve (12) residential units and will not have a commercial use on the ground floor. Elevations will be provided to the Heritage Committee for the proposed building for their review. • At the outset of the project, the Heritage Planner for the Municipality was consulted on the proposed development. The design of both the DQ and the residential building have taken into account the recommendations from the Heritage Planner, including façade updates on the DQ model from EIFS to Hardi Board
• Concern regarding the landscaping features • Request that the fence design be circulated to the Heritage Committee	• The Applicant will continue to work with the Municipality and DQ throughout the site plan approval process to finalize the renderings for both the restaurant and the residential building that will complement the heritage character of the Town. This will include façade treatments, building materials, and accents. • A Landscape Plan and Details will be provided to the Municipality as part of the Site Plan Control process.
Noise:	
• Concern over noise volumes from the drive-through speaker box when customers are placing orders	• The speaker box has been located at the rear of the site to reduce noise impacts for the abutting properties and will be equipped with Automatic Volume Control (AVC) which adjusts the volume based on the outdoor, ambient noises levels. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. • According to MOECC Environmental Noise Guidelines, the subject site is considered a Class 2 Area. The noise guideline limits for Class 2 Areas range from 45 – 50 decibels (dBAs). Based on the decibel level standards from the manufacturer (see attached), the noise emissions would be below the applicable MOECC noise criteria for both daytime and nighttime hours (without mitigation measures).

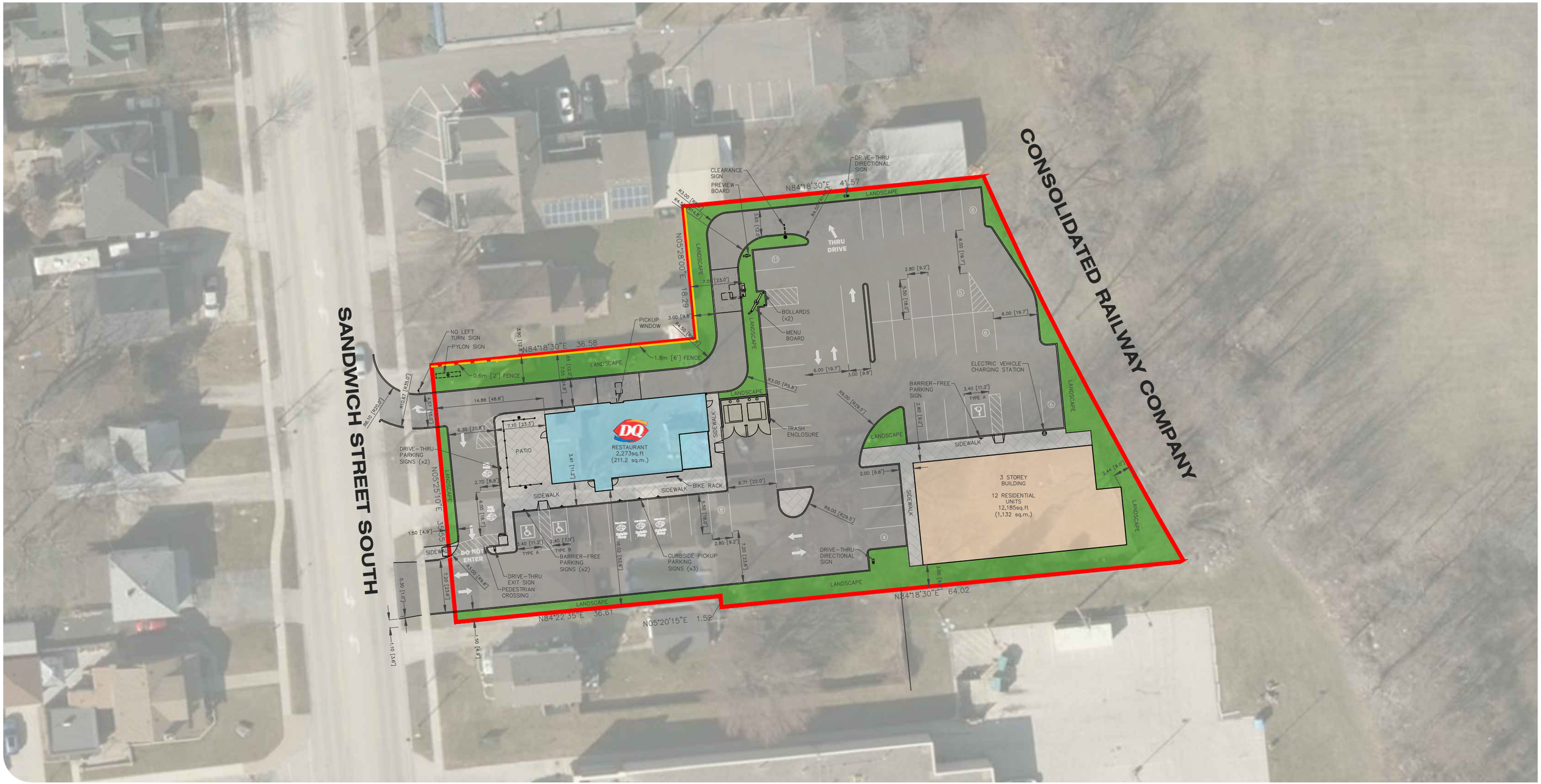
Comments	Response
• Concerns over noise from the patio late into the evening	• The proposed fencing and landscaping will bring additional buffering elements and further reduce any impacts to the neighbouring residential dwelling. • The hours of operation for the DQ will be from 10am to 10pm (Noon to 10pm on Sundays). For the summer months (May through August), it will be open until 11pm on Saturdays and Sundays. It should be noted that the kitchen closes at 10pm, with few customers between 10pm and 11pm. • Fencing (6ft) and landscaping are proposed adjacent to the abutting property to increase privacy and to mitigate potential noise from customers using the patio.
Active Transportation: • Recommendation to include bike racks and pedestrian cross-section to encourage active transportation and reduce drive-through use (idling)	• This comment has been noted. A bicycle rack for seven (7) bicycles and a pedestrian crossing have be included on the updated Conceptual Development Plan, dated July 13, 2022 (see attached).
Litter: • Concerns regarding litter on neighbouring properties	• This comment has been noted. The development will include additional waste receptacles on the sidewalk on Sandwich Street S, adjacent to the subject site.
EV Charging Stations • Recommendation for an EV Charging Station	• This comment has been noted. The development will include conduits to accommodate an EV Charging Station for the residential building.

Conclusion

We have given careful consideration to the comments received from the public, Council, and municipal staff and have incorporated these recommendations into the revised conceptual development plan. We feel the potential impacts of the built form in relation to the existing uses along the Sandwich Street commercial corridor have been addressed and will be compatible with the surrounding land uses.

We look forward to ongoing communication with the residents, the Municipality, and the Heritage Committee as we move through the planning approval and design process.

Amy Farkas, MCIP, RPP
Associate



TOAD ONE INC.
51 & 57 SANDWICH ST. S., AMHERSTBURG, ON

MIXED USE DEVELOPMENT
CONCEPTUAL DEVELOPMENT PLAN

SUBJECT AREA (± 0.42 ha / 1.04 ac)

PROPOSED RESTAURANT WITH DRIVE-THRU

PROPOSED RESIDENTIAL BUILDING

PROPOSED LANDSCAPE

PROPOSED SIDEWALK

PROPOSED FENCE

File Location:
c:\pw working directory\projects 2022\dillon_34jmm\dms13189\dq conceptual development plan.dwg
July, 13, 2022 4:42 PM

MAP/DRAWING INFORMATION
Base mapping from County of Essex Interactive Mapping.

CREATED BY: JMM
CHECKED BY: AMF

SCALE 1:500
0 5 10 20m

N W E S

DILLON CONSULTING

PROJECT: 22 3779
STATUS: TOWN COMMENTS
DATE: 22.07.12

HME

Customer Driven

Memo

Re: Drive-Thru Sound Pressure Levels From the Menu Board or Speaker Post

The sound pressure levels from the menu board or speaker post are as follows:

1. Sound pressure level (SPL) contours (A weighted) were measured on a typical HME SPP2 speaker post. The test condition was for pink noise set to 84 dBA at 1 foot in front of the speaker. All measurements were conducted outside with the speaker post placed 8 feet from a non-absorbing building wall and at an oblique angle to the wall. These measurements should not be construed to guarantee performance with any particular speaker post in any particular environment. They are typical results obtained under the conditions described above.

2. The SPL levels are presented for different distances from the speaker post:

Distance from the Speaker (Feet)	SPL (dBA)
1 foot	84 dBA
2 feet	78 dBA
4 feet	72 dBA
8 feet	66 dBA
16 feet	60 dBA
32 feet	54 dBA

3. The above levels are based on factory recommended operating levels, which are preset for HME components and represent the optimum level for drive-thru operations in the majority of the installations.

Also, HME incorporates automatic volume control (AVC) into many of our Systems. AVC will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. See below for example:

Distance from Outside Speaker	Decibel Level of standard system with 45 dB of outside noise <u>without</u> AVC	Decibel level of standard system with 45 dB of outside noise <u>with</u> AVC active
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA

If there are any further questions regarding this issue please contact HME customer service at 1-800-848-4468.

Thank you for your interest in HME's products.

HM Electronics, Inc. | 14[illegible] Drive | Poway, CA 92064
phone: 800.848.4468 | fax: 858.452.7207 | www.hme.com

AMENDMENT NO. 17
TO THE OFFICIAL PLAN
FOR THE TOWN OF AMHERSTBURG
PART "A" - THE PREAMBLE

1. PURPOSE
The purpose of this Amendment is to introduce language that would create Special Policy Area #17 in the Town of Amherstburg Official Plan.

2. BACKGROUND
The Town received an Official Plan Amendment and Zoning By-law Amendment from TOAD ONE Inc., for approximately 0.42 hectares or land (municipally known as 51 and 57 Sandwich Street South) located on the east side of Sandwich Street South between Alma Street and Fort Street. If approved, the Official Plan will be amended on a site-specific basis through a Special Policy Area to permit a drive through restaurant on the subject lands having a total gross floor area of approximately 211m^2 with an additional three storey, 12-unit medium-density residential building at the rear of the property. Forty parking spots plus four accessible parking spots are proposed for this development. The Zoning By-law amendment, if approved at a subsequent meeting of Council, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

3. BASIS

The proposed development is located in the peripheral area adjacent to the downtown core of Amherstburg. The site is located as an infilling development in the mixed use area that is peripheral to the downtown core.

It is observed that through the history of planning applications on the east side of Sandiwch Street south of Alma Street and north of Richmond Street that this is an area in transition towards more commercial uses, mixed-use developments and higher than existing residential densities.

Amherstburg is experiencing an increase in demand for commercial uses that serve people by automobile via drive-through and walk-up or bicycle or other accessible access means to the businesses. Furthermore, accessible access for all persons is a legislated requirement.

PART “B” - THE AMENDMENT

All of this part of the document, entitled, “Part ‘B’ – The Amendment” consisting of the following text constitutes Amendment No. 17 to the Official Plan for the Town of Amherstburg.

1. DETAILS OF THE AMENDMENT

The Official Plan of the Town of Amherstburg is amended as follows:

That Section 4.4.3 Commercial Special Policy Areas is amended by adding subsection 7 as follows:

(7) For lands designated under Special Policy Area 17 in the Town of Amherstburg Official Plan located at the municipal addresses known as 51 Sandwich Street South and 57 Sandwich Street South, a drive through restaurant having a total gross floor area of approximately 211m^2 with an additional three storey, 12-unit medium-density residential building at the rear of the property shall be permitted uses.

That Schedules “A” and “B” of the Official Plan of the Town of Amherstburg are amended to show the location of Special Policy Area 17.

2. IMPLEMENTATION AND INTERPRETATION

This document will be implemented by the Town of Amherstburg by enacting an appropriate amendment to the Zoning By-law of the Town of Amherstburg and enacted through the Town’s Site Plan By-law.

DQ
GRILL & CHILL
DQ

DQ
GRILL & CHILL

DQ
GRILL & CHILL
DQ

DQ
GRILL & CHILL

A	HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7586 - STOLEN KISS
B	HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7047 - PORPOISE
C	FACE BRICK VENEER TO MATCH HARDIE PANEL "B"
D	FACE BRICK VENEER TO MATCH SHERWIN WILLIAMS SW 7024 - FUNCTIONAL GRAY
E	HARDIE BOARD LAP SIDING 4" PROFILE SHERWIN WILLIAMS SW 7531 - CANVAS TAN
F	STONE SILL
G	CHARCOAL ALUMINUM CAP
H	RED ALUMINUM CAP TO MATCH HARDIE PANEL "A"
I	BLACK ALUMINUM ACCENT PANEL DETAIL
J	DARK BRONZE ALUMINUM WINDOW FRAMES WITH CLEAR GLAZING

a architectural
d design
a associates
inc. architect

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Tel 519.254.3430

ada-architect.ca

SCHEMATIC RESIDENTIAL BUILDING AESTHETIC.

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

June 15, 2022

Ms. Tammy Fowkes
Deputy Clerk
Town of Amherstburg
512 Sandwich St South, Amherstburg, ON, N9V 3R2
Tel: 519-736-0012 ext: 2216

Dear Ms. Tammy Fowkes:

RE: Application for Official Plan Amendment OPA 17 & Zoning By-Law Amendment ZBA-11-22
51 & 57 SANDWICH ST S
ARN 372926000000800 & 372926000000900; PIN: 705530003, 705530156
Owner: ROSALINDA HOLDINGS INC & ESPOSITO MATTHEW MARIO

The following is provided as a result of our review of the Notice of Public Meeting to Consider Application for Official Plan Amendment OPA 17 & and Zoning By-Law Amendment ZBA-11-22 .

This Official Plan Amendment, if approved, will amend the existing General Commercial policies to permit a drive through restaurant on the subject lands having a total gross floor area of approximately 211.2 square metres and an outdoor patio in conjunction with a multi-unit mixed use commercial/residential building having a total gross floor area of approximately 1191 square metres. The Rezoning, if approved, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

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).

Ms. Tammy Fowkes
June 15, 2022

RISK MANAGEMENT AND SOURCE PROTECTION PLAN

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015. The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats. Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org or 519-776-5209 ext 214. If a Risk Management Plan has previously been negotiated on this property, it will be the responsibility of the new owner to contact the Essex Region Risk Management Official to establish an updated Risk Management Plan. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

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 PPS, 2020 - Stormwater Management

We request to be included in the circulation of the Site Plan Control application. We reserve to comment further on storm water management concerns until we have had an opportunity to review the specific details of the proposal through the site plan approval stage.

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

The following comments are provided from our perspective as an advisory service provider to the Planning Authority 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 Planning Authority.

We note that the subject property is adjacent to (within 120 m of) a natural heritage feature that may meet the criteria for significance under the PPS. Section 2.1.8 of the PPS, 2020 states – "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and

Essex Region Conservation Authority
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Amherstburg / Essex / Kingsville / Lakeshore / LaSalle / Leamington / Pelee Island / Tecumseh / Windsor

areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function 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."

Notwithstanding the above noted references to the PPS policies, we note that the proposed development is either adequately setback and/or physically separated from the natural heritage feature by existing development or infrastructure. Therefore, we do not anticipate any negative impacts associated with the proposal. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

We request to be included in the circulation of the Site Plan Control application. We reserve to comment further on storm water management concerns until we have had an opportunity to review the specific details of the proposal through the site plan approval stage.

Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org or 519-776-5209 ext 214.

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

Sincerely,

Vitra Chodha, E.P
Resource Planner
/vc

Essex Region Conservation Authority
sustaining the place for life

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LONDON ON N5Y 1A3
POSTESCANADA.CA

June 8, 2022

JANINE MASTRONARDI
PLANNING OFFICE CLERK
TOWN OF AMHERSTBURG – LIBRO CENTRE
3295 MELOCHE RD
AMHERSTBURG ON N9V 2Y8

Re: **File No.: OPA NO. 17 & ZBA 11-22**
51-57 Sandwich Street South

Dear Janine,

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Regards,

Bruno DeSando

Bruno DeSando
CANADA POST CORPORATION
Delivery Planning
955 Highbury Avenue
LONDON ON N5Y 1A3
tel: 519-494-1596
fax: 519-457-5412
e-mail: bruno.desando@canadapost.ca

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
    - Residential compartments must be at least 12.5 x 13.5 cm
    - Commercial compartments at least 13.5 x 30.5 cm
    - Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

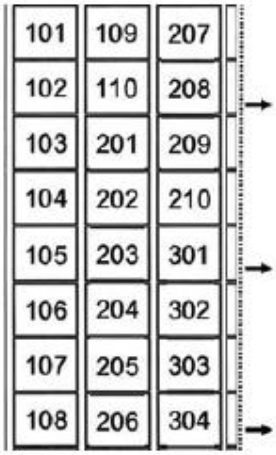
- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes



Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

From:	Shane McVitty
To:	Janine Mastronardi
Cc:	Todd Hewitt
Subject:	RE: Notice of Public Meeting for an OPA and ZBA- 51-57 Sandwich St S and a ZBA on E/S Conc 7, Amherstburg
Date:	June 13, 2022 9:29:41 AM

Good Morning,

51-57 Sandwich Street South –
All site servicing issues, including Traffic Impact and Stormwater Management, will be addressed during site plan control.

Part of Lot 81, Conc 7 (7463 Concession 7) – IS has no comments regarding this ZBA.

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

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From: Janine Mastronardi <jmastronardi@amherstburg.ca>
Sent: June 6, 2022 9:47 AM
To: Peter Simmons <psimmons@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Bruce Montone <bmontone@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Dan Monk <dmonk@amherstburg.ca>; 'aclavet@essexpowerlines.ca' <aclavet@essexpowerlines.ca>; 'Bruno Desando (bruno.desando@canadapost.ca)' <bruno.desando@canadapost.ca>; 'planningapps' <planningapps@countyofessex.ca>; 'ERCA Notice & Applications (planning@erca.org)' <planning@erca.org>; 'Barry Horrobin' <bhorrobin@windsorpolice.ca>; 'ONTUGLLandsINQ@uniongas.com' <ONTUGLLandsINQ@uniongas.com>; 'shelley.armstrong@publicboard.ca' <shelley.armstrong@publicboard.ca>; 'seniormanagerfs@wecdsb.on.ca' <seniormanagerfs@wecdsb.on.ca>; Valerie Critchley <vcritchley@amherstburg.ca>; Antonio Marra <amarra@amherstburg.ca>; 'executivevp.lawanddevelopment@opg.com' <executivevp.lawanddevelopment@opg.com>
Cc: Melissa Osborne <mosborne@amherstburg.ca>; Chris Aspila <caspila@amherstburg.ca>
Subject: Notice of Public Meeting for an OPA and ZBA- 51-57 Sandwich St S and a ZBA on E/S Conc 7, Amherstburg

From:	Ron Meloche
To:	Janine Mastronardi; Peter Simmons; Antonietta Giofu; Todd Hewitt; Shane McVitty; Angelo Avolio; Michelle Lavin; Bruce Montone; Dan Monk; "aclavet@essexpowerlines.ca"; "Bruno Desando (bruno.desando@canadapost.ca)"; "planningapps"; "ERCA Notice & Applications (planning@erca.org)"; "Barry Horrobin"; "ONTUGLLandsINQ@uniongas.com"; "shelley.armstrong@publicboard.ca"; "seniormanagerfs@wecdsb.on.ca"; Valerie Critchley; Antonio Marra; "executivevp.lawanddevelopment@opg.com"
Cc:	Melissa Osborne; Chris Aspila
Subject:	RE: Notice of Public Meeting for an OPA and ZBA- 51-57 Sandwich St S and a ZBA on E/S Conc 7, Amherstburg
Date:	June 6, 2022 1:39:50 PM

Good afternoon Janine, Fire has no objection to ZBA-17-22 (-51-57 Sandwich), or ZBA -10-22 (Conc. 7 S)

Ron Meloche

Deputy Fire Chief

Town of Amherstburg

271 Sandwich St. South, Amherstburg, ON, N9V 2A5

Tel: 519-736-6500 x2231 Fax: 519-736-3683 TTY: 519-736-9860

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From: Janine Mastronardi <jmastronardi@amherstburg.ca>
Sent: June 6, 2022 9:47 AM
To: Peter Simmons <psimmons@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Bruce Montone <bmontone@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Dan Monk <dmonk@amherstburg.ca>; 'aclavet@essexpowerlines.ca' <aclavet@essexpowerlines.ca>; 'Bruno Desando (bruno.desando@canadapost.ca)' <bruno.desando@canadapost.ca>; 'planningapps' <planningapps@countyofessex.ca>; 'ERCA Notice & Applications (planning@erca.org)' <planning@erca.org>; 'Barry Horrobin' <bhorrobin@windsorpolice.ca>; 'ONTUGLLandsINQ@uniongas.com' <ONTUGLLandsINQ@uniongas.com>; 'shelley.armstrong@publicboard.ca' <shelley.armstrong@publicboard.ca>; 'seniormanagerfs@wecdsb.on.ca' <seniormanagerfs@wecdsb.on.ca>; Valerie Critchley <vcritchley@amherstburg.ca>; Antonio Marra <amarra@amherstburg.ca>; 'executivevp.lawanddevelopment@opg.com' <executivevp.lawanddevelopment@opg.com>
Cc: Melissa Osborne <mosborne@amherstburg.ca>; Chris Aspila <caspila@amherstburg.ca>
Subject: Notice of Public Meeting for an OPA and ZBA- 51-57 Sandwich St S and a ZBA on E/S Conc 7, Amherstburg

Good morning.

Please find attached for your review and comment a notice of public meeting for a proposed official plan amendment and zoning by-law amendment with associated applications and PJR at 51-57 Sandwich St S.

From:	Horrobin, Barry
To:	Janine Mastronardi
Cc:	Melissa Osborne; Chris Aspila; Lisa Cheney
Subject:	Windsor Police comments: Notice of Public Meeting for an OPA and ZBA- 51-57 Sandwich St S and a ZBA on E/S Conc 7, Amherstburg
Date:	June 10, 2022 3:59:28 PM

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Janine:

I have reviewed the documents you provided pertaining to the two applications for proposed amendments to both the Official Plan and the Zoning By-Law and would advise as follows:

E/S Concession 7 – Zoning By-Law Amendment:

- The Windsor Police Service has no concerns or objections to the proposed Zoning By-law amendment being requested, as the outcome from this will not inhibit effective emergency police incident response access and general police patrolling capability to the subject property or surrounding area.

51-57 Sandwich Street South – Official Plan and Zoning By-Law Amendments:

- The Windsor Police Service has no objections to the proposed official plan and Zoning By-law amendment being requested to permit a drive through restaurant and outdoor patio, in conjunction with a multi-unit mixed use residential/commercial building on the subject lands. The site is situate within a growing area of the town in terms of commercial redevelopment and it will be important the site's design will provide for effective emergency police incident response access and general police patrolling capability.
- The introduction of a drive through restaurant operation with additional commercial/residential uses at this busy section of Sandwich Street will likely generate a significant increase in vehicular turning movements onto and off of the property, compared to the previous land use (two single unit residential dwellings). This will place high importance on a final design that results in no sight line obstructions for drivers entering and exiting Sandwich Street, most notably at the exit of the drive through lane.
- To ensure all detailed facets of public safety and security get addressed for the development, we will provide more site-specific remarks during the site plan review phase for the project. This will include examining elements such as safe vehicular access and maneuverability, site lighting, signage and pavement markings, etc.

Respectfully,

From: [redacted]>
Sent: June 6, 2022 12:13 PM
To: thowkes@amherstburg.ca
Cc: Peter Simmons CAO A'burg <psimmons@amherstburg.ca>; Melissa Osborne <mosborne@amherstburg.ca
Subject: Rezoning of 51 and 57 Sandwich street
Importance: High

We have recently been given notice of the rezoning of the above property. As you are aware, Mikhail Holdings is very much growth oriented and welcomes all new businesses to our community. We do not wish to stop this development, but only place caution on concerns we are facing at our Sobey's site … that being stacking issues for drive thru's.

Our site has ample parking fields to control over flow, however, entering and exiting the site has been a major challenge. We will be challenging administration to move the current traffic light now facing the vacant Maria's restaurant to the corner of Sandwich and Fort … allowing traffic to properly enter and exit. However, this only fixes the Sobey's site and will not fix the issues we see with a drive thru next to 61 Sandwich street, which is residential and force traffic to possible back up and block the Pharmacy and the Sobey entrances and exits.

We are hopping a proper traffic study is conducted before introducing such a high traffic drive thru in a mixed zoning environment. We have no objection whatsoever to the rezoning, but are seriously concerned about allowing a drive thru in such a small site, which is mixed with residential.

Joseph B. Mikhail
Mikhail Holdings Ltd.
[redacted]

June 23, 2022

Tammy Fowkes

Deputy Clerk

The Town of Amherstburg

Re: Development proposal for 51 & 57 Sandwich St. S. Amherstburg

Dear Tammy,

Neighbours and I live across from the proposed site for a new Dairy Queen. The developers want to add a drive through to the facility.

We are concerned about potential noise from the drive through speaker system & vehicles idling in the waiting lane.

We would like to be presented with a report dealing with the noise component of the drive through prior to Council approving this currently unknown element. We would like to have input in their ultimate decision once these concerns are addressed.

We are also concerned about the overall appearance of the landscaping features that are proposed. We would encourage the Town to seek more than the minimum landscaping features, particularly to the front of the development in order to blend it with the neighbourhood.

Our hope is that Council will delay implementation of any amendment until such time as there is more information available to us, the residents of the neighbourhood.

Sincerely,

Olwyn Coughlin

Phone: [redacted]

Email:

Address:

Neighbour's name (or neighbour can send this separately)

Phone:

Email:

Address:

June 22, 2022

The Deputy Clerk

The Town Of Amherstburg

Re: Proposed Dairy Queen 51/57 Sandwich St S Amherstburg

This letter will confirm my interest in the Official Plan Amendment being sought for the subject property.

I have reviewed the consultant's report and site plan as well as the application & the relief that is requested.

The background to the Official Plan Amendment that requires the Heritage Committee to have input and approval to developments in this section of Sandwich St. was brought about by myself, The Hon. Eugene Whelan & a small group of citizens. Our concern was that commercial development replacing the varied residential & other structures or development upon vacant lots have a softer appearance & lend themselves to creating a "gateway" appearance to the town.

While not specifically required, the Heritage Committee should consider at least one public meeting for input in future applications to develop in this area in order to gain input from residents.

With respect to the proposal as it stands, I have the following comments & concerns:

The site plan shows an envelope for a mixed-use building at the rear of the site. There are no renderings shown for this building. Has this building been reviewed and approved by the Heritage Committee? If not, I would suggest that an agreement be made that the mixed-use building either be removed from the site plan or that the Heritage Committee shall approve its design prior to its construction.

The site plan shows a 4'9" landscape strip separating the development from the street. As said previously, the intent of the Official Plan is to create a "gateway". Doubling the width of the landscaping in front and providing a landscape plan with trees and shrubs would soften the look and thus capture a more ambient feel than a few feet of grass and a parking lot.

The site plan indicates the drive through and ordering equipment, speakers, etc., as well as the vehicle "stacking" lane will be to the north side of the property where it abuts a neighbouring property. The site plan indicates a 6' fence be placed along this area of the property. The design of the fence also becomes a factor. Are there accompanying studies indicating the decibels from the ordering station and further how it can be mitigated with a fence? Are additional landscape features beneficial to noise abatement? If so, are the studies & designs available for review? The fence itself should also be vetted by the Heritage Committee as it is a built feature of the property, and the property is situated in a controlled gateway area. These are the small details that may have gone overlooked. These items go to the critical point of the relief the proponent is seeking, namely, a drive through.

I am hopeful that these items can be addressed to everyone's satisfaction. Feel free to contact me at any point in this process.

Best regards,

Phil Kasurak

[redacted]

Town of Amherstburg - Official Plan & Rezoning Application
Subject land: 51 and 57 Sandwich St.S.

I wish to express several concerns that I have with the proposed development of the properties outlined.
They have been listed below as follows:

1) Both the side as well as the rear of my property will be affected by the development. This will have an effect on my quality of life a I will be subjected to noise in a number of ways.
a) Loud speakers for the ordering of take out food is concerning.
b) An outdoor patio can be loud and since fast food restaurants are open late can escalate this issue.
c) Vehicles moving and/or idling tend to not only create noise, but also create noxious fumes from both gasoline and diesel engines
d) Vehicles dropping off supplies (many with noisy refridgeration units) Refuge vehicles emptying contains add to noise.
2) These businesses require substantial lighting with high overhead light standards.
a) This will undoubtingly present unwanted nighttime glare until late hours of night on my windows & property in general.
b) These lights attract numerous insects eg. mayflies, mosquitos etc. Dying insects create a secondary issue with odour.
3) I feel that this development will create the feeling of being watched all the time (no privacy). I have a 2 storey home with windows on the southern exposure.
4) Traffic conjestion
a) As many of you are aware, Sandwich St.S. traffic has significantly increased in recent years and I feel that this endeavour ~~my~~ will create increased concern for safety. Getting out of resident driveways is becoming more challenging already.

Traffic continued...

Sandwich St. is the main thoroughfare in our town and was designed many years ago. With the progression of business and residential growth, it is increasingly becoming a traffic issue.

5) Increase in litter

a) I already get litter on my lawn from other fast food chains. having one next door will only add to this problem.

6) Barriers

a) I have witnessed barriers put up at other fast food restaurants in town (pretty shabby) and believe that a 6' pressure treated fence will do little to provide privacy and reduce noise. It is not an adequate solution.

Thank you for your time

Sincerely
Robert Guitard
[redacted]

From: Chris Aspila
To: Tammy Fowkes
Cc: Janine Mastronardi
Subject: FW: Amendment Change to 51-57 Sandwich St S
Date: June 27, 2022 8:50:21 AM

Hi Tammy,

Another comment for the Special Planning Meeting at 4pm today.

Thanks,

Chris

Chris Aspila
Manager, Planning Services
Town of Amherstburg
3295 Meloche Rd., Amherstburg, ON, N9V 2Y8
Tel: 519-736-5408 x2124 Fax: TTY: 519-736-9860

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From: Meghan Gransden [redacted]
Sent: June 25, 2022 2:05 PM
To: Chris Aspila <caspila@amherstburg.ca>
Subject: Amendment Change to 51-57 Sandwich St S

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

Good afternoon,
I just heard about the planning proposition and meeting that will be occurring Monday June 27th for this issue. I am recuperating from surgery and may not be able to physically attend - am I able to email my thoughts on this issue in? If so, here is my comment:

My name is Meghan Sears, and I live on [redacted] Sandwich St South. I vehemently disagree and oppose the idea of having a drive through restaurant placed on the aforementiones properties and changing their zoning. I feel this would be a poor deciaion, and am opposed to it

occurring.
Thank you,
Meghan

Sent from my Galaxy

TOWN OF AMHERSTBURG
OPA No. 17 & ZBA/11/22
LAIRD AV N
SANDWICH ST N
BERTRAND AVE
ALMA ST
COUNTY RD 16
SANDWICH ST S
LAIRD AV S
ELM ST
MAPLE AVE
FORT ST
FORHAN ST
LAIRD AV S
Legend
Notification Area
Properties within 120m Circulation

ARN	ADD1	STREETNAME
372925000004500	63	ELM AVE
372925000006500	28	SANDWICH ST S
372925000004200	75	ELM AVE
372925000006400	32	SANDWICH ST S
372925000006000	50	SANDWICH ST S
372925000005500	80	SANDWICH ST S
372925000003700	59	LAIRD AVE S
372925000006700	20	SANDWICH ST S
372925000003800	63	LAIRD AVE S
372925000005300	82	MAPLE AVE
372925000005800	60	SANDWICH ST S
372925000003500	47	LAIRD AVE S
372925000004400	67	ELM AVE
372925000003400	41	LAIRD AVE S
372925000005700	68	SANDWICH ST S
372925000004300	71	ELM AVE
372925000006200	42	SANDWICH ST S
372925000004000	70	ELM AVE
372925000004700	83	LAIRD AVE S
372925000003900	66	ELM AVE
372925000006300	34-36	SANDWICH ST S
372925000006100	46	SANDWICH ST S
372925000003300	37	LAIRD AVE S
372925000005600	72	SANDWICH ST S
372925000004100	74	ELM AVE
372925000003600	53	LAIRD AVE S
372925000006600	24	SANDWICH ST S
372925000005900	56	SANDWICH ST S
372925000003200	31	LAIRD AVE S
372925000005400	90	SANDWICH ST S
372926000005600	131	ALMA ST
372926000001700	89	SANDWICH ST S
372926000002600	152	FORT ST

372926000000300	23	SANDWICH ST S
372926000000100	13	SANDWICH ST S
372926000002700	156	FORT ST
372926000000700	47	SANDWICH ST S
372926000005300	145	ALMA ST
372926000006100	111	ALMA ST
372926000006300	95	ALMA ST
372926000006000	115	ALMA ST
372926000000200	17	SANDWICH ST S
372926000000900	57	SANDWICH ST S
372926000002320		ALMA ST
372926000002300	83	SANDWICH ST S
372926000000800	51	SANDWICH ST S
372926000005900	125	ALMA ST
372926000000600	41	SANDWICH ST S
372926000001000	61	SANDWICH ST S
372926000001100	71	SANDWICH ST S
372926000006200	105	ALMA ST
372926000002500	148	FORT ST
372926000000500	35	SANDWICH ST S
372926000002301		ALMA ST
372926000000400	27	SANDWICH ST S

DILLON CONSULTING

TOAD ONE INC.
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Planning Justification Report

51 & 57 Sandwich Street South, Amherstburg, ON

REVISED August 2022 – 22-3779

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1.0 Introduction

1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc., herein referred to as the 'Applicant', to assist in obtaining the necessary planning approvals associated with a proposed mixed use infill development located at 51 and 57 Sandwich Street South, southeast of the intersection of Alma Street and Sandwich Street South, in the Town of Amherstburg (Municipality). The Applicant is proposing the redevelopment of the site for a Dairy Queen restaurant with drive-through and a residential building.

Figure 1-1: Location Map

The property is designated accordingly in the County of Essex Official Plan, Town of Amherstburg Official Plan, and Zoning By-law 1999-52 as follows:

County of Essex Official Plan: Schedule A2: Settlement Structure Plan

- Primary Settlement Area

Figure 1-2: County of Essex Official Plan Land Use Designations

Town of Amherstburg Official Plan

- General Commercial

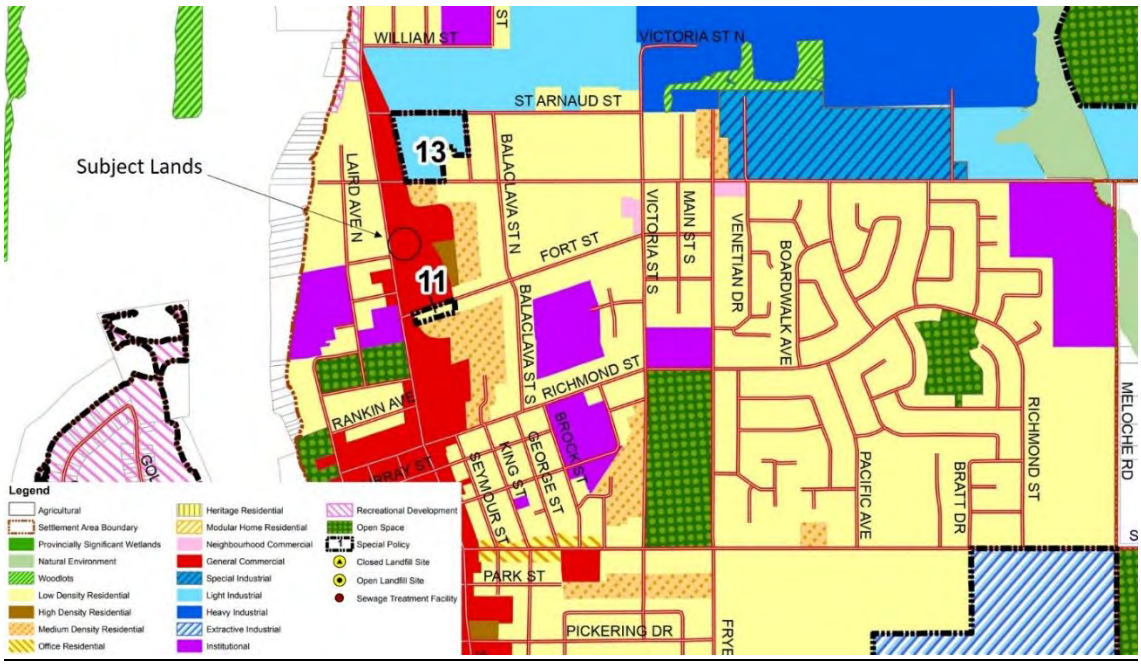


Figure 1-3: Town of Amherstburg Official Plan Land Use Designations

Town of Amherstburg Zoning By-law 1999-52 – Schedule A: Zoning District Map 9

- Residential Office (RO)

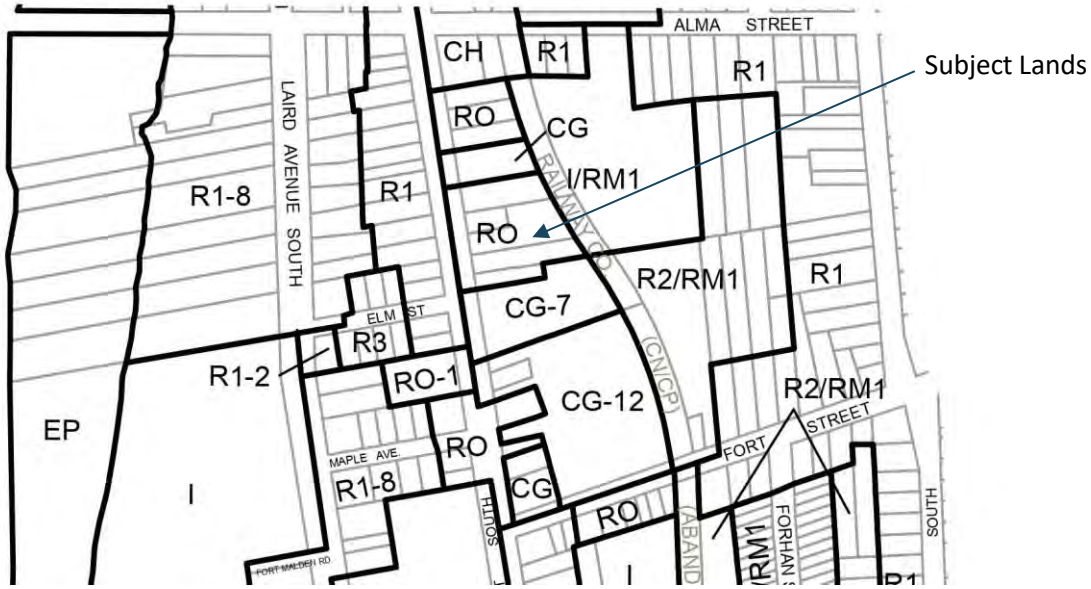


Figure 1-4: Town of Amherstburg Zoning By-law Designations

In keeping with the policies of the General Commercial land use designation of the Town of Amherstburg Official Plan, the subject site will require an Official Plan Amendment to permit a drive-through due to its location on Sandwich Street South. The subject site will also require a site specific Zoning By-law Amendment to facilitate the proposed development. More specifically, a site specific Commercial General (CG-X) Zone is being sought for the subject site that would include the following:

- A drive-through restaurant as a permitted use;
- A multiple dwelling as a permitted use;
- A reduction in the minimum interior side yard width for buildings and structures associated with a drive-through abutting a residential use;
- A reduction in the minimum rear yard depth;
- A reduction in the minimum width of a landscaped planting strip abutting a residential interior side yard;
- An outdoor patio associated with a restaurant as a permitted use on lands adjoining a residential zone; and
- All other building requirements for the commercial and residential building to be in accordance with the requirements of the Commercial General (CG) zone.

The applicant has submitted Official Plan Amendment and Zoning By-law Amendment applications to this effect (Refer to **Appendix A – Development Applications**).

*Note that the Official Plan Amendment application was approved by Council on August 8, 2022, with County of Essex approval on August 15, 2022.

1.2 Description of Site

The subject site is located on the east side of Sandwich Street South between Alma Street to the north, and Fort Street to the south (refer to **Figure 1-1: Location Map**). The subject site consists of two (2) parcels of land, legally described as follows:

- PLAN 8 LT 10 AND PART LOT 11, PLAN 6 LOT 18, PLAN 240 PT LOT 3, RP 12R7896 PARTS 3, 4, AND 5, AMHERSTBURG

The total site area under application is approximately 0.42 ha (1.04 acres), having approximately 35.5 m (116.5 ft.) of frontage on Sandwich Street South. The site currently contains two residential dwellings and accessory structures which will be demolished in order to facilitate the development.

1.3 Proposed Development

The applicant wishes to develop the site for a Dairy Queen (DQ) restaurant and drive-through on the western portion of the site, adjacent to Sandwich Street S (County Road 20). A three-storey multiple dwelling building with twelve (12) units is being proposed on the southeast quadrant of the site.

The restaurant would have a gross floor area (GFA) of 2,273 square feet (211.2 m^2) and a drive-through lane that would be able to accommodate ten (10) passenger vehicles. Access to the property is proposed from Sandwich Street S at the southern extent of the site. An additional "right-out" exit is also being proposed onto Sandwich Street S from the drive-through, as recommended in consultation with the Town.

The DQ features an approximately 50 m^2 patio at the front of the restaurant and a bicycle rack to accommodate seven (7) bicycles. Pedestrian crossing markings have also been included on the plan bringing pedestrians and cyclists from Sandwich Street S to the DQ restaurant. A privacy fence and enhanced landscaping is being proposed adjacent to the drive-through and pick-up window as a buffer to the adjacent property. The DQ will also have a wooden garbage enclosure for the waste and recycling receptacles.

Forty-six (47) parking spaces are proposed for the site with an additional three (3) parking spaces being designated as barrier-free. Two of these parking spaces would be adjacent to the DQ restaurant while the other is located adjacent to the residential building. In addition, there would be two "pull ahead" parking spaces designated for vehicles utilizing the drive-through, as some vehicles may need to park and standby after placing their order in the case the order is not ready at the pick-up window. Servicing for an EV charging station is being proposed for the residential building.

Figure 1-5: Conceptual Development Plan illustrates the proposed mixed use development.

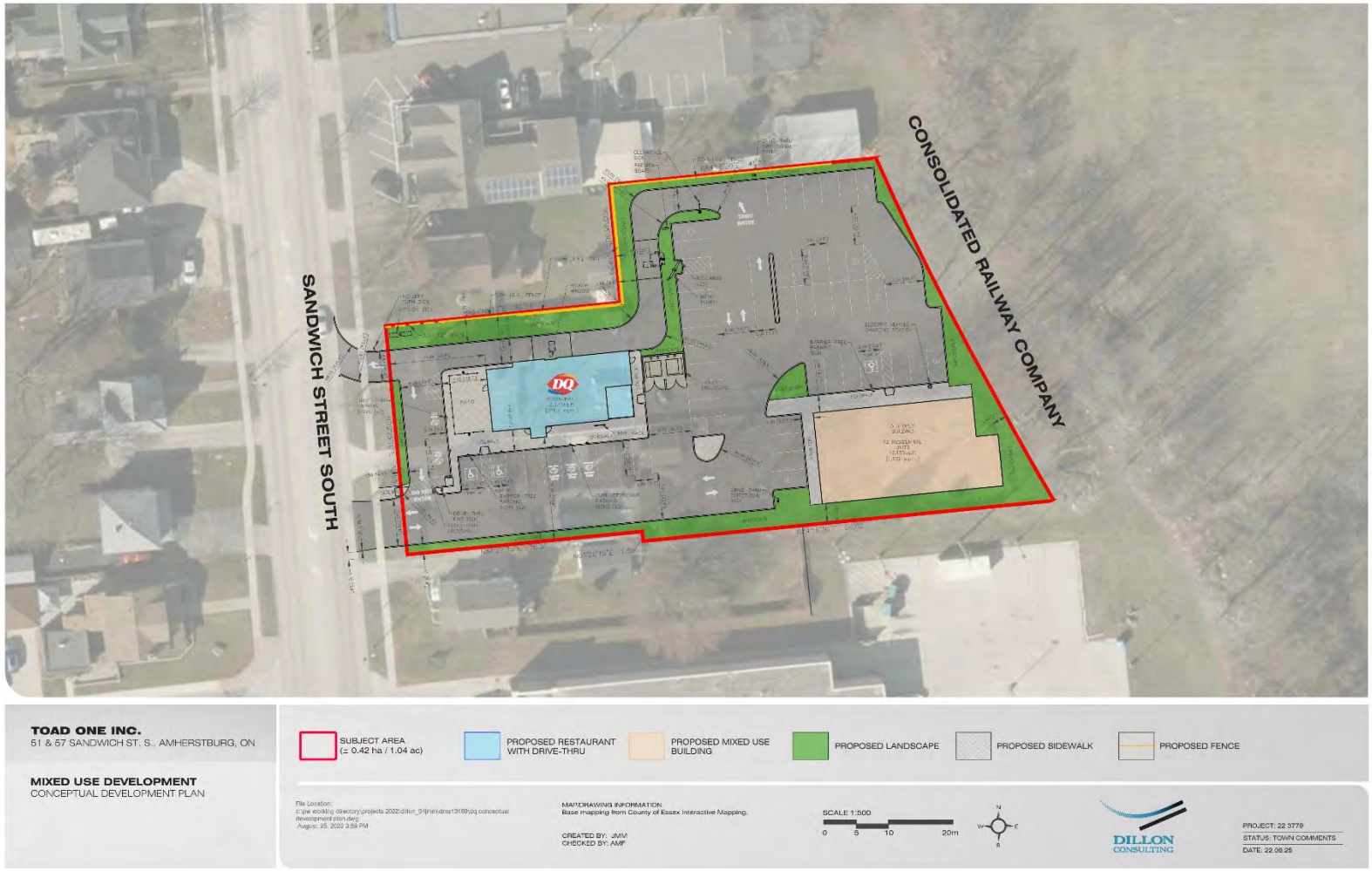


Figure 1-5: Conceptual Development Plan

The applications for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) propose to establish a site specific policy in the General Commercial policies of the Official Plan and a site specific zoning to support the restaurant and residential development.

The proposed development requires a Zoning By-law Amendment to change the zoning for Residential Office (RO) to a site specific Commercial General (CG) zone to permit the drive-through restaurant, patio, and residential building. The rezoning will include the addition of these uses, as well as site specific setbacks for the drive-through facilities, a reduction in the minimum widths for planting strips, and a reduction in the minimum rear yard depth. This site specific zone will include the existing CG provisions for commercial uses. The proposed residential building is in accordance with the application requirements. The site will require an Official Plan Amendment to permit the proposed drive-through as it is not permitted due to the location of the subject lands on Sandwich Street South.

The subject site is subject to Site Plan Control Approval, where particular detail will be paid to adequately address buffering, fencing, lighting and façade treatments.

As will be demonstrated in Section 3.0 of this report, the redevelopment of these lands for residential and commercial uses is in keeping with the pertinent regional and local policies, provisions and guidelines of the Provincial Policy Statement, County of Essex Official Plan, Town of Amherstburg Official Plan, and Town of Amherstburg Zoning By-law.

Figure 1-6: Proposed Dairy Queen, 51 & 57 Sandwich St S, Amherstburg

2.0 Existing Land Use

2.1 Subject Site

The physical attributes of the site are as follows:

- A total site area of approximately 0.42 ha (approx. 1.04 acres);
- Two (2) properties fairly flat in nature;
- No significant environmental areas or hazards;
- Frontage on Sandwich Street South; and
- Each property currently contains a residential dwelling and associated accessory structures including a shed and fencing.

2.2 Surrounding Land Use

The surrounding land uses are varied as shown in **Figure 2-1: Surrounding Land Uses** and are described as follows:

North

- Low Density Residential (single detached dwellings) (RO)
- Commercial uses including:
  - Baker Busch Law Office (RO); and
  - Amherstburg Dental (CG).

East

- Low Density Residential (single detached dwellings) (R1)
- Encounter Church (I/RM1)
- Vacant Medium Density Residential (R2/ RM1)

South

- Low Density Residential (single detached dwellings)(RO)
- Commercial uses including:
  - Rexall Pharmacy(CG-7);
  - M-D Connected Walk-in Clinic (CG-7);
  - Wendy's Restaurant (CG-12); and
  - Sobey's Supermarket (CG-12).

West

- Low Density Residential (single detached dwellings) (R1/R1-8/R3)

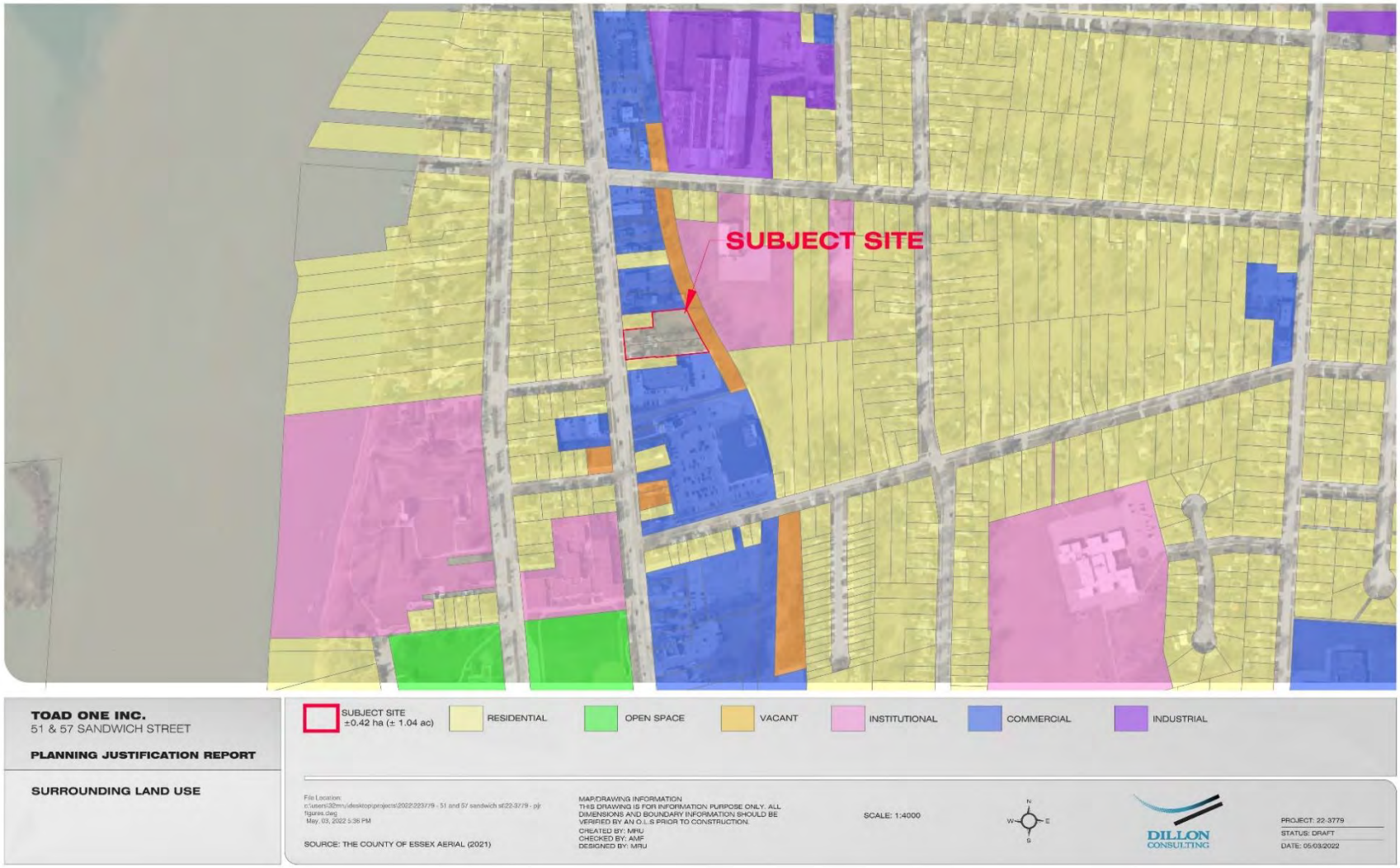


Figure 2-1: Surrounding Land Uses

3.0 Planning Evaluation

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Policy Statement 2020;
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-law 1999-52; and
- Visual inspections of the site and surrounding lands.

3.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) promotes the development of 'Strong, Healthy Communities' through the redevelopment of lands for an appropriate mix of uses. It also promotes the redevelopment and compact form of providing a mix of employment uses for existing and future businesses. The proposed uses must be "consistent with" the PPS and as a broad and general document, the applicants must, through analysis of the policies, determine how the proposed use is appropriate and advances the provinces' interests. There are a number of sections of the PPS that apply to the proposed development.

Our analysis suggests that the following policies of the PPS are relevant to the application:

Section 1.1.1, relating to efficient development and land use patterns;
Section 1.1.2, relating to land availability;
Section 1.1.3, relating to settlement areas;
Section 1.2.6.1 relating to land use compatibility;
Section 1.3, relating to employment;
Section 1.4.1, relating to housing;
Section 1.5, relating to active transportation;
Section 1.6, relating to infrastructure and public service facilities;
Section 1.6.6, relating to sewage, water, and stormwater;
Section 1.6.7, relating to transportation systems;
Section 1.7, relating to long-term economic prosperity; and
Section 1.8, relating to energy conservation, air quality and climate change.

These policies are included in **Appendix B** and will be referenced throughout the remainder of this report.

3.2 County of Essex Official Plan

The County of Essex is the upper tier municipality for the Town of Amherstburg. The County Official Plan (County OP) contains a holistic set of goals, objectives and policies to manage and direct the growth of

Settlement Areas such as the Town of Amherstburg's urban area. The primary goals of the County OP include:

- Directing the majority of growth and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas;
- Creating and maintaining an improved balance between residential and employment growth in each of the Primary Settlement Areas; and
- Encouraging greenhouse gas emissions and energy consumption reduction by promoting built forms and transportation systems that create more sustainable, efficient, healthy and livable communities.

The subject lands are designated Primary Settlement Area in the County of Essex Official Plan. Our analysis suggests that the proposed development is in conformity with the applicable policies of the County OP which include:

Section 1.5, relating to goals for a healthy County;
Section 2.2, relating to growth management;
Section 2.5.3, relating to stormwater quality and quantity;
Section 2.8, relating to transportation;
Section 2.10, relating to sewage and water systems;
Section 3.2, relating to Settlement Areas;
Section 3.2.7, relating to intensification and redevelopment; and
Section 4.7, relating to site plan control.

The proposed mixed use development is permitted under the Primary Settlement Area designation and does not require a County of Essex Official Plan Amendment. These policies are included in **Appendix C** and will be referenced throughout the remainder of this report.

3.3 The Town of Amherstburg Official Plan

The Town of Amherstburg Official Plan sets general directions for the future pattern of development envisioned for the municipality for a twenty year planning period.

The subject lands are currently designated General Commercial in the Official Plan. Section 4.4.2 of the Official Plan provides general policy direction for General Commercial development, which recognizes that it should be directed to appropriate locations. According to the OP, this designation has the following functions:

- To offer goods and services to serve the whole of the municipality's market;
- To provide a broad range of commercial services; and
- To provide complementary services and amenities.

The General Commercial land use policies are designed to promote accessible commercial development through development of a broad range of commercial forms and services including retail commercial

establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores, and residential uses above the first floor. Neighbourhood oriented commercial developments such as the one proposed fit well with the intentions of the Official Plan and can enhance the quality of life in Amherstburg.

Although drive-through restaurants are permitted in the General Commercial designation, the policies in Section 4.4.2 restrict drive-through restaurants to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street. The proposed development is approximately 175 m south of Alma Street, between Alma Street and Fort Street, therefore will require an amendment to the General Commercial designation to permit the drive-through.

The General Commercial designation also includes residential uses above the first floor and states that multi-family residential development will be considered as an alternative form of land use. It is noted in the policy that residential units abutting Richmond Street or Dalhousie Street are not permitted to occupy the first floor. This restriction is not specified for Sandwich Street South.

The intent of the Official Plan is being met with the three-storey multiple dwelling and achieved with the commercial use (Dairy Queen), fronting onto the Sandwich Street South corridor. It will also bring additional residential units to the Town Core (Section 1.7.5).

Our analysis suggests that the proposed development is otherwise in conformity with the intent of the General Commercial policies and other pertinent policies of the Official Plan which include:

Section 2.1, relating to land use management and town development;
Section 2.17, relating to pedestrian access;
Section 2.19, relating to quality of life;
Section 4.1, relating to settlement areas;
Section 4.4.2, relating to General Commercial areas;
Section 5, relating to the transportation system;
Section 6.2, relating to the built form;
Section 6.3, relating to community improvement;
Section 6.3.3, relating to lighting;
Section 6.4, relating to heritage conservation;
Section 6.5, relating to employment opportunities and economic development; and
Section 7.5, relating to site plan control.

These policies are included in **Appendix D** and will be referenced throughout the remainder of this report.

*Note that the Official Plan Amendment application was approved by Council on August 8, 2022, with County of Essex approval on August 15, 2022.

3.4 The Town of Amherstburg Zoning By-law 1999-52

The Town of Amherstburg Zoning By-law 1999-52 implements the policies of the Town of Amherstburg Official Plan by regulating built form and land uses throughout the Town.

A Zoning By-law Amendment is being requested that would change the zoning of the subject lands from Residential Office (RO) to a site specific Commercial General (CG-X) zone that includes a drive-through restaurant, a patio, and a multiple dwelling as permitted uses, reduces the minimum rear yard depth, reduces the minimum interior side yard width for buildings and structures associated with a drive-through (abutting a residential use), and reduces the minimum width of a landscaped planting strip abutting a residential interior side yard. All other building requirements for the commercial and residential building will be in accordance with the requirements of the Commercial General (CG) zone.

Table 3-1 outlines the provisions which will be included in the proposed site specific Commercial General (CG) zone:

Table 3-1: Commercial General (CG) Provisions

Provision	Existing CG Zone	Proposed Site Specific CG-X
Permitted Uses	Refer to **Appendix E**	To include: • Restaurant, Drive-Through • A multiple dwelling • An outdoor patio associated with a restaurant shall be permitted on lands adjoining a residential zone class. All other provisions in Section 3(22) shall apply.
Minimum Front Yard	No Minimum except as provided in Section 3(23) thereof; Section 3(26)(a): Sandwich St. Brunner Road to Fort St 25 m; Section 3(26)(b): Exemption in Built-Up Areas - ± 5.5 m	6 m (14.8 m provided)
Minimum Interior Side Yard	No minimum; where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.	7.0 m
Minimum Rear Yard	7.5 m	2.0 m (2.44 m provided)
Minimum Setback from Residential Use – Drive-Through (Section 3(26)(f))	10 m	3.0 m

Provision	Existing CG Zone	Proposed Site Specific CG-X
Parking	Restaurant, Drive-Through 1 per 10 m^2, including patio = 26 spaces Apartment – 1 per unit = 12 spaces Total = 38	50 parking spaces (including 3 barrier-free spaces) Plus 2 "pull ahead" standby spaces Plus 7 Bicycle Parking Spaces
Landscape Planting Strip (Section 3(12)(b) Where abutting a Residential Zone)	Abutting Sandwich Street - 1.5m	1.5 m
	Abutting Residential Interior Side Yard (North) – 3.0 m	3.0 m
	Abutting Residential Interior Side Yard (South) – 3.0 m	1.5 m

The site specific Commercial General zone would provide the proposed development with appropriate setbacks, landscaping requirements and additional uses including a restaurant with a drive-through as well as a patio not currently provided in the CG zone. The proposed additional uses are small scale neighbourhood uses, similar to the surrounding uses that currently exist and which service the area. The proposed amendment would also bring the scale and intensity of the proposed development more in keeping with the surrounding commercial land uses.

At present, although the Commercial General (CG) zone permits restaurants and 'drive-through facilities', it does not permit 'drive-through restaurants'. The applicant is committed to mitigating the potential impacts of the drive-through in relation to the neighbouring residential uses, including fencing and landscaping along the property. The drive-through menu board and speaker box have also been located at the rear of the property to create more distance from the adjacent residential use.

The Commercial General zone permits residential dwelling units however they are restricted to above the first floor. The applicant is requesting the addition of 'multiple dwelling' as a permitted use for the three-storey building at the rear of the site. The proposed change is not anticipated to have an impact on the adjacent or nearby land uses. The existing zoning on the subject site, Residential Office (RO), already permits a wide range of residential uses. In addition, the removal of ground floor commercial would result in a reduction in the number of parking spaces required for the development, with more parking being available for the Dairy Queen.

Further, an amendment to Section 3(22)(b) (General Provisions) is also required to permit an outdoor patio adjacent to a residential zone. The patio, which is situated at the front of the site, offers Amherstburg residents a ± 50 m^2 outdoor dining area. The patio will enhance Sandwich Street South and promote the unique heritage nature of Amherstburg, thus assisting in the proposed site designs' integration into the area. Fencing is being proposed adjacent to the patio for increased privacy for the adjacent residential use.

In addition, Section 3(12)(b)(i) requires a 3.0 m planting strip along the lot line of a property in a Commercial Zone that abuts a Residential Zone. The adjacent property to the south is zoned Residential Office (RO). The proposed development will require a reduction in a portion of the landscaped planting

strip along the southern property line to 1.5 m. This reduction is being requested to accommodate the driveway access and overall functionality of the DQ restaurant and drive-through.

The applicant is also requesting that the site specific zoning provisions include a minimum rear yard depth of 2.0 m. As per Section 15(3)(f), the General Commercial (CG) zone requires a minimum rear yard depth of 7.5 m. Although the subject site is abutting a Residential Zone (RM1), the parcel directly behind the development is the abandoned CP/CN Railway. This vacant parcel of land is approximately 20 m in depth. The proposed setback is consistent with the intent of the by-law in that consideration has been given to the distance between the proposed development and to any future residential uses. It is also not anticipated to have an impact on drainage and stormwater management solutions for the development and surrounding area.

The proposed development provides for ten (10) drive-through queuing spaces and fifty (50) parking spaces. This includes three (3) barrier-free parking spaces located near the principal building entrances for both the DQ and the residential building. The DQ also provides for two (2) additional "pull ahead" parking spaces designated for vehicles utilizing the drive-through, as some vehicles may need to park and standby after placing their order in the case the order is not ready at the pick-up window. Based on the number of parking spaces provided on the site for both the DQ restaurant with a patio, and the twelve (12) residential units, the proposed mixed use development would exceed the parking requirements as provided in Zoning By-law No. 1999-52.

It is our planning opinion that the proposed Zoning By-law Amendment is reasonable for the subject site, facilitates the DQ restaurant that is appropriate and desirable for the area, and is in keeping with the policies of the Official Plan and intent of the Zoning By-law. The value of the development is only further enhanced by the residential building at the rear of the site which will bring more housing options to the market for Amherstburg.

The zoning provisions addressed in this section are included in **Appendix E**, and will be referenced throughout the remainder of this report.

Figure 3-1: Proposed Multiple Dwelling Preliminary Rendering, 51 & 57 Sandwich St S

3.5 Planning Analysis and Considerations

Municipalities in Ontario are required under Section 3 of the Planning Act to ensure that planning matters and decisions are consistent with the Provincial Policy Statement (PPS). The PPS includes policies designed to build strong and healthy communities and are intended to direct efficient and resilient development and land use patterns (PPS, 1.1.2). According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, while accommodating a range and mix of housing (PPS, 1.1.1; COP, 1.5; OP, 2.1, 2.19). This proposed development is consistent with these policies by bringing the site and its uses into conformity with the surrounding land uses and by providing housing opportunities to the community. The proposed development improves the utilization of lands by proposing an intensification of land uses that can exist in harmony with the surrounding land uses, and thus creating opportunities for increased municipal taxes and employment (PPS, 1.1.2, 1.3, 1.7).

3.5.1 Location

With respect to settlement areas, the PPS recognizes that the vitality of these areas is critical to the long-term economic prosperity of communities. According to the PPS, settlement areas should be the focus of growth and development and that their regeneration shall be promoted (PPS, 1.1.3, COP, 2.2, 3.2).

The proposed development promotes growth and vitality within the settlement area. It promotes a more dense land use pattern which efficiently uses land and resources, supports active transportation, and is transit-supportive (PPS, 1.5; COP, 2.8, 3.2.7; OP, 4.1). The proposal provides for an opportunity for the intensification of lands and an increase in commercial and residential opportunity (OP, 6.5). The location is appropriate for this type of intensification due to the availability of suitable, existing infrastructure and public service facilities to accommodate projected needs and use of the site. Furthermore, it provides housing among an abundance of amenities including restaurants – on site and beyond, pharmacies, grocery stores, and institutional uses, while also being in close proximity to Dalhousie Street and the waterfront. The proposed development allows for a commercial use that serves the day to day needs of the neighbouring residents in the area. Similar commercial uses are already permitted under the existing zoning (PPS, 1.1.3, 1.6, OP 6.3).

The proposed development is consistent with the Town of Amherstburg's locational criteria policy, as it is located on an arterial road, on full municipal services, adequate community services and open spaces are available, and public transportation is accessible (COP, 2.8; OP, 6.3). The proposal conforms to the development policies of the County of Essex and the Town by supporting practical and efficient land use management strategies and a more compact form of development.

3.5.2 Land Use

The subject site is located on lands designated General Commercial as identified in the Town of Amherstburg Official Plan. The proposed development generally conforms to the General Commercial policies of the OP with the exception of the drive-through component. The proposed development is located on a commercial corridor in an area that encourages a broad range of commercial forms,

including a Wendy's restaurant located just south of the proposed development which also includes a drive-through and patio.

The proposed land uses do not present any potential adverse effects from odour, noise and other contaminants to the adjacent commercial and residential uses as the applicant intends to mitigate these concerns through site design (PPS 1.2.6.1; 1.7). A Noise Impact Assessment (dated August 2022) was completed for the proposed development that provided recommendations for mitigation measures associated with the DQ restaurant and drive-through. A fence and landscape buffer is being proposed between the drive-through and the residential property to the north as per the recommendations in the report. The drive-through speaker box is also located closer to the rear of the abutting residential property and is setback approximately 7 m from the property line in order to reduce the impacts.

The proposed development will also include a wood garbage enclosure, as shown in **Figure 3-2** for the recycling and trash receptacles. The enclosure will be located away from the adjacent properties, and as demonstrated in the other DQ locations owned by the Applicant, the site will be well maintained in regards to waste removal and storage.

Figure 3-2: Dairy Queen, 1774 Division Rd N, Kingsville, ON

The proposed uses of a drive-through restaurant and residential units will effectively serve the residents of the surrounding area (PPS, 1.1.1).

3.5.3 Housing

The PPS speaks to providing for an appropriate range and mix of housing types and densities in order to meet projected needs of current and future residents (PPS, 1.4.1). In addition, the County requires 15%

of all new residential development within each municipality to occur through intensification and redevelopment. The proposed development provides for up to twelve (12) dwelling units within the multiple residential building. As with most communities, the predominant housing option in the Town of Amherstburg is the single detached dwelling. The residential units being proposed will provide additional housing options for empty nesters and aging residents, and can also encourage new families, first-time home buyers, and residents wishing to downsize their existing homes to remain in the community (PPS, 1.4.3).

3.5.4 Transportation System

The PPS encourages developments that promote a dense land use pattern, which minimizes the length and number of vehicle trips and encourages the use of active transportation methods (PPS, 1.6.7, 1.8; COP, 3.2.7). The proposed development will become a destination in close proximity to the County Wide Active Transportation System (CWATS). CWATS provides vast access for various active transportation methods throughout to take advantage of the shorelines and flat terrain. Sandwich Street is considered a bike connection within this trail system, making the proposed site more accessible and a great location for a break for CWATS users. The proposal includes a bicycle rack for seven (7) bicycles and pedestrian markings from Sandwich St S to the patio.

There is an existing sidewalk along the east side of Sandwich Street South which provides pedestrian access to the surrounding area. The sidewalk is barrier free and municipally maintained to provide accessible travel for all residents and pedestrians. It will encourage people to walk to school, for work, for travel, exercise, recreation, and social interaction (PPS, 1.6; OP, 2.17, 4.1). The façade and patio of the development will only serve to enhance the streetscape and thereby the pedestrian experience. The site also connects to further existing infrastructure which supports future public transportation, creating a new destination in the town (PPS, 1.6.7; COP, 2.8).

3.5.5 Infrastructure

The proposed development promotes the efficient use and optimization of existing municipal sewage and water services - storm water, run off, and sewage will be handled on site as needed, and will ensure that sewage and water services provided comply with all regulatory requirements and protect human health and the natural environment (PPS, 1.6.6; COP, 1.5, 2.5.3, 2.10). The proposed development will take advantage of existing servicing connections and will not require an extension of municipally owned or operated infrastructure (PPS, 1.6.6; COP, 2.10).

3.5.6 Urban Design

Urban design is a critical component to the success of the proposed development and to its location. The subject lands fall within an area of the Official Plan that is identified as the “gateway to Amherstburg” and has “historic character”. The design of the site and its built components are an opportunity for community improvement and enhancement. The proposed development is compatible with the surrounding land uses in the surrounding area and will fit with the character of the area. In terms of the building façades, the Town has been consulted throughout the application process. The applicant will continue to work with DQ and the Town throughout the site plan approval process to

finalize the renderings for both the restaurant and the residential building that complements the heritage character of the Town (OP 6.4). This will include façade treatments, building materials, and accents (refer to **Figure 3-3**).

Figure 3-3: Dairy Queen Rendering with Proposed Materials

In addition, proposed landscaping will help enhance the character of the site and allow it to have a more welcoming nature (OP, 2.17, 4.1, 5, 6.2, 6.3, 6.3.3). Refer to **Figure 3-4: Preliminary Landscape Plan**.

The street-facing patio will enhance this site by creating a welcoming, attractive street front. The front lot line will be lined with landscaping and the patio will be found just east of this landscape strip, featuring lighting and a variety of seating. This will create an attractive street facing area for the site but additionally invite pedestrians to gather or rest, encouraging safe, convenient, and direct site access. This additionally creates separation from the street and pushes parking to the rear, further enhancing the streetscape.

Landscaping and screening will also help to blend the development into the existing neighbourhood. These aspects of the development will be addressed more thoroughly during the Site Plan Control approval process.

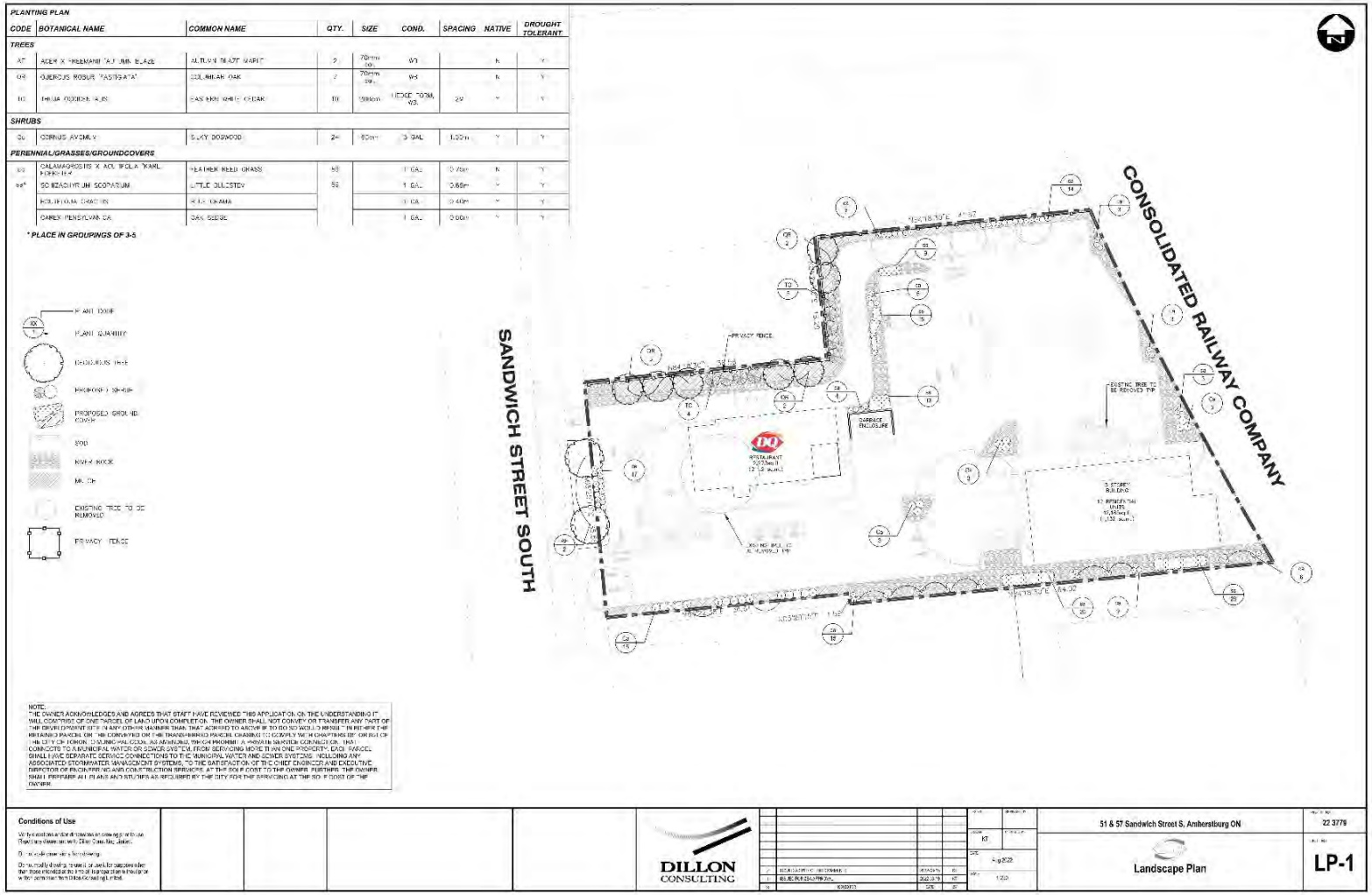


Figure 3-4: Preliminary Landscape Plan

3.5.7 Site Plan Control

The OP designates the whole of the municipality as a Site Plan Control Area (OP, 7.5). The proposed development is subject to site plan control and will be further reviewed upon approval of the zoning by-law amendment (COP, 4.7; OP, 7.5). Design guidelines will be adhered to and thoroughly reviewed during the site plan control process, specifically as it relates to heritage design (OP, 6.4.2).

3.5.8 Economic Prosperity

The proposed development promotes opportunities for economic development and investment within the Town of Amherstburg (PPS, 1.7.1). It also optimizes the infrastructure available within the subject site and enhances the vitality of the area by introducing new opportunities for a diversity in housing (PPS, 1.4). By introducing new residential units and the DQ restaurant to the area, the proposed mixed use development supports the diversification of the Town's economic base. This is meaningful as it helps to maximize the number and types of employment opportunities and to balance economic trends in various sectors in the Town and among its residents (OP 6.5).

3.6 Public Consultation

On June 27th, 2022, the statutory public meeting was held for the proposed OPA and ZBA applications. The residents that were in attendance or submitted written comments, provided valuable feedback to project staff and Council. Following the meeting, there was also consultation with the adjacent land owner and with municipal staff. Based on these discussions and the comments received, the applicant has continued to work with the public and the municipality to address any concerns that may have been raised. The **Public Meeting Summary** in **Appendix F** provides an overview of these comments and responses.

3.7 Background Studies

As identified through discussions with the Town of Amherstburg, the following background studies have been prepared in support of the proposed Official Plan and Zoning By-law Amendment applications.

3.7.1 Stormwater Management Report

A Stormwater Management Report was completed by Dillon Consulting Limited, dated April 2022, and provided under separate cover.

3.7.2 Transportation Impact Study

A Transportation Impact Study (TIS) was completed by Dillon Consulting Limited, dated April 2022, and provided under separate cover. The TIS concluded that the study area intersections and the proposed driveway are projected to operate in an acceptable manner through to the 2028 horizon year and that no modifications to off-site infrastructure or traffic control are needed to support this development.

A Driveway Location and Parking Requirements Memo was also completed by Dillon Consulting Limited, dated June 1, 2022. It provided a review of the proposed site driveway's proximity to an existing driveway and confirmation that the proposed number of parking spaces on the site will be sufficient.

3.7.3 Noise Impact Assessment

A Noise Impact Assessment was completed by Dillon Consulting Limited, dated August 2022, and is provided under separate cover. The study confirmed that with the implementation of the recommended acoustic barriers, the proposed development's noise sources are in compliance with applicable daytime, evening, and nighttime noise performance limits as specified in MECP's NPC-3000. The recommended acoustic barrier includes a 3m L-shaped barrier adjacent to the drive-through and has been included on the Conceptual Development Plan (refer to Figure 3).

3.7.4 Lighting Layout and Design Brief

A Lighting Layout and Design Brief was completed by Dillon Consulting Limited, dated August 2022, and is provided under separate cover. The photometric analysis determined that the overall design of the site meets the recommendations as depicted in ANSI/IES RP-8-21. The brief did note that with the current conceptual plan the trespass levels for a few calculated points were slightly above the recommended levels. There are opportunities however to change the type of distribution of the fixture on the impacted side of the property and will be addressed during Site Plan Control.

4.0 Conclusions

Based on an extensive review of the technical planning and policy related issues, the proposed development is appropriate for the site and consistent with good planning principles. We recommend that the Zoning By-Law Amendment and Official Plan Amendment applications, as submitted, be approved for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement for the reasons identified in Section 3.1 of this report.
2. The proposed use is consistent with the policies in the County of Essex Official Plan outlined in Section 3.2 of this report.
3. The proposed use is consistent with the policies in the Town of Amherstburg Official Plan outlined in Section 3.3 of this report.
4. The site is physically suitable and well located to support the proposed commercial and residential uses.
5. The proposed development would be able to co-exist in harmony with the adjacent residential and commercial land uses.
6. The proposed Zoning By-Law Amendment respects land use compatibility and site suitability directives which support healthy, complete neighbourhoods.
7. The design of the development will be done in accordance with the site specific zoning provisions agreed upon with the Town, and will be further reviewed during the Site Plan Control process.
8. The proposed development can add to the vitality of the area while supporting the efficient use of land and existing infrastructure.
9. Through urban design of the existing area, the proposed development will promote a sense of place and will serve the neighbouring residents while fitting in the character of the neighbourhood and Town.
10. The proposed development promotes compact form and intensification; its location will encourage residents to use active transportation, minimizing the number and length of vehicle trips.
11. The proposed development is compatible with the surrounding land uses (land use, scale, massing, landscaping, etc.) and is consistent with the mix of land uses along Sandwich Street South.
12. The proposed development would provide desirable employment opportunities and support the ability of residents to live and work in their local neighbourhood.

Amy Farkas, MCIP, RPP
Associate

Appendix A

Development Applications

FORM 1 Application No. _____

PLANNING ACT
APPLICATION FOR OFFICIAL PLAN AMENDMENT
TOWN OF AMHERSTBURG

1. Name of approval authority **County of Essex**

2. Date application received by municipality _____

3. Date application deemed complete by municipality _____

4. Name of registered owner Ross Esposito & Matt Esposito

   Telephone number 519-736-8366

   Address 10 Renaud Street, Amherstburg, ON N9V 4B1

   Email m_esposito17@yahoo.ca; relighting@cogeco.net

   Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited c/o Amy Farkas

   Telephone number 519-991-2942

   Address 3200 Deziel Drive, Suite 608, Windsor ON

   Email afarkas@dillon.ca

   Please specify to whom all communications should be sent:

   ☐ registered owner ☐ solicitor ☒ agent

5. Location and description of subject land:

   Municipality Amherstburg

   Concession No. _____ Lot(s) No. _____

   Registered Plan No. RP 8; RP 6 RP 240 Lot(s) No. Lots 10 & 11; Part Lot 18 Pt Lt 3

   Reference Plan No. 12R-7896 Part(s) No. 3,4,5

   Street Address 51 & 57 Sandwich St S Assessment Roll No. 372926000000800 372926000000900

6. Existing Size of Subject Parcel:

   Frontage 35.5 m Depth Irregular Area ± 4,121 m^2

7. Current use of subject land Residential

8. Proposed change to Official Plan land use **designation** affecting subject land:

   Current Official Plan designation General Commercial

   Current land use(s) permitted Includes retail commercial, eating establishments, second storey residential

   Proposed Official Plan designation General Commercial (Site Specific)

   Proposed land use(s) permitted Add Drive-through as a permitted use

   Note: If a change in land use designation is proposed, the applicant is to provide a copy of the Map Schedule from the Official Plan with the proposed change and accompanying text indicated thereon.

9. Proposed change to Official Plan land use **policy** affecting subject land:

Existing land use policy to be deleted or amended General Commercial Section 4.4.2

Land use policy to be added Drive-through restaurant as a permitted use. Drive-through restaurants are currently not permitted on Sandwich Street S south of Alma Street.

Purpose of new or amended land use policy To allow the development of a Dairy Queen restaurant with a drive-through and a patio, in addition to a mixed use building and associated parking lot on the subject site

New land uses permitted by change in land use policy Drive-through restaurant permitted on Sandwich Street S, south of Alma Street.

Text of proposed land use policy change being applied for A drive-through restaurant will be permitted at 51/57 Sandwich Street South.

(use a separate sheet of paper if necessary)

10. Current land use of abutting property:

North Residential dwelling, commercial plaza

South Residential dwelling, commercial plaza, Wendy's with drive-through

East Amherstburg Community Church, vacant residential land

West Low density residential

11. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or establish a new area of settlement in the municipality?

☐ Yes ☒ No

If yes, state the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.

12. Type of water supply:

☒ municipally owned and operated piped water supply
☐ well
☐ Other (specify) _____

13. 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

14. Type of storm drainage:

☒ sewers
☐ ditches
☐ swales
☐ Other (specify) _____

15. Please indicate whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of one of the following:

☐ an official plan amendment
☒ a zoning by-law amendment
☐ a Minister•s zoning order amendment
☐ a minor variance
☐ a plan of subdivision
☐ a consent
☒ a site plan

Please provide the following with respect to the application(s):

File number Concurrent ZBA application; SPC to follow OPA/ZBA approvals

Name of the approval authority _____

Lands affected _____

Purpose _____

Status _____

Effect on the amendment proposed by this application _____

_____

16. 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.

_____

_____

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

☒ Yes ☐ No

Comments: Refer to Planning Justification Report

_____

18. 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?

_____

_____

19. 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.

Dated at the City of Windsor this 2nd day of May, 2022.

Amy Farkas

(signature of applicant, solicitor or authorized agent)

I, Amy Farkas of the City of Windsor 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 City of Windsor in the County of Essex this 3rd day of May, 2022.

Amy Farkas

Applicant, Solicitor or Authorized Agent

A Commissioner, etc.

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

NOTE: A deposit fee of $2,000.00 must accompany your completed application.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

51 & 57 Sandwich Street S, Amherstburg

Plan 8 Lots 10 & 11; Plan 6 Part Lot 18; Plan 240 Pt Lt 3; 12R7896 Parts 3,4,5

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize Dillon Consulting c/o Amy Farkas of the City _____ of Windsor to:

(1) make an application on my/our behalf to the Council for the Town of Amherstburg;

(2) appear on my behalf at any hearing(s) of the application; and

(3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of Amherstburg in the County of Essex, this 3rd day of May, 2022.

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

Application No. _____

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

1. Name of approval authority Town of Amherstburg

2. Date application received by municipality _____

3. Date application deemed complete by municipality _____

4. Name of registered owner Ross Esposito & Matt Esposito

   Telephone number 519-736-8366

   Address 10 Renaud Street, Amherstburg, ON N9V 4B1

   Email m_esposito17@yahoo.ca; relighting@cogeco.net

   Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited, c/o Amy Farkas

   Telephone number 519-991-2942

   Address 3200 Deziel Drive, Suite 608, Windsor ON

   Email afarkas@dillon.ca

   Please specify to whom all communications should be sent:

   ☐ registered owner ☐ solicitor ☒ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

   _____

6. Location and description of subject land:

   Concession No. _____ Lot(s) No. _____

   Registered Plan No. RP 8; RP 6 RP 240 Lot(s) No. Lots 10 &11; Part lot 18 Pt Lt 3

   Reference Plan No. 12R-7896 Part(s) No. 3,4,5

   Street Address 51 & 57 Sandwich St S Assessment Roll No. 372926000000800 372926000000900

7. Size of subject parcel:

   Frontage 35.5 m Depth Irregular Area ± 4,121 m^2

8. 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

   _____

9. (a) Current Official Plan Land Use designation of subject land General Commercial

   (b) Explanation of how application conforms to the Official Plan _____

   Concurrent OPA application; Refer to PJR

(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 Office

11. Nature and extent of rezoning requested Rezone to Commercial General

12. Reasons why rezoning is requested Site specific ZBA to permit a drive-through, patio, and reduction in rear yard, landscape buffer, and drive-through setbacks

13. Current use of subject land Residential

14. Length of time current use of subject land has continued Unknown

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 Refer to Planning Justification Report

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:

51 Sandwich St S: Single-detached dwelling; 2 storey; Front ±11.5m; Rear ± 86 m; South ±8.5 m; North ± 3m

51 Sandwich St S: Accessory Structure; Front ±38m; Rear ± 70m; South ± 4 m; North ± 11.5m

57 Sandwich St S: Single-detached dwelling; 2 storey; Front ±13m; Rear ± 86 m; South ± 4m; North ± 11.5m

17. Date of construction of existing buildings and structures on the subject land:

Unknown

18. Date subject land acquired by current registered owner Oct 11, 2018 (51 Sandwich St S)
July 15, 2013 (57 Sandwich St S)

19. Proposed use of subject land Dairy Queen drive-through restaurant and mixed use building

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:

See attached Conceptual Development Plan

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:

N/A

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:

N/A

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.

N/A

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?

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 Refer to Planning Justification Report

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?

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.

Dated at the City of Windsor this 3rd day of May, 2022.

Amy Farkas

(signature of applicant, solicitor or authorized agent)

I, Amy Farkas of the City of Windsor 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 City of Windsor in the County of Essex this 3rd day of May, 2022.

Amy Farkas

Applicant, Solicitor or Authorized Agent

A Commissioner, etc.

MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

a) the boundaries and dimensions of the subject land;

b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;

c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;

d) the current uses on land that is adjacent to the subject land;

e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;

g) the location and nature of any easement affecting the subject land.

NOTE: A deposit fee of $2,000.00 must accompany your completed application.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

51 & 57 Sandwich Street S, Amherstburg

Plan 8 Lots 10 & 11; Plan 6 Part Lot 18; Plan 240 Pt Lt 3; 12R7896 Parts 3,4,5

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize Dillon Consulting c/o Amy Farkas of the City _____ of Windsor to:

(1) make an application on my/our behalf to the Council for the Town of Amherstburg;

(2) appear on my behalf at any hearing(s) of the application; and

(3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of Amherstburg in the County of Essex, this 3rd day of May, 2022.

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

Appendix B

Provincial Policy Statement Policies

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

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;
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
h) promoting development and land use patterns that conserve biodiversity; and
i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas.*

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

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

1.1.3.2 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.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
c) in *prime agricultural areas*:
    1. the lands do not comprise *specialty crop areas*;
    2. alternative locations have been evaluated, and

i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;

d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

a) there would be no net increase in land within the *settlement areas*;
b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;
b) promoting regeneration, including the redevelopment of *brownfield sites*;
c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
e) using rural *infrastructure* and *public service facilities* efficiently;

1.2.6 Land Use Compatibility

1.2.6.1 *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

a) there is an identified need for the proposed use;
b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment, institutional, and broader mixed 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;
c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess *employment areas* identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from *sensitive land uses* to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other *sensitive land uses* that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-*employment areas*.

1.3.2.4 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
b) permitting and facilitating:
    1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
    2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
e) requiring *transit-supportive* development and prioritizing *intensification,* including potential air rights development, in proximity to transit, including corridors and stations; and
f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
c) providing opportunities for public access to shorelines; and
d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
b) available to meet current and projected needs.

1.6.2 Planning authorities should promote g*reen infrastructure* to complement *infrastructure*.

1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
b) opportunities for adaptive re-use should be considered, wherever feasible.

1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for *sewage and water services* shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    1. *municipal sewage services* and *municipal water services*; and
    2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
b) ensure that these systems are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;
    2. prepares for the *impacts of a changing climate;*
    3. is feasible and financially viable over their lifecycle; and
    4. protects human health and safety, and the natural environment;
c) promote water conservation and water use efficiency;
d) integrate servicing and land use considerations at all stages of the planning process; and
e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services and municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
b) minimize, or, where possible, prevent increases in contaminant loads;
c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
d) mitigate risks to human health, safety, property and the environment;
e) maximize the extent and function of vegetative and pervious surfaces; and
f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.

1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

a) their long-term operation and economic role is protected; and
b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste Management

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy Supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;
b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
f) promoting the redevelopment of *brownfield sites*;
g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
h) providing opportunities for sustainable tourism development;
i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network;*
j) promoting energy conservation and providing opportunities for increased energy supply;
k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;
b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
d) focus freight-intensive land uses to areas well served by major highways, *airports*, *rail facilities* and *marine facilities*;
e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
g) maximize vegetation within *settlement areas*, where feasible.

Appendix C

County of Essex - Official Plan Policies

of natural inland watercourses and municipal drains provide the drainage required to support the area's productive agricultural industry. Over time, many of the areas with *significant* natural features have been drained and cleared to make them available for crop production. Although good for farming, these past practices have resulted in limited habitat, few natural linkages between natural features and impaired water quality. As a result, it is increasingly important to work with private property owners in their efforts to preserve these remaining areas and enhance their effectiveness through promoting the development or preservation of natural linkages between the areas and increasing the amount of core natural area.

1.3.4 Cultural Heritage

The County of Essex has a rich cultural history that includes pre-european and First Nations settlements and activities, French/Jesuit settlements, military history, rail activities and ship building, shoreline development, the Underground Railway, pioneer settlements, agriculture, the rise of industry and commerce and development of urban *settlement areas.*

The County of Essex contains *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*. The County and *local municipalities* will continue to identify, conserve, protect, restore, maintain, and enhance these resources.

1.4 PLANNING PERIOD

The designation of land and the population and employment projections contained within this Plan are based on the 20 year planning period from 2011 to 2031. Actual population and employment increases will be monitored on an ongoing basis with the projections being updated in conjunction with each five year review of this Plan. Notwithstanding the 20 year planning period, this Plan establishes a policy framework to address issues beyond 20 years in an effort to optimize *infrastructure*, to preserve agricultural lands and other *significant* natural features for future generations.

1.5 GOALS FOR A HEALTHY COUNTY

The long-term prosperity and social well-being of the County depends on maintaining strong, *sustainable* and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

a) To protect and enhance the *natural heritage system* by increasing the amount of core natural area and natural buffers where possible, particularly through restoration efforts.

b) To protect *prime agricultural areas* and encourage a broad range of *agricultural*, *agriculture-related* and *secondary uses* to ensure that the agricultural industry can continue to thrive and innovate.

c) To direct the majority of growth (including *intensification* and *affordable housing*), and investment (*infrastructure* and community services and facilities) to the County's *Primary Settlement Areas*. These *Primary Settlement Areas* will serve as focal points for civic, commercial, entertainment and cultural activities.

d) To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and *transportation systems* that create more *sustainable*, efficient, healthy, and liveable communities.

e) To create more mixed use, compact, pedestrian-oriented *development* within designated and fully serviced urban *settlement areas.*

f) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

g) To prohibit urban forms of *development* outside of designated "*Settlement Areas"* and discouraging urban *development* in areas with partial municipal services.

h) To create and maintain an improved balance between residential and employment growth in each of the *Primary Settlement Areas,* as detailed in Section 3.2 of this Plan, by increasing employment opportunities closer to where people live.

i) To maintain and attract manufacturing, agribusinesses and tourism related businesses and activities that can provide well-paying employment opportunities to existing and future residents.

j) To promote and invest in a region-wide *transportation system* that connects urban areas with each other and with communities outside this area by providing a highly interconnected road network and accessible *transportation system* that is designed and built for pedestrians, cyclists, transit and automobiles.

k) To link *wildlife habitat* and *natural heritage areas* to each other, human settlements to other human settlements and people to nature.

l) To accommodate future job creation and employment opportunities in an environmentally *sustainable* and cost effective manner, i.e., Low Impact Development, enhancing natural features.

m) To provide co-operative inter-municipal consultation and co-ordination of those services based on inter-municipal considerations.

n) To encourage *local municipalities* to prepare, where possible, multi-year Sewage and Water Servicing Plans and Master Storm Water Management Plans.

o) To ensure that *petroleum*, *minerals*, and *mineral aggregate resources* are available for future use and that extraction operations are protected from activities that would hinder their expansion or continued use.

p) To protect and enhance the *quality and quantity* of ground and surface water and the function of *sensitive* ground water recharge/discharge areas, *highly vulnerable aquifers*, headwaters and *Intake Protection Zones*.

q) To protect life and property by directing *development* away from natural and human-made hazards.

r) To ensure that Lake Erie, Lake St. Clair and the Detroit River are noted as *significant* areas for fishing and hunting and that future land use decisions are made with regard to maintaining access to these resources.

s) To support the creation of interesting and accessible public places to generate activity and vitality and attract people and business to Essex County communities.

t) To recognize the importance of cultural heritage resources within the County by encouraging their identification, conservation, protection, restoration, maintenance, and enhancement.

SECTION 2 - PLANNING FRAMEWORK & GENERAL POLICIES

2.1 PLANNING CONTEXT

This document is the second generation Official Plan for the County of Essex. It updates the County's first Official Plan that was approved in 2005. The County of Essex was restructured in the late 1990s which reduced twenty-one local municipalities to seven. The policies contained within this Official Plan primarily focus on effectively managing growth and protecting the County's natural and cultural resources.

2.2 GROWTH MANAGEMENT

As noted within the Population and Employment Foundation Report, the County of Essex will continue to experience population and employment growth over the planning period ending in 2031. The rate of population, household and employment growth is expected to be below past levels with most growth occurring in the mid-to-long term. Housing growth is expected to remain largely dominated by low density units, with a modest increase in medium density units, while employment growth will favour industrial related over population related employment. In terms of land supply, a surplus exists County-wide to accommodate all of the projected residential and employment growth.

The health of the County requires that long-range land use planning and *infrastructure* investment is properly managed in a way that will:

a) Direct non-resource related growth and *development* to settlements where it can be serviced, with a particular emphasis on *Primary Settlement Areas*.

b) Protect and enhance the County's *natural heritage system,* cultural features and heritage resources (including resources in and under water), and *minerals*, *petroleum*, and *mineral aggregate resources.*

c) Minimize *adverse effects* on agricultural lands and operations and be phased in accordance with the availability of appropriate types and levels of services.

d) Implement the Goals for a Healthy County contained within subsection 1.5 of this Plan.

It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing *infrastructure.*

The boundaries of the "*Settlement Areas*" within the County are depicted on Schedules "A1" and "A2" of this Plan. Although the boundaries were depicted

conceptually in the first generation of this Official Plan, the extent of the boundaries has been specifically identified in this updated Plan. Alterations to a "*Settlement Area"* boundary will require an amendment to this Plan. Future growth is directed to these "*Settlement Areas"*, and specifically the *Primary Settlement Areas* identified on Schedule "A2".

Population projections for the County of Essex and the seven *local municipalities* are included in the Table below. The existing inventory of residentially designated land is sufficient to accommodate the projected 20 year demand for additional housing units. Accordingly, sufficient land has been designated within local Official Plans to accommodate the projected residential land use needs of the County of Essex.

Table 2: 20 Year Population Projections to 2031

Local Municipality	2011 Census Population	Projected 2031 Population	Allocated Growth
Amherstburg	21,556	25,860	12%
Essex	19,600	22,150	7%
Kingsville	21,362	24,400	9%
Lakeshore	34,546	41,000	18%
LaSalle	28,643	35,470	20%
Leamington	28,403	33,490	15%
Tecumseh	23,610	30,140	19%
Total Essex County	**177,720**	**212,510**	100%

It is recognized that the County of Essex and the City of Windsor estimates of the share of population growth in the Windsor-Essex region differ. The split is larger at the start of the planning period; however, it is estimated that the projections of the City and County will be more in line at the end of the twenty year planning period. The County and City will continue to consult with one another to coordinate population, housing and employment projections in the Windsor-Essex Region, and consult on matters of mutual interest and concern.

2.3 MANAGEMENT OF MINERAL RESOURCES

In accordance with the Provincial Policy Statement, it is the policy of this Plan that mineral resources, including *mineral aggregates*, *minerals* and *petroleum resources*,

policies. Where required by policies in an approved Source Protection Plan, the *local municipalities* shall circulate all *development* applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice, the *local municipality* should be satisfied that the proposal will not include activities which would be a *significant* threat in the location proposed.

2.5.2 Groundwater

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the County to ensure a clean groundwater supply for private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and *wetlands*.

Schedules "C4" and "C5" map the *Highly Vulnerable Aquifers* (HVA) and *Significant Groundwater Recharge Areas* (SGRA) within the County and the following policies apply:

a) The County will support initiatives of the Ministry of the Environment, the *Conservation Authorities*, the City of Windsor, the Municipality of Chatham-Kent, and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources.

b) *Development* and *site alteration* that may be a *significant* threat will only be permitted within an HVA or SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no *negative impact* on the HVA or SGRA.

c) Where a *local municipality* contains *Highly Vulnerable Aquifers* or *Significant Groundwater Recharge Areas*, as part of the update of their Official Plan, an assessment of the appropriate list of permitted uses shall be undertaken to ensure that no *negative impact* will occur on a HVA or SGRA.

2.5.3 Stormwater Quality and Quantity

Stormwater management reports/plans, acceptable to the County, *local municipalities*, local *Conservation Authorities*, and the Ministry of the Environment will generally be required in advance of draft approval of applications involving lot creation and/or *development* or *redevelopment*. Stormwater Management plans and reports must be reviewed and approved by the Ministry of Transportation, for those developments located adjacent to or in the vicinity of a Provincial Highway.

Pre-consultation with the local *Conservation Authorities* and the Ministry of the Environment on matters concerning stormwater management works pursuant to Section 53 of the Ontario Water Resources Act is encouraged. Ministry of the Environment pre-consultation should occur with the Southwestern Region Water Resources Unit, through the Ministry of the Environment Southwestern Regional Environmental Assessment Coordinator, on applications for plans of subdivision, master stormwater management reports, *watershed* and subwatershed plans. The preparation of stormwater management plans on a *watershed* or subwatershed basis is encouraged.

Stormwater management reports and plans shall be prepared in accordance with the 2003 Ministry of the Environment Stormwater Management Guidelines, as amended, and other resource materials.

2.6 HUMAN-MADE HAZARDS

Local Official Plans shall include policies to establish that *development* on, abutting or adjacent to lands affected by former *mineral resource operations* and *petroleum resource operations* will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. It is the policy of this Plan that contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*. In particular, local Official Plans shall include policies relating to the following for any known human made hazards:

a) include policy direction relevant for the specific type of hazard known to exist; and

b) include policy direction for the re-use of contaminated and *hazardous sites* and adjacent lands specifically including:

   i) the need to document past and present uses prior to the approval of an Official Plan amendment, Zoning By-law amendment, plan of subdivision or condominium and consent;

   ii) the possible need to restore the site prior to approvals being granted or prior to *development* occurring;

   iii) the requirement that site restoration is to occur in accordance with Ontario Regulation 153/04 Record of Site Condition – PART XV.1 of the Environmental Protection Act as may be amended from time to time; and

   iv) where contamination has been identified, the requirement for a letter from the Ministry of the Environment acknowledging receipt of a "Record of Site Condition" prior to *development* approvals being granted.

The Thames River is also designated a Canadian Heritage River and local Official Plans are encouraged to include policies recognizing this designation and any applicable Management Strategy.

2.8 TRANSPORTATION

The County's transportation network consists of Provincial, County and local roads in addition to railway lines, water ferries, harbours, marinas, a commercial *airport*, some private air strips and a planned a*ctive transportation* system including pedestrian and bicycle paths. The County shall encourage the identification of historic transportation routes as heritage roads and the protection of their respective *heritage attributes*, where feasible and appropriate. When considering servicing and *development* proposals, including road improvements such as realignments or widenings, the County will encourage measures to help mitigate any negative impacts to heritage roads, where feasible and appropriate. *Development* proposals will be considered in the context of all forms of transportation subject to the following objectives and policies:

a) To facilitate the safe, energy efficient and economical movement of people and goods throughout the County.

b) To develop a hierarchy of roads throughout the County through the regular updating of a Transportation Master Plan.

c) To ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the Planning Act.

d) To promote the continual development and improvement of the *active transportation* system.

e) To encourage the development of convenient and efficient public transit services throughout the County.

f) To plan for and protect corridors for transportation, transit and *infrastructure*.

g) To support the continuation and improvement of the railway system.

h) To support the provision of air services for both passengers and goods.

i) To restrict *development* on private roads.

2.8.1 Roads

This Plan acknowledges the strong relationship between roads, their function, land use and *development*. Schedule "D1" of this Plan identifies Provincial Highways and County Roads.

Provincial Highways are under the jurisdiction of the Ministry of Transportation and are subject to permit control and approval under the Public Transportation and Highway Improvement Act. In addition to all municipal requirements under the Planning Act, Ministry of Transportation permits are required for access to Provincial Highways where permitted and for the construction of buildings, structures and signs in proximity to the Provincial Highways. All applicants proposing new *development* or changes to existing development on lands adjacent to a Provincial Highway are advised to consult with the Ministry of Transportation prior to making formal applications under the Planning Act.

In December 2004, the draft Essex-Windsor Regional Transportation Master Plan was completed. The Plan was prepared using the Master Planning Process from the "Municipal Class Environmental Assessment Process" and was intended to provide a comprehensive regional transportation master plan with policies and implementation strategies that would serve the needs of the region for 20 years. The Plan identified roadway capacity enhancements, evaluated the levels of service, and recommended a new roadway classification system. Unfortunately, the Plan was prepared based on population projections that have not been achieved. As a result, the recommendations contained in the Plan require review and the County intends on updating the Transportation Master Plan, and implementing it by way of a future amendment to this Plan.

When considering matters of land use planning, the County shall:

a) Take into consideration the need to improve regional traffic flow in the vicinity of the City of Windsor.

b) Consider whether resources are available to ensure the *transportation system* meets the needs of the road users and the growth policies of the County.

c) Identify measures to optimize roadway network capacity through roadway access management and intersection optimization.

d) Identify measures to reduce transportation needs such as managing the appropriate type and scale of growth, the use of alternative transportation choices, and the development of an *active transportation* system.

e) Strive to minimize conflict between local and non-local traffic by protecting the County Road system depicted on Schedule "D1". The County shall

discourage new *development* that would adversely impact traffic movement along the County Road system unless road improvements can be undertaken to eliminate the adverse impact. New *development* proposing access onto County Roads outside of "*Settlement Areas"* shall be managed according to the County's access policies.

f) Encourage integration of transportation facilities provided by *local municipalities*, adjacent municipalities and the Province.

g) Review road corridors, in consultation with *local municipalities* and the Province, to determine if a change in classification is necessary. Transfer of road jurisdiction to or from the County shall not require an amendment to this Plan.

h) Encourage safe, convenient and visually appealing pedestrian facilities, where appropriate, along the Provincial and County Road systems.

i) Ensure that *development* proposals that are likely to generate *significant* traffic are accompanied by a traffic impact study addressing the potential impact on the Provincial and County Road systems and the surrounding land uses and how to minimize any identified negative impact.

j) Address the matter of cross boundary traffic with adjacent municipalities and establish a planned network of roads which considers and coordinates the road hierarchy across municipal boundaries.

k) Maintain a Best Management Practice which establishes required right-of-way widths, setback requirements, access requirements**,** lighting requirements and other related matters. Noise attenuation measures where deemed necessary should also be established.

l) While the provision of public transit is encouraged as an alternate means of transportation, this Plan acknowledges that the provision of public transit is a local matter.

m) Restrict new *development* on private roads to Plans of Condominium.

2.8.1.1 Right-of-Way Widths and Road Widenings

The appropriate right-of-way widths are included in the County's Best Management Practice documents. The need for road widenings are included in the Transportation Master Plan (which will be updated by amendment to this Plan) as well as being identified in local Official Plans.

Notwithstanding the above, Environmental Assessments have been completed on the following roadways and have identified the need for future widening requirements as follows:

c) *Sensitive land uses* will not be encouraged adjacent or in proximity to rail facilities.

d) All proposed residential or other sensitive use *development* within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the *local municipality* in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any *adverse effects* from noise that were identified. All available options, including alternative site layouts and/or attenuation measures, will be thoroughly investigated and implemented if practicable to ensure appropriate sound levels are achieved, particularly with respect to the 55 dBA outdoor living area criterion.

e) All proposed residential or other sensitive use *development* within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the *local municipality* in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any *adverse effects* from vibration that were identified.

f) All proposed *development* adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the *local municipality* in consultation with the appropriate railway. Where applicable, the *local municipality* will ensure that sightline requirements of Transport Canada and the railways are addressed.

g) Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the *local municipality* and the appropriate railway.

h) New residential *development* or other *sensitive land uses* will not be permitted within 300 metres of a rail yard (if applicable).

i) All residential *development* or other *sensitive land uses* located between 300 metres and 1000 metres of a rail yard will be required to undertake noise studies, to the satisfaction of the *local municipality* and the appropriate railway, to support its feasibility of *development* and, if feasible, shall undertake appropriate measures to mitigate any *adverse effects* from noise that were identified.

2.8.4 Active Transportation

In 2012 County *Council* approved the County Wide Active Transportation (CWAT) Master Plan. The CWAT Master Plan is a 20 year Plan to guide the County and *local municipalities* in implementing a County-wide network of cycling and

pedestrian facilities. Schedule "D2" contains the County of Essex *Active Transportation* System as outlined in detail in the CWAT Master Plan.

The vision for the CWAT Master Plan is as follows:

> "The County of Essex and its seven local area municipalities support *active transportation* (walking and cycling) and in association with the Essex Region Conservation Authority, City of Windsor, and Municipality of Chatham-Kent and other partners, are working together to foster a safe, comfortable bicycle and pedestrian friendly environment by encouraging people of all ages and abilities to engage in non-motorized activities for everyday transportation and recreation. Residents and visitors are able to travel and experience the urban and rural areas of the County by way of a connected network of on and off-road pedestrian cycling facilities."

The primary tool to implement and enhance the *Active Transportation* System is through the master planning exercise for County and municipal *infrastructure* projects, i.e., road improvements, and through the review of *development* applications.

a) All County and local municipal roads, shall be considered accessible for *active transportation* unless otherwise designated, and that a vehicular approach to cycling be adopted that recognizes the bicycle as a vehicle which operates on public roadways or within road rights-of-way with the same rights and responsibilities as motor vehicles.

b) The County's *Active Transportation* System will continue to evolve over time through the addition of missing links and the incorporation of additional linkages such as the use of unopened right-of-ways, hydro right-of-ways, existing or abandoned rail corridors, open green-space and future roadway improvements. Amendments to this Plan are not required for route or facility type revisions, provided the continuity and functionality of the network is maintained in the same general location and/or is consistent with the route selection principles contained within the CWAT Master Plan.

c) At the time of the review or update of local Official Plans as well as during the *development* review process, the County encourages *active transportation* friendly (pedestrian and cyclist) streetscaping, urban design and *active transportation* oriented land *development*.

d) Mixed use *development* and higher densities are encouraged within the *Primary Settlement Areas* to promote/facilitate increased vitality and quality of life.

e) During the review of *development* applications, *local municipalities* will require the integration of pedestrian and cycling linkages to commercial,

transit, schools, trails, parks and municipal facilities, where feasible and appropriate. In addition, the designs of new local roads shall have shorter block lengths that are generally less than 250 metres to encourage walking and cycling.

f) The County encourages the use of best practices when planning, designing, constructing, maintaining and operating *active transportation* facilities. Specific consideration and reference should be made to the following:

   i) The Institute of Transportation Engineers recommended practices for the application of site design guidelines that promote *sustainable* transportation through site design.

   ii) Essex County Transportation Advisory Committee Bikeway Traffic Control Guideline.

   iii) Ontario Ministry of Transportation Bikeway Planning and Design Guidelines.

   iv) Any other relevant documents released from time-to-time.

g) The County will coordinate the implementation of the *Active Transportation* Network with the County's Transportation Services Department Five-Year Road Rehabilitation planning process.

h) Local municipal Zoning By-laws, or other local planning instruments, shall establish standards for bicycle parking that is adequate to meet demands. The County encourages bicycle parking to be secure, illuminated, highly visible, sheltered and convenient.

2.9 SOLID WASTE MANAGEMENT

The Essex/Windsor Regional Landfill site and two recently closed County landfill sites are shown on Schedule "E1". In addition, a list of areas thought to be former landfill sites is attached as Appendix Two. *Local municipalities* are encouraged to identify these former landfill sites in their local Official Plans. This Plan encourages the continuation of policies in local Official Plans that limit *development* in areas surrounding these landfill sites.

There may be a need during the planning period of this Plan to establish new waste management related facilities, such as transfer stations, within the County of Essex. This Plan supports the development of such facilities, when required, provided all applicable statutory approvals from the Ministry of the Environment are obtained, and the facilities are located in accordance with the land use policies contained within this Plan and the local Official Plan, or amendments are obtained where necessary.

The County of Essex has a partnership with the City of Windsor regarding solid waste management. In 1993 the County of Essex adopted the Essex-Windsor Solid Waste Management Master Plan, and it has been reviewed and updated on a number of occasions, the most recent in 2011/2012. The Plan is the primary guide for all waste management matters in the County and the City.

In accordance with the policy direction of the Solid Waste Management Master Plan, this Plan supports the following:

a) The County will undertake programs to reduce, reuse and recycle waste at the source provided the programs and facilities are environmentally, socially, economically and technically sound.

b) The recycling program is recognized as a key effort in reducing the waste going to the landfill site.

c) Any *development* that requires an application under the Planning Act on or within 500 metres of the perimeter of the Essex-Windsor Regional Landfill site or on or within 500 metres of the perimeter of any active or closed waste disposal site is discouraged and will be subject to consultation with the County and the Ministry of the Environment. As a minimum, a study will be required that evaluates the presence and impact of environmental contaminants including, but not necessarily limited to, methane gas and leachate. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety does exist, *development* will be restricted and/or refused.

d) *Development* applications for a change in land use for lands formerly used for the disposal of waste must first satisfy the requirements of the Ministry of the Environment and obtain an approval pursuant to Section 46 of the Environmental Protection Act, if applicable, prior to the issuance of necessary Planning Act approvals and building permits.

e) The Essex-Windsor Solid Waste Authority may periodically update the Solid Waste Management Master Plan, as necessary.

f) The County's full participation in waste management master plan initiatives and its investigation of the full range of waste management options.

2.10 SEWAGE AND WATER SYSTEMS

The County of Essex does not fund or maintain sanitary sewers or water systems, and the provision of those services is the responsibility of the *local municipalities*. However, the County does promote efficient and environmentally responsible *development* which is supportable on the basis of appropriate types and levels of water supply and sewage disposal consistent with the Provincial Policy Statement.

The County encourages new *development* to proceed on the basis of full municipal sewage services and municipal water services and *local municipalities* are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.

The following servicing policies apply:

a) Full municipal sewage services and municipal water services are the preferred form of servicing for all *settlement areas.*

b) The use of private communal sewage services and private communal water services or individual on-site sewage services and individual on-site water services must be consistent with the Provincial Policy Statement, and shall only be used when municipal sewage and municipal water services are not available.

c) The use of partial services shall only be used where necessary to address failed individual on-site sewage services and individual on-site water services in existing development, within *settlement areas,* to allow for infilling and rounding out of existing development on partial services provided the following is met:

   i) the development is within the reserve *sewage and water system* capacity; and

   ii) site conditions are suitable for the long-term provision of such services.

d) Public or private investment in upgrading or expanding municipal sewage services or municipal water services should be focused within the *Primary Settlement Areas* identified on Schedule "A2" of this Plan. The County recognizes that circumstances may warrant *infrastructure* investment in *Secondary Settlement Areas.*

e) *Local municipalities* will encourage monitoring and proper maintenance of private sewage treatment systems in the County in order to protect water resources and the *natural heritage system.*

The *local municipality* must confirm the availability of the required servicing capacity prior to *development* being approved. For those *developments* that purchase services, in accordance with inter-municipal servicing agreements, from an abutting municipality, the *local municipality* must confirm that the required capacity is provided for in the agreement. Ministry of the Environment guidelines shall be used when determining the remaining uncommitted reserve capacity for municipal water services and municipal sewage services.

Local municipalities are encouraged to prepare comprehensive master servicing plans for the planning, expansion and on-going operation of sanitary sewage treatment and water treatment facilities, pumping stations, force mains and trunk distribution and collection systems. Where appropriate, joint servicing plans are encouraged to ensure that *infrastructure* is built and maintained in a cost effective, environmentally sound and co-ordinated manner that meets the long-term needs of the communities affected. *Local municipalities* shall map the locations of all municipal/communal sewage treatment plants in their Official Plans and reference the appropriate Ministry of the Environment Guideline for compatibility to *sensitive land uses*.

2.11 UTILITY CORRIDORS

It is the policy of this Plan to ensure that *utility corridors*, including communication corridors and transmission facilities, are designed in a manner that minimizes potentially *negative impacts* where possible. Generally, when determining the most appropriate location for future *utility corridors*, agriculturally designated land and the *natural heritage system* will be protected and preserved to the greatest extent possible. Also, such corridors shall be located in a manner that minimizes their impact on *settlement areas*. More specifically, the following policies apply:

a) This Plan recognizes that *utility corridors* must exist in order to properly and efficiently serve the public.

b) It is acknowledged that the *utility corridor* policies of this Plan, in some circumstances, must be considered in conjunction with or may be superseded by, other legislative requirements.

c) Preferred routes for *utility corridors* are those that:

   i) Follow existing rights-of-way, property lines and fence lines.

   ii) Avoid built-up areas and heavily populated areas if they cannot be accommodated within existing rights-of-way.

   iii) Do not infringe upon environmentally *significant* areas including natural heritage corridors.

d) Minimizing the impact on agricultural lands and the *natural heritage system* is a high priority.

e) Measures to mitigate impacts on agriculture during and after construction will be required including such things as:

   i) Replacement of soils with top soil layers in their original condition and order.

   ii) Timing of construction to minimize crop losses.

SECTION 3 - LAND USE POLICIES

3.1 INTRODUCTION

This section of the Official Plan identifies the general directive, goals and policies for the "*Settlement Areas*", "Agricultural" and "Natural Environment" designations as shown on Schedule "A1". The "Natural Environment" designation is further detailed on Schedule "B1" along with overlay Schedules "B2" and "B3". Local Official Plans provide additional policy direction.

3.2 SETTLEMENT AREAS

The following sections contain the general directive, goals and policies for lands designated "*Settlement Areas"* on Schedule "A1" of this Plan. The policies in subsection 3.4 Natural Environment of this Plan may also pertain to some of the lands designated "*Settlement Areas"*.

3.2.1 General Directive

Schedule "A1" of this Plan identifies the location and precise boundaries of the "*Settlement Areas"* within the County. Schedule "A2" details the structure of the "*Settlement Areas"*, by differentiating between Primary and Secondary.

It is the vision and purpose of this Plan to direct the majority of future growth and *development* into the *Primary Settlement Areas* in order to strengthen the County's settlement structure, focus public and private investment in fewer areas and to preserve the lands designated "Agricultural" and "Natural Environment" for the purposes outlined in the policies of this Plan. Local Official Plans will detail where within the "*Settlement Areas"* designations various types of land uses will be located; however, healthy community principles shall be incorporated into the long-range planning and *development* review process.

3.2.2 Goals

The following goals are established for those lands designated as "*Settlement Areas"* on Schedule "A1":

a) Support and promote public and private re-investment in the *Primary Settlement Areas.*

b) To support and promote healthy, diverse and vibrant *settlement areas* within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.

c) To promote *development* within *Primary Settlement Areas* that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

d) To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place.

e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other *infrastructure* and *public service facilities* including schools as provided for in the growth management policies contained within this Plan.

f) To increase the opportunity for job creation within each *local municipality* by attracting and maintaining industries and businesses closer to where County residents live.

g) To support long term economic prosperity by providing *infrastructure* and *public service facilities* to accommodate projected growth.

h) To provide locations where natural habitat restoration can be accommodated to ensure an increase in the amount of core natural area and linkages amongst natural areas.

i) Promote *residential intensification* within *Primary Settlement Areas*, and to a lesser extent, within full serviced *Secondary Settlement Areas.*

j) Promote *affordable housing* within *Primary Settlement Areas*, and to a lesser extent, within full serviced *Secondary Settlement Areas.*

k) Encourage each *local municipality* to undertake a Local Comprehensive Review of their "*Settlement Areas"* with the goal of re-allocating growth to the most appropriate locations that meet the intent of this Plan. The County encourages the Local Comprehensive Review to be undertaken at the time of the five-year review of the local Official Plan; however, *local municipalities* may initiate a Local Comprehensive Review at any time.

l) Encourage employment opportunities on lands within "*Settlement Areas"* that are in proximity to rail corridors.

3.2.3 Settlement Structure Policies

The following sections detail policies for those lands shown as "*Settlement Areas"* on Schedules "A1" and "A2".

The County's Settlement Structure Plan is contained in Schedule "A2". This Schedule further defines the "*Settlement Areas*" designation shown on Schedule "A1" as *Primary Settlement Areas* and *Secondary Settlement Areas*.

The "*Settlement Areas"* contain sufficient land for the County as a whole, and each *local municipality*, to accommodate all employment and residential growth during the planning period to 2031. The Official Plan Review exercise indicates that the County does not have growth projections to support the identification of new or expanded *settlement areas* during the planning period.

3.2.3.1 Local Comprehensive Review

Expansions to the aggregate amount of land within the "*Settlement Areas"* is not permitted. However, the County encourages each *local municipality* to undertake a Local Comprehensive Review (LCR) of its "*Settlement Areas"* that would identify the most and least appropriate locations for growth. A LCR is distinguished from a c*omprehensive review,* as defined in this Plan and the Provincial Policy Statement.

A LCR may recommend alterations to one or more "*Settlement Area"* boundary provided such adjustment would maintain or reduce the aggregate amount of land within the "*Settlement Areas"* in the municipality.

The preparation of a Local Comprehensive Review shall follow, at a minimum, the requirements listed below:

a) Pre-consult with the County to establish the appropriate methodology, analysis and level of detail to be undertaken to sufficiently qualify the conclusions of the Local Comprehensive Review. The County will recognize methodology established in a local Official Plan dealing with the transfer of a designation, provided the requirements of 3.2.3.1 b) to h) are met.

b) A LCR may focus on residential or employment land transfer, or both. Where the focus is only on either residential or employment, the LRC shall consider whether there are lands suitable for conversion to a different land use. For example, if the LCR is focused on employment land transfer, then the merits of converting residential lands within the existing "*Settlement Areas"* to employment should also form part of the LCR.

c) Compile the aggregate amount of employment and/or residential land, depending on the focus of the review, including vacant, built, *brownfield* and other land within each "*Settlement Area"*.

d) Identify and assess the extent of primary and secondary constraints to build-out of each "*Settlement Area"*. Primary constraints may include such factors as environmental, hazards, lack of services, soil types, topography and traffic. Secondary constraints may include isolated locations, contamination,

viii) The *negative impacts* from expansions to a *Primary Settlement Area* boundary on agricultural operations which are near or adjacent to the *Primary Settlement Area* are mitigated to the extent feasible. Specific policy shall be established in local Official Plans for criteria promoting the establishment of buffers, berms and subdivision design that reduce the impact on surrounding agricultural land, operations and *infrastructure*. The approval authority may also require the erection of fencing as a condition of approval to reduce trespass on adjacent agricultural land.

ix) In determining the most appropriate direction for an expansion to the boundaries of a *Primary Settlement Area*, the County shall ensure consistency with Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety of the Provincial Policy Statement.

i) The recommendations of the LCR will not be finalized until the County and Local Official Plans have been amended to incorporate any proposed "*Settlement Area"* boundary alterations.

3.2.4 Primary Settlement Areas

Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County.

The locations and boundaries of the *Primary Settlement Areas* within the County have been identified on Schedule "A2", and include the following:

a) Urban area of Amherstburg (Town of Amherstburg)

b) Essex Centre (Town of Essex)

c) Harrow (Town of Essex)

d) Kingsville (Town of Kingsville)

e) The Former Town of Leamington (Municipality of Leamington)

f) Tecumseh (Town of Tecumseh, Village of St. Clair Beach and Tecumseh Hamlet)

g) LaSalle (Town of LaSalle)

h) Maidstone/Belle River Urban Area and Wallace Woods (Town of Lakeshore)

The identification of Wallace Woods reflects its status as a new Primary Node, and the focus of growth, in Lakeshore's Official Plan that was approved by the Ontario Municipal Board. The inclusion of Wallace Woods as a *Primary Settlement Area* in this Plan is subject to the policy and modifications contained in the memorandum of oral decision of the OMB dated December 8, 2010 (Case No. PL100211), which is Sections 3.3.12 and 3.4.4 of the Town of Lakeshore Official Plan. New *development* is subject to a future Secondary Plan, which can be approved without amendment to this Plan, provided the intent of this Plan is maintained.

i) Oldcastle Hamlet (Town of Tecumseh)

Oldcastle Hamlet has historically been the focus of manufacturing due in part to its proximity to the City of Windsor. The recent investment in sanitary services and the existing forms of development make it an ideal location to focus employment growth subject to the following policies:

i) Oldcastle Hamlet shall be primarily developed with employment uses, while recognizing that limited opportunities may exist to expand upon the few existing residential clusters that are situated in the area. The local Official Plan will more specifically designate the lands in appropriate land use designations.

ii) A mixture of lot sizes shall be provided, including large lots that would be suitable to employment uses that may not be appropriately located within other nearby *Primary Settlement Areas* due to their size or impacts.

iii) The local Official Plan shall contain policies to ensure orderly and appropriate *development*.

iv) All new *development* shall be on full municipal sewage services and municipal water services.

v) Cost effective *development* patterns and those which reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

3.2.4.1 Policies

The following policies apply to *Primary Settlement Areas*:

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.

d) All new *development* within *Primary Settlement Areas* shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.

e) Expansions of the boundaries of a *Primary Settlement Area* shall only occur in accordance with the Local Comprehensive Review policies in Section 3.2.3.1 of this Plan. An amendment to this Plan and the local Plan shall be required to alter the boundary of any "*Settlement Area*".

f) Downtown/Uptown areas should maintain and/or enhance the existing character of these areas. Mixed-use *development* and an accessible pedestrian oriented streetscape are encouraged. The preparation of Community Improvement Plans are also encouraged.

g) The County encourages the redevelopment of *brownfield* properties.

h) All types of land use are permitted within the "*Settlement Areas*" designation subject to the specific land use policies of the local Official Plans.

i) Cost effective *development* patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

j) The County supports universal physical access and encourages the building industry to incorporate such features into new structures.

3.2.5 Secondary Settlement Areas

The *Secondary Settlement Areas* shown on Schedule "A2" represent more than 40 small hamlet, village, employment based, or other site specific settlements or developments that have historically been identified in local Official Plans and were conceptually carried forward into the first version of the County Official Plan.

Secondary Settlement Areas do not meet the criteria outlined above for *Primary Settlement Areas*; however, they do have varying levels of community investment

such as full or partial services or public buildings. These communities do not have public transit, and have few housing options or *public services facilities*.

The majority of *Secondary Settlement Areas* in the County are residential in nature, such as the shoreline areas in the Towns of Essex and Kingsville and the Municipality of Leamington. There are also several employment based *Secondary Settlement Areas* such as Smith Industrial Park in the Town of Amherstburg and Ruthven in the Town of Kingsville. Further still, there are examples of *Secondary Settlement Areas* that contain a mixture of uses such as the Hamlet of Cottam in the Town of Kingsville and the Hamlet of McGregor in the Towns of Amherstburg and Essex.

The County recognizes the diversity among the many different *Secondary Settlements Areas* and accordingly has established the following policy framework that recognizes this diversity:

a) New *development* will be permitted to the boundaries of the *Secondary Settlement Areas* as shown on Schedule "A2" provided such *development* is consistent with the Provincial Policy Statement, the intent of this Plan, and the policies of the local Official Plan.

b) The *local municipalities* will be responsible for determining the hierarchy of *Secondary Settlement Areas*.

c) New *development* is encouraged on full municipal services unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.

d) Expansions to the boundaries of a *Secondary Settlement Area* are not permitted. However, the County encourages *local municipalities* to undertake a Local Comprehensive Review in accordance with Section 3.2.3.1 that may result in the reduction of the boundaries in conjunction with the corresponding expansion of a *Primary Settlement Area* boundary. An amendment to this Plan and the local Plan shall be required to alter the boundary of any "*Settlement Area"*.

e) All types of land uses are permitted within the *Secondary Settlement Areas* designation subject to the specific land use policies of the local Official Plans.

f) In some cases *Secondary Settlement Areas* are unnamed and do not contain the basic elements that comprise a *settlement area* as defined by the PPS. The County encourages *local municipalities* to remove these areas from the land use schedule or permit no new *development*.

g) *Secondary Settlement Areas*, or portions thereof, that generally contain or are planned for non-employment uses, are subject to the following additional policies:

i) They shall not be the focus of growth or public or private investment in a municipality, and they should, at most, retain their existing historic development patterns. In the interest of clarity, the County Official Plan permits growth and investment in these *Secondary Settlement Areas*, provided the *Primary Settlement Area(s)* in the municipality remains the focus of growth.

ii) New *development* will generally be limited to infilling, *redevelopment* on existing lots of records, and limited *residential intensification*.

iii) *Residential intensification*, outside of infilling, shall only occur on full municipal sewage services and municipal water services.

h) *Secondary Settlement Areas*, or portions thereof, that generally consist of employment uses are subject to the following additional policies:

i) Cost effective *development* patterns and those which reduce servicing costs are encouraged.

ii) Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

iii) New *development* shall not have a negative impact on traffic movement, turning movement or the overall function of a Provincial Highway or County Road.

iv) New *development* on private or partial sewage services and water services shall generally be limited to dry industrial uses.

v) Local Official Plan policies will ensure the orderly and appropriate development of these areas.

i) Cost effective development patterns and those which reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

3.2.6 General Settlement Area Policies

The following policies apply to all "*Settlement Areas*" identified on Schedule "A1" of this Plan:

a) Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial,

residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years. Residential growth projections for *local municipalities* are to be in accordance with the population projections contained within this Plan.

b) The County supports residential *intensification* within *Primary Settlement Area*s.

c) The County supports the provision of housing which is affordable to *low and moderate income households*.

d) Local Official Plans are encouraged to establish land requirement needs based on densities which meet the following:

   i) Efficiently use land, resources, *infrastructure* and *public service facilities.*

   ii) Avoid the need for unnecessary and/or uneconomical expansion of *infrastructure*.

   iii) Support the use of public transit where available or where it can be provided in future years.

   iv) Are appropriate to the type of *sewage and water systems* which are planned or available.

e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* as outlined below:

   i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification*, *redevelopment* and if necessary, lands which are *designated and available* as defined by Provincial Policy.

   ii) Maintaining at all times, where new *development* is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

   iii) Permitting and facilitating all forms of housing, including *special needs* housing, required to meet the social, health and well-being requirements of current and future residents.

f) Local Official Plans are encouraged to provide opportunities for *redevelopment*, *intensification* and revitalization in areas that have sufficient existing or planned *infrastructure*.

g) It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:

   i) Make provision such that *infrastructure* and *public service facilities* will be available to accommodate projected growth.

   ii) Provide a supply of land to meet long term requirements.

   iii) Provide for an efficient, cost effective, reliable, *multi-modal transportation system* that is integrated with adjacent systems and those of other jurisdictions and is appropriate to address expected growth.

   iv) Conserve energy and water by providing for energy and water efficiency.

   v) Maintain the well-being of downtowns and mainstreets.

   vi) Optimize the long term availability, viability and use of agricultural and other resources.

   vii) Plan so that major facilities such as transportation corridors, sewage treatment facilities, *waste management systems*, industries and *mineral aggregate resource* activities and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants.

h) Local Official Plans are encouraged to develop growth management strategies as part of their Official Plans and to establish the type, amount, location and timing of growth and *development* including a servicing strategy that is in keeping with the servicing and growth projection policies contained within this Plan.

i) Some of the policies contained within Section 3.4, Natural Environment, of this Plan may also pertain to lands designated "*Settlement Areas*".

3.2.7 Intensification & Redevelopment

The County encourages well-planned *intensification development* projects in the "*Settlement Areas"* to encourage more efficient use of land and municipal *infrastructure*, renew urban areas and to facilitate economic and social benefits for the community.

The County also specifically encourages *residential intensification* and *redevelopment* within *Primary Settlement Areas* in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of *infrastructure* and *public service facilities.*

The County requires that 15 percent of all new residential *development* within each *local municipality* occur by way of *residential intensification* and *redevelopment*. Implementation and annual reporting to the County on meeting this target will be the responsibility of the *local municipalities*.

The County will permit *intensification* and *redevelopment* within *Secondary Settlement Areas* to assist in meeting the target provided it occurs on full municipal sewage services and municipal water services.

Where possible, new *development* in older established areas of historic, architectural, or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.

3.2.8 Affordable Housing

The County supports the provision of *affordable housing* for *low and moderate income households* through the following policies:

a) The County requires that each *local municipality* achieve a minimum *affordable housing* target of 20 percent of all new *development*.

b) *Affordable housing* should be focused within *Primary Settlement Areas* which offer residents easy access to existing services, facilities and *infrastructure*.

c) The County encourages *local municipalities* to waive (in full or in part) municipal fees to encourage the development of *affordable housing.*

d) The County encourages each *local municipality* to prepare a housing strategy that outlines opportunities to increase the supply of *affordable housing* consistent with the Windsor Essex Housing and Homelessness Plan.

e) The County discourages the demolition or conversion of affordable rental housing in order to maintain the rental housing stock.

f) The County generally permits *second dwelling units* within all single detached, semi-detached, and townhouse dwelling units where a residential unit is not permitted in an ancillary structure to those house types on the property. If the principle residential dwelling on the property contains only a single residential unit, then an accessory structure may contain the *second dwelling unit* on the property.

Local municipal Official Plans and implementing Zoning By-laws, will contain detailed policies and provisions relating to *second dwelling units* which generally support their creation, including but not limited to the following:

i) Areas of the municipality where *second dwelling units* would be inappropriate such as floodprone areas or areas with inadequate servicing.

ii) Minimum unit size, access and parking requirements.

iii) Whether *second dwelling units* will be phased into new *developments*, at the time of *development*/design/construction.

iv) The health and safety requirements for *second dwelling units* to be contained within an accessory structure.

v) Garden suites.

3.3 AGRICULTURAL

This section contains the general directive, goals and policies for lands designated "Agricultural" on Schedule "A1" of this Plan. The "Agricultural" designation pertains to all of the lands that are not otherwise designated as "*Settlement Areas*" or "Natural Environment". In addition, the policies in Section 3.4 of this Plan may also pertain to some of the lands designated "Agricultural".

3.3.1 General Directive

The vision for lands designated "Agricultural" is one which includes a viable agricultural community comprised of many types of agriculture such as cash crop farming, greenhouse farming, orchard farming, vineyard farming, mushroom farming and livestock farming. Essex County offers one of the most complex and technologically advanced agricultural areas in Ontario, and it is the intent of this Plan to protect this important resource for the long-term.

All lands outside of those designated as "*Settlement Areas*" and "Natural Environment" are considered the County's *prime agricultural area* in accordance with Provincial Policy. The County promotes a diverse, innovative and economically strong agricultural industry and *settlement area* expansions, lot creation and the establishment of new uses will be carefully managed, and where necessary, restricted.

Because this County is rich in natural resources, it is also acknowledged that there is a need to permit other types of land use in the "Agricultural" designation such as the extraction of gas and oil and the extraction of mineral aggregate. These extractive uses are also permitted in accordance with Provincial Policy as interim

Under conditions of approval attached to plans of subdivision or condominium pursuant to the Planning Act, the County shall require that the applicant enter into an agreement with the *local municipality* which may be registered against the title of the subject lands and which shall address such matters as services, financial requirements, County Road facilities, dedication of land for public uses and parks, warning clauses regarding the possibility of having children bussed to schools other than the closest school because of capacity issues, local roads, drainage, grading and landscaping, natural habitat restoration, sidewalks, school bus loading areas and other requirements to implement the provision of this Plan and the local Official Plan.

4.6.2 Condominium Conversions

The County of Essex discourages the conversion of rental units to condominium tenure in order to protect the existing stock of rental and *affordable housing*. The County will consider condominium conversions only where the applicant has demonstrated to the County's and *local municipality's* satisfaction that the supply of rental housing has not been reduced. In assessing applications for condominium conversion, the County shall consider the number of new rental units being constructed, as well as the existing supply of *affordable housing*. The County of Essex shall prepare a procedural manual outlining the process that it will follow for the processing of applications for condominium conversion.

4.6.3 Part Lot Control Exemption By-Laws

The County of Essex shall prepare a procedural manual outlining the process that it will follow for the approval of locally adopted Part Lot Control Exemption By-laws.

4.6.4 Consent To Sever

The County has delegated approval authority for consent applications to the *local municipalities*.

Applications to create lots through the consent to sever process will continue to be the responsibility of *local municipalities* in accordance with the policies contained in local Official Plans which are required to be in conformity with the policies contained herein and Provincial Policy. The County may comment on consent applications particularly those that involve lands abutting County Roads. Consents shall not be granted if the application is contrary to the policies of this Plan or local Official Plans. Appeals may be lodged by the County for approved consent applications that are contrary to the policies of this Plan.

4.7 SITE PLAN CONTROL

This Plan encourages the use of site plan control by *local municipalities*. Provisions for site plan control shall be detailed in the local Official Plans and shall include urban and architectural design guidelines that enhance the development of the *local*

municipality. Those *developments* that propose to obtain access from a County Road are required to consult with the County regarding access requirements, setbacks and possible road improvements.

4.8 MUNICIPAL PLAN (ONE WINDOW) REVIEW

The Ministry of Municipal Affairs and Housing is the approval authority for this Plan and any amendments hereto. The Ministry will be consulted prior to the approval of any Plan or Amendment.

The County of Essex is the approval authority for local Official Plans and amendments, as well as plans of subdivision and condominium, as well as part lot control applications. The *local municipality* and/or the applicant shall consult with the County, and where appropriate, the Ministry of Municipal Affairs and Housing, and appropriate agencies. The County will work with the *local municipality* to facilitate pre-consultation between applicants and the relevant Provincial agencies and the *Conservation Authorities* to ensure that all legislative requirements related to any given *development* proposal are identified and understood at the outset of the planning approval process.

Where this Plan requires an evaluation, demonstration or other action "to the satisfaction of" one or more of the Provincial Ministries, the policy should generally be interpreted to mean that it is the responsibility of the County and/or the Ministry of Municipal Affairs and Housing to ensure consistency with Provincial policies, standards or guidelines.

4.9 PUBLIC, FIRST NATIONS & METIS CONSULTATION

County *Council* and local municipal Councils shall actively encourage meaningful public participation by seeking the opinions and the advice of First Nations, Metis, individuals, and community and stakeholder groups in the on-going task of implementing, monitoring and reviewing this Plan.

County *Council* and the local municipal Councils shall ensure that the public is adequately notified and consulted. The measures utilized to facilitate public participation will be consistent with the scope and nature of the planning matter being addressed. Prior to making decisions related to planning matters, County *Council* and the local municipal Councils will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared. Measures such as peer review and Alternate Dispute Resolution will be used when determined to be appropriate.

Appendix D

Town of Amherstburg – Official Plan Policies

SECTION 2 LAND USE MANAGEMENT STRATEGY FOR DEVELOPMENT

2.1 GENERAL

In order to effectively accommodate the current and future inhabitants of the Town of Amherstburg in an orderly and logical manner the following general development policies and principles shall be applied to all land use designations and development within the Town.

The Town of Amherstburg will endeavour to ensure that:

(1) the various School Boards are satisfied that adequate provision to accommodate any additional school children be made;
(2) sufficient community facilities such as parks or recreational facilities can be provided;
(3) any increases in traffic can be accommodated by the road network without causing unacceptable congestion, accident hazard, or nuisance to adjacent residential areas;
(4) residential amenities are maintained;
(5) development has regard for the natural environment and ensures that *it is demonstrated there are no negative impacts on the features or their functions; (Modification #2)* and
(6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available without undue additional cost.

Council will promote the economic growth by promoting Amherstburg and cooperating with the Federal Government, the Province, and the County to attract industry and commerce to the Town.

The Land Use Management Strategy for Development policies of this Plan have been established in order that future development of the Planning Area is controlled in an orderly and systematic basis. New development or redevelopment in Amherstburg should follow the guidelines outlined below.

2.2 LOCATION OF DEVELOPMENT

In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Town or by the developer. As per Section 34(5) of the Planning Act, R.S.O. 1990 c.P.13, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning.

Sufficient land has been designated in this Plan to accommodate the anticipated growth within the planning horizon, and site specific expansions of the settlement area boundaries will not be permitted. (Modification #3) In keeping with the Provincial Policy Statement there will be no expansion of the boundaries of the Settlement Area beyond those identified on Schedule “A”, Land Use Plan, unless the expansion is part of a five year review process and/or it has been determined through a comprehensive review that there is insufficient opportunities for growth through intensification, redevelopment, and designated growth areas to accommodate the projected needs of the Town of Amherstburg over the identified planning horizon.

of the lands to their prior use, and the estimation of the costs of decommissioning and how this would be funded entirely by the developer, including the determination of securities.

e) Landscaping plans.
f) Stormwater management plans.
g) Emergency management which includes details concerning on-site safety and measures to ensure emergency services personnel are adequately trained.
h) Preventative maintenance and maintenance plans.

2.15 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings, or structures normally incidental, accessory, and essential to that use are also permitted.

2.16 MOBILE HOMES/TRAILERS/GARDEN SUITES

Mobile homes and trailers shall not be permitted except in appropriate designations such as a Modular Home Park designation or a Recreational Commercial designation. Mobile homes used for seasonal farm labour shall be specifically listed as a permitted use in the Agricultural Zones in the Zoning By-law. Mobile homes for other purposes may be permitted by the adoption of temporary use by-laws.

2.17 BARRIER FREE ACCESS

It shall be a policy of this Plan that, in reviewing development applications and when the Town is undertaking public works, serious consideration be given to the creation of a barrier free environment. Encouragement will also be given to design standards that create a safe pedestrian environment.

Barrier free design will be applied to intersection, curb cuts, pedestrian activated signals, public buildings, all new institutional, recreational, commercial, industrial, or multi-unit structures.

The Town will explore ways to eliminate barriers to wheelchairs and mobility aids on public lands and buildings. The Town will encourage developers to provide barrier free developments.

Proposals for the installation of barrier free access involving heritage structures must demonstrate that the alteration will not adversely impact the heritage attributes.

The Town's Zoning By-law will establish standards for the provision of parking spaces for persons with disabilities where the magnitude of the development warrants the provision.

2.18 BROWNFIELDS REDEVELOPMENT POLICIES

The Province of Ontario recently amended Section 28 of the Planning Act. Section 28 allows municipalities to create Community Improvement Areas. The changes to the Act are intended to provide greater flexibility in how a municipality utilizes this Section of the Act when carrying out remedial works or redevelopment projects. The changes have expanded the range of projects and now include the ability to carry out remedial measures to clean up sites with environmental issues.

The Town can provide grants and loans to owners of brownfields to assist in the cost of any clean up. There are a number of sites within the community that could benefit from more flexible community improvement policies. The former General Chemical site, the former SKD site, the former Church and Dwight site, and the former Nexen site could possibly benefit from the new

redevelopment policies.

More detailed policies on how this Official Plan addresses Community Improvement Areas are found in Section 6.3 of this Plan.

2.19 SMART GROWTH POLICIES

The Town of Amherstburg will continue to encourage development and redevelopment that addresses the principles of "Smart Growth". The Ontario Smart Growth Initiative identified six strategic directions for the Western Zone of Ontario in which Amherstburg is located. The six strategic directions include: identify and invest in a system of service nodes and sectoral networks; protect the natural environment and resources and quality of life through more effective planning, co-ordination and co-operation across the zone; support a strong and viable agricultural sector; facilitate more efficient movement of people, goods and information; ensure a sustainable, reliable and affordable supply of energy and promote a strong and vibrant economy. This Official Plan has incorporated those principles within the Land Use Management Strategy for Development and within the specific Land Use designation policies and Implementation methodologies.

The Town will accommodate projected growth within the defined Settlement Areas and encourage a more efficient use of land and services. The Town also supports revitalization of the downtown and commercial areas of the community while having appropriate and sensitive regard to the heritage features of this community.

Included in the Town's positive outlook for the commercial areas of the Downtown will be the continued encouragement of residential development on the upper floors of the commercial buildings, the added parking concessions to existing and new development and the promotion of the tourism aspects of the Town.

2.20 BONUSING

As part of the Smart Growth approach and/or Community Improvement Plan directives, development standards may be incorporated into the Zoning By-law to permit increases in the height or density of development, where such development:

(1) provides a specific type of housing, such as housing for low or moderate income groups, senior citizens or persons with disabilities;
(2) preserves areas, sites, buildings or structures of cultural heritage value or environmental sensitivity;
(3) provides additional lands for park or other public recreational purposes over and above that required by the parkland dedication policies of this plan; and/or
(4) provides additional landscaping, setbacks, greenspace or other elements that enhance streetscape design in core urban areas.

Increased height or density provisions enacted in the Zoning By-law as outlined above shall specify the development standards that would apply where such special provisions are to be permitted. Council may require the provision of executed agreements which include the special provisions.

2.21 DEVELOPMENT ALONG INLAND WATERCOURSES

For those inland watercourses, municipal drains and marshes where engineered floodlines are not available, the municipality in consultation with the Essex Region Conservation Authority will incorporate appropriate building setbacks from the top of such watercourses, municipal drains and marshes into the Zoning By-Law. When determining such setbacks, the municipality shall take into consideration the type of watercourse, bank stability, angle of bank slope, Ontario Regulation 358 of the Environmental Protection Act and other relevant aspects. In evaluating development

SECTION 4 SETTLEMENT AREAS - LAND USE POLICIES

4.1 GENERAL

Section 4 of this Plan deals with the Settlement Areas of the Town of Amherstburg. The land use designations and policies are intended to accommodate the anticipated population increases in a variety of locations, densities, and housing types as well as provide for employment opportunities, economic growth, recreational needs and institutional needs. The Residential Subsections deal with a variety of settlement areas as shown on Schedules “A” and “B”. In addition, there are areas designated for specific land uses such as industrial, commercial and recreational that are single purpose land use areas that are also Settlement Areas for the purpose of the Provincial Policy Statement and this Official Plan. Changes within any Settlement Area from one designation to another will be dealt with as an amendment to the Official Plan. Changes to the boundary of any Settlement Area or an attempt to create a new Settlement Area will be dealt with as required under Section 22(7.1) and Section 22(7.2) of the Planning Act.

The Town will work with the County of Essex to identify targets for intensification, infill and redevelopment and the Plan will be amended to incorporate such targets. (Modification #32)

4.2 RESIDENTIAL USES

4.2.1 General

It is the intention of this Plan to ensure that sufficient lands have been placed in various Residential designations to accommodate the anticipated population in a suitable variety of locations, densities, and unit types. This Plan also intends to ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, and incorporates energy efficient aspects in its design.

The Plan also intends to encourage the development of economical housing in a suitable environment. Existing housing and existing residential areas shall be preserved and improved.

4.2.2 Goals

The following goals are established for the various Residential areas:

(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 20 year planning period as the capacity of the Town's services permit.

Modular Home Residential land may be zoned in separate zoning categories in the implementing Zoning By-Law.

The Modular Home Residential designation located on the north side of County Road 18 (Simcoe Street/Pike Road), as shown on Schedule "A", is also used as a recreational trailer park and recreational camping facility. It is anticipated that over time this facility will be redeveloped into a year-round residential community. If the site redevelops as a year-round residential use:

(1) density shall not exceed six units per gross hectare;
(2) buildings will be restricted to two storeys in height;
(3) development must satisfy the Ministry of the Environment or its designated agent;
(4) roads shall be built to suitable standard, should the municipality need to assume the roads in the future; and
(5) the development may be phased, thus permitting the existing recreational trailer park uses to continue.

4.3.7 Residential Special Policy Areas

Certain residential areas exist or may develop that do not fit into an existing designation and may be identified as a Special Policy Area. Special Policy Areas include:

(1) The lands located at and abutting the former Anderdon Tavern site on the east side of County Road 20, north of Texas Road and south of Middle Side Road and identified as Special Policy Area 9, shall have a dual designation of Neighbourhood Commercial and High Density Residential. Medium and/or Low Density Residential development and/or a hotel shall also be permitted subject to an approved concept plan by Council. Height limitations shall be incorporated into the Zoning By-law. A restaurant (not fast food or drive through) may form part of the permitted uses under the designation if integrated into either a hotel or a Neighbourhood Commercial development. The west side of the site may be used as either low density residential or as a marina associated with the residential development to the east of County Road 20.
(2) Lands located south of Lowes Side Road on the east side of County Road 20, being the former Boblo Island parking lot and abutting lands and identified as Special Policy Area 12, shall have a dual designation of Medium Density Residential and General Commercial. Development and shall be subject to an approved concept plan by Council.

4.4 COMMERCIAL LAND USE DESIGNATIONS

The Commercial classification of land shall mean that the predominant use of land in the area so designated shall be in accordance with the uses as defined in these sub-classifications: Neighbourhood Commercial and General Commercial. The General Commercial designation also has special added policies for select areas to guide automobile oriented development to appropriate locations on Sandwich Street and Simcoe Street, to permit added enhancements in gate way locations and to provide incentives for the core area. In addition, such non-commercial use as are complementary to and serve the respective Commercial uses shall also be permitted where defined as such under the commercial sub-classification definitions. In addition, there are commercial areas identified as Special Policy Areas. The general principles to be considered in the development and control of the use of such lands are as follows:

4.4.1 Neighbourhood Commercial

The uses permitted in the Neighbourhood Commercial designation shall be limited to those commercial uses which provide for the sale of convenience goods and services to meet the daily living needs in foods, sundries and personal services, and may include neighbourhood business and professional offices.

The development of Neighbourhood Commercial areas may take place in the form of a small shopping plaza owned and operated as a unit or as individual establishments. The scale of development shall be guided by the population of the area to be served, the location of the site relative to abutting land uses and road classification. The actual size of the uses permitted will be specified by the Zoning By-law.

Adequate parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

No open storage shall be permitted in Neighbourhood Commercial areas.

The location of the Neighbourhood Commercial areas shall be in accordance with Schedules “A” and “B”. Any new Neighbourhood Commercial facilities will require an amendment to this Plan, and shall be sited to minimize its effect on adjoining Residential areas.

The building or buildings contained within a Neighbourhood Commercial area, and any lighting or signs, shall be designed and arranged so as to blend in with the character of the adjacent Residential area, and all development will be subject to Site Plan Control.

The Neighbourhood Commercial uses may be included in separate zoning classifications in the implementing Zoning By-Law.

4.4.2 General Commercial Areas

The uses permitted in the General Commercial designation shall include those commercial establishments offering goods and services which primarily serve the whole of the municipality's market area and shall include such uses as retail commercial establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential uses above the first floor.

Multi-family residential development will be considered as an alternative form of land use on lands designated General Commercial. Unless otherwise specified, the height of multi-family residential development within the General Commercial designation shall be limited to 5 storeys and unless a site specific zoning by-law states otherwise, residential units will not occupy the first floor abutting Richmond Street or Dalhousie Street.

In order to ensure compatibility with the Heritage Residential area abutting the General Commercial designation in the Central Business District, development on the east side of Dalhousie Street and/or on the south side of Murray Street shall be limited to only Medium Density Residential development with access restricted to Dalhousie Street and/or Murray Street and height restricted to three storeys. Properties along the west side of Dalhousie Street within the General Commercial Designation may be considered for a High Density Residential development. Height, however, would be restricted to a maximum of five

storeys. Public participation meetings would be held as part of any site plan reviews for multi-family developments.

Hotels and multi-family residential development within the Sandwich Street corridor (County road 20) of the General Commercial designation may have heights of up to eight storeys.

Retail uses requiring large enclosed or open storage areas such as, but not limited to, building supplies, warehouse outlets, food stores, and catalogue stores servicing domestic customers, may locate within the General Commercial designation located on Sandwich Street north of Alma Street or south of Park Street.

Recreational uses, automobile service stations and automobile sales and service agencies, car washes, agencies for recreational vehicles, motels, drive-through restaurants or other drive through establishments shall be restricted to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street.

Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas and such buffer planting may include provisions for grass strips, berms, screening and appropriate planting of trees and shrubs, or distance, and all development will be subject to Site Plan Control and any lighting or signs shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the Planning Act R.S.O. 1990 c. P.13, provides the Town of Amherstburg with the right to allow property owners to make payment in lieu of parking spaces required by the Zoning By-Law. Section 40 allows the Town to collect money which can then be used to provide municipal parking within the area. Under such a policy the Town may exempt part or all of the parking space requirement of the Zoning By-Law in return for a cash payment. The amount of the payment will change over time as it is to be based on land costs in the vicinity of the development site. This policy of payment in lieu does not guarantee that parking will be provided near the given development to be exempt from their parking requirements. Only if the Town can satisfy itself that parking on site is not necessary and that the Town can supply sufficient parking within a reasonable distance from the site will exemptions be applied. See Subsection 6.2.5 for additional policies regarding downtown revitalization for a portion of the General Commercial designation.

When applying the payment in lieu option the Town Council shall enter into an agreement exempting the owner or occupant, to whatever extent deemed appropriate, from the requirement of the Zoning By-Law to provide parking. Money received should be placed into a special account and the agreement registered against the land. Payment in lieu will only be considered within the General Commercial land use category. New residential developments should attempt to include all required tenant parking on site, however, the residential standards of the Zoning By-Law may be significantly reduced within the zones applied to the General Commercial area to encourage intensification and redevelopment that is deemed to have a positive impact on the downtown area. Some minor adjustments may be considered for conversion to residential of upper floors of existing commercial buildings. Caution will be used in considering payment in lieu for high traffic generators such as medical buildings, clinics, restaurants, convenience stores, banks and taverns.

Evaluation of a site as suitable for payment in lieu must carefully assess the effect the number of spaces required will have on the feasibility of the development, the availability of parking in the area, the opportunity or viability of ever providing parking in the area and the resulting cumulative effect of applying the payment in lieu policy and whether or not the opportunity to achieve a desirable development can occur without creating a significant parking deficiency. A parking fund shall be established from cash-in-lieu of parking spaces received from Commercial development in the General Commercial Area.

Within the General Commercial designation abutting Richmond Street, west of Sandwich Street and within the General Commercial designation abutting Dalhousie Street, south of Richmond Street to Gore Street, commercial development shall not be required to provide parking spaces resulting from a change in use or redevelopment of a site. Residential development within this portion of the General Commercial designation may also have reduced parking requirements in the implementing Zoning By-law. No loading spaces shall be required for this portion of the General Commercial designation. Should Council consider it appropriate, development application fees and building permit fees may be waived or reduced within this area of the Town.

Within the General Commercial designation abutting Sandwich Street, limited front yard parking may be permitted if sufficiently buffered by landscaped open space and setbacks. Implementing zoning regulations may set out different standards for different portions of this designation based on the existing development pattern.
The general location of the General Commercial areas shall be in accordance with Schedules “A” and “B”.

Any public works or private redevelopment within the area should take into account the Heritage Policies and Downtown Revitalization Policies of this Plan and should implement any applicable portion.

The General Commercial lands may be placed in separate zoning classifications in the implementing Zoning By-Law.

4.4.3 Commercial Special Policy Areas

Certain commercial areas exist or may develop that do not fit into an existing designation and may be identified as a Special Policy Area. Special Policy Areas include:

(1) The General Commercial area north and south of Fort Street, and east and west of Sandwich Street, around the intersection of Fort Street and Sandwich Street, has dual designations which shall allow the lands to develop as one or the other designation but not both designations and the appropriate policies of the Official Plan would apply. The specific dual designations of “General Commercial” and, “High Density Residential”, “Medium Density Residential”, and “Office Residential” are as follows:
   a) Lands designated General Commercial and fronting on the east side of Sandwich Street and located south of Fort Street and generally north of North Street, shall have a dual designation of General Commercial and High Density Residential and shall have a height restriction of three storeys for the first 60 metres of the site fronting onto Sandwich Street in order to maintain the established streetscape elevations. Commercial land uses shall be restricted to the first floor of any new development;
   b) The area on the east and west sides of Sandwich Street, between Fort Street and Elm Avenue, has the dual designation of “Office Residential” and “General Commercial”. For the lands on the west side of Sandwich Street, the General

Commercial shall not include any uses involving food preparation or places of entertainment and shall be restricted to retail and office-type uses;

c) The area on the north side of Fort Street to Alma Street, between the abandoned railway line and the rear of the lots on Sandwich Street, has the dual designation of “High Density Residential” and “General Commercial”;

d) The area fronting on the south side of Fort Street, between the abandoned railway line and the rear lots on Sandwich Street, currently designated as “Low Density Residential” and shown as Special Policy Area 11 on Schedules “A” and “B-1”, shall also have the dual designation of “Office Residential” and “General Commercial”; and,

e) The area south of the properties fronting on the south side of Fort Street, between the abandoned railway line and the rear of the lots on Sandwich Street, has the dual designation of “Medium Density Residential” and “General Commercial.”

(2) In order to ensure an aesthetically pleasing approach to the historic portion of Amherstburg and to protect the historic character, and as this area represents the Gateway to Amherstburg and a portion of this area is within the Town’s Downtown Tourist District, additional policies will apply to commercial development established along Sandwich Street between Texas Road and Fort Street and for the area along Sandwich Street South to Lowes Side Road. This policy will allow for, within this area, additional landscaping requirements at the time of site plan approval and special attention will be given to lighting, fencing, and location of garbage disposal. This policy will also allow Council to establish both minimum and maximum height regulations and setback regulations in the Zoning By-law. Council will seek the advice of Amherstburg’s Heritage Committee when dealing with development in this area on such matters as roof line, height, building material, and window placement in order to maintain the historic small town appearance. Site Plans associated with any Zoning By-law amendments to a General Commercial Zone shall be subject to public consultation.

Within this area, Council may establish a setback that requires that at least 25% of the building fronting on to Sandwich Street be set back no less than 6 metres minimum and no more than 15 metres maximum. Council may also establish a minimum elevation at the 6 metre setback from front lot line of 6 metres and a maximum elevation of up to 15 metres. Council may also require an enhanced landscaping plan as part of the site plan approval that requires that deciduous trees be planted in the boulevard having 2.0 metres clear stem and head room for pedestrians and cyclists. In addition Council may require a minimum buffer or landscape strip of 3.0 metres established along Sandwich Street and that 20% of the landscaping be woody plant material that is capable of providing interest in all seasons. Fencing or dense hedge material shall be required to obscure the parking area if front yard parking is proposed. Chain link fences or wood construction fencing shall not be permitted unless they are fully screened from public view.

(3) Lands located on Dalhousie Street at Rankin and designated as General Commercial will require the provision of perspective drawings to Council’s satisfaction prior to any building permits being issued for development or redevelopment of the site and/or buildings in order to ensure preservation of compatibility to the heritage elements of Amherstburg’s Richmond/Dalhousie Commercial area. A holding provision may be applied in the Zoning By-law to require such approval of drawings prior to development or redevelopment.

(4) Lands located south of Lowes Side Road on the east side of County Road 20, being the former Boblo Island parking lot and abutting lands and identified as Special Policy Area 12, shall have a dual designation of Medium Density Residential and General Commercial. Development shall be subject to an approved concept plan by Council.

SECTION 5 TRANSPORTATION POLICIES

5.1 GENERAL

The road network indicated on Schedule "D" is based on the inter-relationship of land use and transportation. The primary objective shall be to provide optimum conditions for the movement of people and goods from one portion of the Planning Area to another as well as facilitating the traffic movement through the Planning Area. Every attempt should be made to ensure that the Planning Area road pattern is in harmony with the County Road System as well as those of adjoining municipalities and linkage to the Provincial Road System.

5.2 CLASSIFICATION

Each road within the Planning Area is not designed nor intended to serve the same function. The roads within the Planning Area have been classified according to the anticipated ultimate function that each road would fulfil. Where additional land is required for widenings, extensions, or intersection improvements, such land shall be obtained wherever possible in the course of approving plans of subdivision, development applications, or by conditions attached to individual consents.

5.2.1 Arterial Roads

Arterial roads are existing roads of 2 to 4 traffic lanes. Due to existing development, desired right-of-way widths may not always be achievable. Wherever possible, Sandwich Street/County Road 20 right-of-way width shall be 30 metres. Alma Street, Simcoe Street, Lowes Sideroad, Meloche Road, Fryer Street, Fox Road and County Roads 9 and 10 shall be 26 metres wherever possible. The number of access points from abutting properties should be restricted in number. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control. The function of the arterial roads is to facilitate the inter-municipal and through municipal movement of high volumes of traffic to and from major traffic generating sectors in the Planning Area.

New industrial, commercial, institutional, and multiple family residential uses may have access to arterial roads but in each instance an attempt shall be made to group developments, in order to reduce the number of access points which could hinder the movement of traffic. Strip or linear development shall be discouraged. Where such conditions exist, the number of access points shall be reduced wherever possible.

It is not the intention of this Plan that arterial roads existing in a built-up area will necessarily be widened, or that direct access will be eliminated or restricted, except where redevelopment is taking place.

5.2.2 Collector Roads

Collector roads are existing and proposed roads with a minimum of two traffic lanes and a right-of-way width of 20 to 26 metres, which are designed to collect and carry medium volumes of local traffic to arterial roads or distribute traffic to the local roads as well as provide access to abutting properties.

Collector roads shall include Essex County Roads 3, 5, 8, 11, 18, 41 and 50.

Planning Act, R.S.O. 1990 c. P.13 and the consent would not result in the creation of a new building lot;

(7) The consent-granting authority may exercise its powers under Section 53(2) of the Planning Act, R.S.O. 1990 when reviewing the shape, size, etc. of any proposed lot;

(8) It shall be the Town's policy to require one application fee per new lot created, each right-of-way, lot addition etc. Only one application outlining all the lots to be created, however, need be submitted. Such application shall have a corresponding series of numbers. Further, it shall be the Town's policy to deny consent applications that only remit one fee by applying for a new lot in the middle of an existing lot in an attempt to create three lots with one application;

(9) When considering consent applications or plans of subdivision, consideration will be given to the following requirements which may be stipulated as a condition of consent or plan of subdivision approval where applicable:

a) that a lot levy (including 5 percent of the value of the lot for park purposes or such fee as set from time to time by the Town) and charges as specified for community services in accordance with the Town's Development Charges By-Law be paid;

b) that the applicant enter into an agreement to maintain any drainage facilities servicing the agricultural sector which traverse the property;

c) that the applicant enter into an agreement to construct or maintain fences around the proposed lot;

d) that the Town's Zoning By-Law be amended to permit the proposed use, if necessary, prior to the stamping of deeds;

e) that access to the property is constructed to the satisfaction of the appropriate agency;

f) that all new development proposed within fully serviced areas shall be serviced by municipal piped water supply, municipal stormwater management facilities and municipal sanitary sewage facilities;

(10) *In areas designated in whole or in part as "Agricultural", or "Natural Environment", or "Wetland", minor boundary adjustments may be permitted that could have the effect of creating a lot of less than 40 hectares, conditional on one of the parcels being added to an adjacent property and the existing dwelling remaining on the remnant parcel so that no new building lots have been created. Generally the remnant lot must be either a viable farm parcel size or follow the policy of the surplus farm unit and be generally less than one (1) hectare in size. (Modification #35)*

6.2 POLICIES FOR DOWNTOWN REVITALIZATION

It is the intent of this Plan to encourage the continued viability of the downtown core area. To this end, the following specific policies are set out with respect to future development in the Central Business Area.

6.2.1 Description

(1) The Central Business Area shall comprise those lands adjacent to Richmond Street, west of Sandwich Street and Dalhousie Street from Rankin to Gore.

(2) The uses permitted in the Central Business Area shall consist primarily of those general commercial uses described in Section 4.4 hereof, but shall also include some mixed types of residential uses located primarily on the fringe of the Central Business Area.

(3) The limits of the Central Business Area do not coincide in all cases with those of land use areas. However, distinct and recognizable limits to the Central Business Area will

be achieved where possible by differences in intensity and character between it and adjoining areas.

(4) The Central Business Area is and shall continue to be characterized by an intensive use of land.

6.2.2 Role and Function

It is the intent of this Plan that the focal point of activity be the Central Business Area which shall continue to be the dominant and most intensive business area in the Town and in the surrounding market area. The Zoning by-law may apply square footage restrictions on uses beyond the Central Business Area in an attempt to encourage smaller retail and office uses to select the Central Business Area over locations on Sandwich Street.

6.2.3 Residential Uses

(1) Accessory residential uses and limited height apartments may be permitted in those areas designated General Commercial within the Central Business Area.

(2) Higher density residential development shall be permitted on the periphery of the Central Business Area provided Council is satisfied that such development will not prejudice the future re-development of the Central Business Area and provided the proposed development conforms to all other policies of this Plan with particular reference to Heritage Policies.

6.2.4 Traffic and Parking

(1) Truck and industrial traffic shall be discouraged in the Central Business Area except where such traffic has business in the downtown area.

(2) Store owners shall be encouraged to make maximum use of the areas behind their stores for the purposes of both loading and parking.

(3) Because the Central Business Area is the sector of the Town wherein the volume of pedestrians is the most dense, it shall be designed primarily to serve a pedestrian function and to encourage social interaction.

(4) Parking facilities within the Central Business Area shall be limited primarily to short-term parking with high turnover, serving shopping and business purposes. Long-term or all day parking facilities, except those developed by private business for their own use, shall be provided on the periphery rather than in the core of the Central Business Area. Where a fee is charged for off-street parking, the rate structure shall generally be such as to render the facility self-supporting. Moreover, rates shall be set so as to discourage all-day parking in the core of the Central Business Area and to encourage long-term parking on the periphery.

(5) Entrances and exits to off-street parking facilities shall be located so as to minimize interference with street traffic. The frontage on Richmond Street shall not be used for surface off-street parking facilities. The development of pedestrian walkways to parking areas located behind the Richmond Street frontage as well as Murray and Dalhousie Streets, shall be encouraged, as well as ensuring barrier free accessibility and accessible parking spaces.

(6) The provision of on-site parking shall not be prerequisite for new development in the Central Business Area provided Council is satisfied that undue traffic hazards would not arise.

6.2.5 Downtown Improvement and Revitalization

(1) It is the intent of this Plan that the progressive features and positive characteristics, which have developed in the Central Business Area, shall be retained and reinforced. Development of vacant sites and redevelopment of existing areas in the Central Business Area shall be encouraged in a comprehensive manner with a view to coordinating individual site designs and providing integrated solutions to pedestrian and vehicular traffic circulation problems. To further these objectives, Council may require that prospective developers of lands in the Central Business Area enter into a Development Agreement with the Municipality under Section 41 of the Planning Act, R.S.O. 1990 c.P.13.

(2) Although intensification of use will be inherent in most development or redevelopment, it is the intent of this Plan that in any rehabilitation, conservation, development, or redevelopment schemes for the Central Business Area, emphasis be placed on the provision of abundant light and air space, the provision of attractive and usable open space available to the public, the aesthetic value of enclosed areas as well as open areas, the importance of public buildings as focal points of civic improvement, the restoration of existing buildings wherever possible and the retention of historical atmosphere and buildings. High standards of civic design emphasizing unity, coherence, and aesthetic appeal shall be the goal throughout.

(3) No open storage shall be permitted in the Central Business Area.

(4) It is the intent of this Plan that the Central Business Area remain as compact as possible in order to serve the pedestrian most effectively. New development should be planned as an extension of the existing business area and should not be allowed to infiltrate unnecessarily into adjoining residential areas.

(5) Preference should be granted to the redevelopment of vacant or derelict commercial buildings within the Central Business Area before considering amendments to the Zoning By-Law to permit expansion into adjoining residential areas.

(6) Council shall endeavour to improve the environment of the Central Business Area by making use of small spaces for such amenities as benches and planting and to improve the design of street lighting and other street furniture.

(7) Council shall encourage merchants and property owners in the Central Business Area to improve their shop fronts and signs and thereby improve the overall appearance of the downtown area.

(8) Council shall encourage an adequate standard of building maintenance on all property within the Central Business Area through the enforcement of a maintenance and occupancy standards by-law pursuant to Section 31 of the Planning Act R.S.O. 1990 c.P.13.

(9) Council shall consider the assembling of land within the Central Business Area as assistance to redevelopment or rehabilitation schemes.

(10) Council shall have regard to the policies relating to Economic Development that are contained in Section 6.5 of this Plan when considering the improvement and revitalization of the downtown area.

6.3 POLICIES FOR COMMUNITY IMPROVEMENT

6.3.1 Designation of Community Improvement Areas

In any established area of the Town where there is evidence that physical and/or socio-economic change may occur if no public action is taken, Council in conjunction with the citizens shall determine whether it is in the best interest of the area and the Town as a whole to encourage such change by directing a program of orderly transformation or to encourage the conservation of the area.

Where the effects of physical and/or socio-economic change are already in evidence, Council shall determine in a similar manner whether or not this change is in the best interest of the area and the Town as a whole and, therefore, whether or not to encourage the rehabilitation and conservation of the area or its orderly transformation.

Council shall therefore, from time to time, develop Community Improvement Plans that provide details on how selected areas will be improved through conservation, rehabilitation, redevelopment, renovations, revitalization and/or environmental remediation. Community Improvement Plans may be applied to all types of uses, buildings, and/or structures in any given area.

Community Improvement Areas may be defined as that portion of the Town of Amherstburg that is bound on the west by the Detroit River, on the north by Texas Road on the east by Concession 3 North and on the south by Lowes Side Road.

6.3.2 Conservation, Rehabilitation, and Redevelopment

In areas of conservation and rehabilitation, Council shall institute a program to ensure the conservation and rehabilitation of existing buildings, both through direction and encouragement and by regulatory measures in order to discourage redevelopment. Council shall recognize, however, the justifiable redevelopment of selected buildings and uses within these areas as an integral part of such a program. Particular attention shall be directed initially to those buildings and uses thought to have the most deleterious effects on the surrounding area.

6.3.3 Goals and Objectives

(1) The principal goals for Community Improvement Area shall be:
   a) To protect and enhance the quality of the area which the residents value highly;
   b) To eliminate the deficiencies in municipal services and recreational facilities wherever it is economically and physically possible;
   c) To assist the community in improving the overall appearance of residential and commercial structures and to act as a catalyst for individual improvement by acquiring properties that are beyond rehabilitation and removing their blighting influences from the area; and
   d) To urge and assist owners of commercial, industrial and residential property to rehabilitate premises where necessary in order to eliminate deterioration and improve community pride in ownership or occupancy.

(2) The specific objectives of a Community Improvement Area shall be:
   a) To provide for the maximum feasible amount of rehabilitation of existing housing and commercial premises by making use of any government programs for financial assistance;
   b) To establish an active program for informing the property owners of various available forms of housing and commercial rehabilitation assistance;
   c) To enforce, if necessary, any controls which will contribute to the visual attractiveness of the community and the health and safety of the occupants;
   d) To improve the sanitary and flooding situation of the community by separating the sanitary and storm sewers on selected streets within the area identified as in need of community improvement on a phased program;
   e) To improve the water distribution system by installing new watermains on selected streets within the community improvement program area on a phased program;

f) To improve the safety and visual appearance of the community by installing new sidewalks, improved street lighting, power lines, curbs and gutters, and the resurfacing of selected streets within the area on a phased program;
g) To improve the visual appearance of the community by encouraging the relocating of non-conforming land uses and incompatible land uses;
h) To ensure that the residents have a full range of community, social and recreational facilities by further developing or improving the H. Murray Smith Centennial Park, the Austin "Toddy" Jones Park, Bill Wigle Park, King's Navy Yard Park, and the expansion of parkland along the Detroit River;
i) To encourage the residents and ratepayers to participate in the implementation of community improvement plans and other programs aimed at improving the community either by service clubs or individual actions or concerns;
j) To ensure underutilized sites and/or environmentally compromised sites be revitalized to be contributing assets to the town; and
k) To provide funding in the form of grants and/or loans and/or the waiving of fees for appropriate projects that meet the objectives of the Community Improvement Plan.

6.3.4 Criteria for Selecting Community Improvement Areas

In determining whether or not a portion of the Town of Amherstburg will be selected as a Community Improvement Area for the development of a Community Improvement Plan one or more of the following criteria would have to be met:

(1) There is a deficiency or deterioration[2] in one or more of the following municipal services:
   a) Sewers and watermains;
   b) Roads and streets;
   c) Curbs and sidewalks; and
   d) Street lighting and utilities
(2) There is a deterioration or deficiency in one or more of the following recreational and social facilities:
   a) Public indoor/outdoor recreational facilities;
   b) Public open space; and
   c) Public social facilities such as community centres, libraries, clinics, cultural facilities.
(3) That at least 25 percent of the housing stock is in need of rehabilitation, whether interior or exterior;
(4) That the area is potentially stable in terms of land use and densities, whether they be residential or commercial and that there are no indications of major redevelopment plans other than those in the form of improvements;
(5) That the area is composed of predominantly low and moderate income households in relationship to average provincial household income or to the rest of the community;
(6) For commercial areas, the area will be in whole or in part defined as the Central Business Area and the area will exhibit symptoms of physical, functional and/or economic decline in the form of, for example, buildings in need of rehabilitation, decrease in retail sales, high vacancy rates, or declining tax base;
(7) The area contains land use conflicts between non-compatible uses or contains underutilized lands which may detract from the viability of the area but which if

[2] The Engineering Standards for the Town of Amherstburg shall be used as a guide in determining the degree of deterioration and the priorities for improvement.

redeveloped or renovated or developed to another land use could enhance or revitalize the area;

(8) The overall streetscape or aesthetics of the area are in need of upgrades;

(9) The presence of land and/or buildings that may require environmental site assessments or designated substance analysis and the implementation of appropriate and necessary remedial measures.

6.3.5 Phasing of Improvements

The separation of sanitary and storm sewers will be a number one priority within the community with phasing occurring in a natural and logical sequence based on engineering studies.

Improvements to lighting, watermains, sidewalks and road surfaces will also be carried out in a logical, sequential manner in conjunction with the separation of sanitary and storm sewers.

Waterfront improvements are necessary to the continued acquisition of riverfront property for park purposes and the possible development of a marina. Necessary park improvements are also a priority in the community. The designation of a Community Improvement Project Area will be influenced by the availability of government assistance to help implement the necessary improvements.

Brownfields will be assessed on the benefit to be accrued to the community and on the willingness of the property owners to complete a redevelopment project.

6.3.6 Implementation

Implementation of the Community Improvements will occur through;

(1) implementation of the Property Standards By-Law;

(2) the support of the local Heritage Conservation committee and the application of Heritage designations;

(3) the acquisition of lands through Town expenditures;

(4) the sale of public lands for commercial redevelopment;

(5) the application for various government programs, grants and loans; and the encouragement of local incentive under private enterprise.

(6) the support of the Business Improvement Area;

(7) consideration of more flexible approaches to the zoning when community improvement objectives are being met;

(8) encouragement of private initiatives regarding conservation, rehabilitation, redevelopment and environmental remediation;

(9) consideration of the provision of grants and/or loans and/or the waiving of fees when local initiatives support the objectives of the community improvement plan; and

(10) when feasible, acquire buildings and/or land to carry out the community improvement plan and objectives.

6.4 POLICIES FOR HERITAGE CONSERVATION

6.4.1 General

The Central Business Area possesses many older structures that warrant preservation and restoration. The intent of this Official Plan is to ensure that the future development strategy for that portion of the Town identified as the Heritage Area be sensitive to the heritage

resource that is present. All new development within the Heritage Area will be carried out in such a manner as to respect the existing historical character while every effort will be made to preserve existing structures, building sites, as well as the overall character and atmosphere within the area.

It shall also be an objective of this Plan to coordinate the preservation, restoration, and utilization of the historical attributes of Amherstburg with comprehensive planning needs in order to benefit the community and posterity.

For the purpose of this Official Plan and any subsequent implementing documents, the term "heritage" shall mean those sites, structures, buildings, and environments which are of historical or architectural significance and interest to the Town of Amherstburg.

6.4.2 Objectives

In order to achieve the desired goal outlined in the preceding Section, the following objectives have been identified.

(1) To protect, preserve and restore the original architectural detail wherever feasible on those significant buildings having architectural and historical merit within the context of the Town of Amherstburg.
(2) To protect, preserve and restore the original architectural detail wherever feasible on those buildings contributing towards heritage value of the Town of Amherstburg.
(3) To encourage the construction of new buildings to be of a design compatible with existing structures and to restrict unsympathetic alteration to buildings that would, by doing so, detract from the character of the Heritage Area.
(4) To conserve and rehabilitate existing buildings and generally establish an area of stability through the removal of blighting influences, such as incompatible land uses, deteriorated structures and improvements to the streetscape.
(5) To prevent the demolition, destruction, or inappropriate alteration or use of heritage.
(6) To encourage appropriate character and uses adjacent to heritage in those areas designated on Schedule “B” as Heritage Residential.
(7) To develop and encourage creative, appropriate, and economic uses of heritage.
(8) To seek Legislative powers to enable Council to exercise controls necessary to ensure the preservation of the architectural and historical values of the Town.
(9) To consider social and community needs in the preservation, restoration, and utilization of heritage.
(10) To encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of heritage, including policy formulation.
(11) To encourage and develop private and public financial resources and techniques in the preservation, restoration, and utilization of heritage.
(12) To undertake research into the Town's heritage and to identify methods for its preservation, enhancement, and utilization.
(13) To coordinate heritage policies and programs with the comprehensive planning programs of the Town of Amherstburg.
(14) To provide for the periodic review and update of heritage policies and programs.
(15) To foster civic beauty, strengthen the local economy and to promote the use of heritage for the education, pleasure, and welfare of the residents of the Town and of visitors to the Town.

6.4.3 Criteria and Guidelines

A set of criteria has been established for the selection of sites, structures, buildings, areas, and environments of heritage significance. The basis for selection is tied to the historical and architectural development of the Town of Amherstburg. As a minimum, the criteria

found in Ontario Regulation 9/06 of the Ontario Heritage Act, which deals with designations for individual properties under Part IV, must be followed.

6.4.4 Criteria for Heritage Districts - Background

The Town's heritage and planning concerns require special attention for whole areas. A sizeable portion of Amherstburg's heritage properties are not individually significant. Rather it is the unique character of the buildings and street patterns as a whole which is most significant. Series of similar properties group logically to form such areas and contain a unity in their shared character and components. In addition, heritage areas provide reasonable units for effective planning and protection, because of their consistency and manageable size.

It is felt that a focus on areas, as a major direction for heritage programs will result in the most efficient use of resources and the most effective protection of heritage. This focus developed from the conclusion that local municipalities carry the responsibility for restricted area regulation and are best able to provide the framework within which the Town can promote and undertake preservation, restoration and rehabilitation.

A detailed Heritage Conservation District Plan shall be prepared for all areas which are to be designated as Heritage Conservation Districts. This plan shall contain the location, historical, or architectural significance of the area in the development of the community, and justification for the designation of the district and shall provide policies and guidelines for development, redevelopment and alterations..

The area should provide an example of the historical or architectural heritage of the community. The geographical extent of such an area in some cases will not be easily defined and for this reason, the following criteria should be considered by Council and the Amherstburg Heritage Committee when measuring the historical or architectural heritage of a proposed district.

(1) A significant number of buildings should reflect an aspect of the historical heritage of a community by nature of its historical location and significance of setting.
(2) A significant number of buildings should exhibit an architectural style of construction which is significant historically or architecturally to the community, Province, or Country.
(3) The area may contain other notable physical, environmental, and aesthetic characteristics which in themselves do not constitute sufficient grounds for the designation of a district, but which lend support when evaluating the criteria for designation.
(4) The district may be in an area surrounding several individually designated buildings, sites, and structures, or a more extensive area such as a neighbourhood or several town blocks.
(5) The boundaries should be clearly differing factors such as changes in land use, building, or environmental character, topography, or traffic corridors.

6.4.5 Criteria for Individual Buildings - Background

Council and the Heritage Committee shall consider the following criteria when evaluating individual buildings for designation under The Ontario Heritage Act. The buildings so designated should interpret the Town's heritage through architectural merit and/or historical association.

(1) Has the building been associated with the life of an historic personage or has it played a role in an important historic event?
(2) Does the building embody the distinguishing characteristics of an architectural type recognized for its style or period of construction, or is it a notable example of workmanship by an early master builder, designer, or significant architect? It is not imperative that antiquity alone be the basis for selection, however, it should be an important consideration if other more significant examples have disappeared.
(3) Does the building or building type have special significance in that it forms an integral component of a particular neighbourhood character within the community?
(4) The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.
(5) In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.
(6) Intangible elements such as feeling, association, and aesthetics shall be considered as important as the physical appearance of the building or structure.
(7) Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other detail including windows, doors, lights, signs, and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings.

6.4.6 Policies

(1) It shall be the policy of Council to encourage the preservation of buildings and sites having historical and/or architectural value. Council recognizes that there may be archaeological remnants of prehistoric habitation within the town and important archaeological evidence of historic activities, which would be of value in future conservation of the built environment. Council will, therefore, facilitate survey by government or private agencies should those agencies deem it necessary and will encourage the preservation or rescue excavation of archaeological resources which might be entailed in any future development.
(2) Council shall identify and maintain a list of possible heritage. This list will be the basis for the preservation, restoration, and utilization of heritage.
(3) Council will designate and regulate heritage under appropriate legislation, including The Ontario Heritage Act, The Planning Act, and The Municipal Act, whenever deemed feasible.
(4) Council shall exercise its legislative authority to control the demolition and alteration of heritage. Where Council has through by-laws designated individual buildings or districts under The Ontario Heritage Act, or established an area of Demolition Control under Section 33 of the Planning Act R.S.O. 1990, no person shall demolish the whole or any part of a designated property or property in a designated area, without first receiving a permit issued by Council.
(5) Council will establish criteria and guidelines to determine and regulate heritage.
(6) Council, with the advice and assistance of the Heritage Committee will regulate and guide alterations and additions of heritage.
(7) Council will regulate vehicular and pedestrian traffic matters which may affect heritage.
(8) Council will regulate, as appropriate, the character, use and development of the environs surrounding heritage resources to benefit heritage.
(9) Council will amend its property standards, as appropriate, to meet the needs of heritage.
(10) If necessary, Council will acquire, restore, and appropriately manage or dispose of heritage on a selective basis.

(11) It shall be the policy of Council to seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.
(12) Council will support applications for funds through various senior governmental programs to assist individual property owners with building improvements.
(13) Council will investigate and evaluate, as appropriate, methods to achieve its heritage objectives.
(14) Council will consider social and community needs in the preservation, improvement, and utilization of heritage.
(15) Council will undertake heritage plans and programs in accordance with a system of priorities. In particular, the following will be regarded as priority guidelines for Town programs:
   a) The protection of heritage areas.
   b) The stimulation of preservation, restoration, rehabilitation, and utilization of heritage by the public.
   c) Selective restoration and rehabilitation of heritage by the Town.
(16) Council will restore, rehabilitate, enhance, and maintain Town owned heritage in fulfilment of the heritage objectives and policies. As feasible, relevant by-laws, programs, and public works undertaken by the Town of Amherstburg will conform to and further the heritage objectives and policies.
(17) Council will foster the provisions of information and public awareness concerning heritage.
(18) Realizing that a great deal of cooperation and involvement on the part of the public and business community will be required to implement a heritage program of this magnitude, Council will, wherever feasible, encourage the private and public sectors to promote heritage preservation for the benefit of all citizens of the community and posterity.
(19) Council shall coordinate its heritage plans and programs with heritage plans and programs of the senior levels of government in an effort to avoid duplication of effort and to reinforce mutual objectives.
(20) Council will develop and establish heritage plans and programs in co-ordination with Town planning needs and requirements.
(21) Council will consult with and involve Town residents in heritage planning and programs.
(22) Council will continually review and update its heritage policies, plans and programs, and will conduct a comprehensive review every five years.
(23) The construction of new buildings on vacant lots in the heritage areas shall be encouraged and shall be sympathetic in their design to the heritage character of the area.
(24) Council will investigate, and wherever desirable, take advantage for heritage purposes of special assistance programs offered by the senior levels of government.
(25) Council will undertake whatever additional research is required on Town-wide, neighbourhood, and specific heritage matters and may adopt specific policies on these matters from time to time upon completion of this research.
(26) Council will actively encourage senior levels of government to enact legislation and undertake programs to preserve heritage which will further the achievement of the Town's objectives on heritage.

6.4.7 Implementation

(1) The Ontario Heritage Act
The Town of Amherstburg will, whenever desirable, use the provisions of the Ontario Heritage Act to implement the heritage policies of this Official Plan. The Heritage

Committee established pursuant to the Legislation shall advise and assist Council on all matters specified in the Ontario Heritage Act.

(2) Zoning

Special heritage zones may be established within the Zoning By-Law, to further the achievement of applicable objectives in this Official Plan. In particular, the establishment of heritage zones could enable the Town of Amherstburg to regulate matters such as the use of land, and the height, bulk, density, setback, and exterior design of buildings which are essential to the maintenance of the overall character of unique heritage areas.

Furthermore, heritage zoning regulations will stabilize development which, in turn, will encourage other investment, rehabilitation, and conversion of certain uses to uses which are more compatible with the stated objectives of this Plan. The establishment of heritage zones will endeavour to preserve existing heritage buildings or sites, and discourage their demolition.

(3) Demolition Control

A demolition Control By-Law has been enacted to include heritage, to protect residential properties, and to maintain the character of residential areas. Within the area of demolition control, the demolition of any residential property is prohibited unless Council has issued a Demolition Permit.

(4) Site Plan Control

A Site Plan Control By-Law shall be enacted to require an owner of property within a heritage area as a condition of development or redevelopment to enter into an agreement with the Town of Amherstburg. This agreement establishes conditions which shall be met by the property owner with regard to site development or redevelopment, and any other matters (permitted by the Planning Act) which the Town of Amherstburg deems necessary to achieve certain objectives of this Plan.

(5) Minimum Maintenance and Occupancy Standards By-Law

This By-Law will be amended, as appropriate, to provide special provisions for heritage.

(6) Committee of Adjustment

Applications for severances and minor variances to the Zoning By-Law's Heritage Zones will be carefully considered by the Committee of Adjustment and will only be approved where they are desirable to achieve the heritage objectives and policies of this Plan.

(7) Public Acquisition of Land

The Town of Amherstburg will, wherever desirable and economically feasible, purchase or otherwise acquire an interest in land to effect the implementation of the heritage policies of this Plan.

(8) Sign By-law

The Town of Amherstburg shall enact a Signs By-Law to regulate signs in heritage zones. This legislation will allow the Town of Amherstburg to control the visual impact of advertising and sign design and/or placement within the Heritage Area.

(9) Planning Act

The municipal heritage committee will be circulated notices, under regulations of the Planning Act, pertaining to plans of subdivisions, zoning by-laws, holding by-laws and interim control by-laws, if the subject lands includes or adjoins a property or district designated under Part IV or V of the Ontario Heritage Act.

Council shall, when appropriate for specific development proposals, consider increasing height and density of development otherwise permitted by the by-laws to facilitate the retention of heritage resources. These bonusing techniques are as permitted by the Planning Act.

As provided for by Section 28 of the Planning Act, Council may consider community improvement plans and programs for preservation, rehabilitation, renewal and reuse of heritage resources. Community Improvement Plans are described more fully in section 6 of this Plan.

6.5 ECONOMIC DEVELOPMENT

It is the intent of this Plan to develop the Town to its fullest economic potential, while maintaining the quality of life existing residents have come to expect. This Plan hopes to promote the economic well-being of Town residents and to provide employment opportunities. It is also the intent of the Plan to achieve greater diversification in the Town's overall economic base, while continuing to encourage and promote the development of the traditional agricultural, industrial and commercial base of the Town. In addition, economic development through tourism will also be promoted and encouraged in the Town.

The general principles to be considered in the economic development of the Town are as follows:

6.5.1 Economic Development Policies

(1) The Town shall encourage the expansion and diversification of the Town's economic base in order to maximize the number and types of employment opportunities and to stabilize the impacts of cyclical and long-term economic trends in various agricultural, industrial, service and commercial sectors upon the Town and its residents.

(2) The Town recognizes the importance of tourism to growth in the local economy and in employment, and will encourage the strengthening of and promote the further development of tourism and recreation opportunities in the Town by preserving heritage through maintaining historic sites, maintaining public access to the waterfront, the enhancement of the natural environment and wetland ecosystem of the area, and through the promotion of the Town.

(3) The Town shall undertake and adopt an economic development strategy for the Town in order to give focus and direction to its economic development efforts. This economic development strategy shall serve as a basis for the promotion of economic development in the Town to include three main areas of emphasis - agricultural diversity and stability, industrial development and retail/tourism development. The Economic Development strategy may be undertaken in cooperation with neighbouring municipalities, the County of Essex and the Windsor-Essex County Development Commission.

(4) The Town may participate in any programs offered by other levels of government to improve employment opportunities and promote economic development.

(5) The Town may cooperate with other levels of government to develop a strategy and program to acquire and develop land for economic development purposes.

(6) The Town may cooperate to develop an incubator mall, which may utilize existing vacant or underutilized buildings, to nurture new business ventures.

(7) The Town shall consider, upon request, participating in data collection and providing support services for public agencies engaged in tourism.

(9) Planning Act

The municipal heritage committee will be circulated notices, under regulations of the Planning Act, pertaining to plans of subdivisions, zoning by-laws, holding by-laws and interim control by-laws, if the subject lands includes or adjoins a property or district designated under Part IV or V of the Ontario Heritage Act.

Council shall, when appropriate for specific development proposals, consider increasing height and density of development otherwise permitted by the by-laws to facilitate the retention of heritage resources. These bonusing techniques are as permitted by the Planning Act.

As provided for by Section 28 of the Planning Act, Council may consider community improvement plans and programs for preservation, rehabilitation, renewal and reuse of heritage resources. Community Improvement Plans are described more fully in section 6 of this Plan.

6.5 ECONOMIC DEVELOPMENT

It is the intent of this Plan to develop the Town to its fullest economic potential, while maintaining the quality of life existing residents have come to expect. This Plan hopes to promote the economic well-being of Town residents and to provide employment opportunities. It is also the intent of the Plan to achieve greater diversification in the Town's overall economic base, while continuing to encourage and promote the development of the traditional agricultural, industrial and commercial base of the Town. In addition, economic development through tourism will also be promoted and encouraged in the Town.

The general principles to be considered in the economic development of the Town are as follows:

6.5.1 Economic Development Policies

(1) The Town shall encourage the expansion and diversification of the Town's economic base in order to maximize the number and types of employment opportunities and to stabilize the impacts of cyclical and long-term economic trends in various agricultural, industrial, service and commercial sectors upon the Town and its residents.

(2) The Town recognizes the importance of tourism to growth in the local economy and in employment, and will encourage the strengthening of and promote the further development of tourism and recreation opportunities in the Town by preserving heritage through maintaining historic sites, maintaining public access to the waterfront, the enhancement of the natural environment and wetland ecosystem of the area, and through the promotion of the Town.

(3) The Town shall undertake and adopt an economic development strategy for the Town in order to give focus and direction to its economic development efforts. This economic development strategy shall serve as a basis for the promotion of economic development in the Town to include three main areas of emphasis - agricultural diversity and stability, industrial development and retail/tourism development. The Economic Development strategy may be undertaken in cooperation with neighbouring municipalities, the County of Essex and the Windsor-Essex County Development Commission.

(4) The Town may participate in any programs offered by other levels of government to improve employment opportunities and promote economic development.

(5) The Town may cooperate with other levels of government to develop a strategy and program to acquire and develop land for economic development purposes.

(6) The Town may cooperate to develop an incubator mall, which may utilize existing vacant or underutilized buildings, to nurture new business ventures.

(7) The Town shall consider, upon request, participating in data collection and providing support services for public agencies engaged in tourism.

(8) The Town shall consider participating through financial or other support in County-wide cultural, heritage, convention and recreation activities which support tourism.
(9) Within areas under an industrial designation, the Town shall promote efficient, economical use of the land resources. The use of large lots by small industries will be discouraged unless there is a need for future expansion.
(10) As part of its on-going planning process, the Town will consider the short and long-term, direct and indirect, economic impacts of various types of development.
(11) In pursuing economic development, the Town will, at all times, ensure that the costs associated with development are within the Town's financial capabilities, and that there are no undue social or environmental costs.
(12) The Town shall promote, and may participate in partnership with private development and/or the Essex Region Conservation Authority, in the development of a new docking facility in the community.

6.6 HOUSING POLICIES

6.6.1 General

The Town of Amherstburg is concerned about the availability, affordability and appropriateness of the existing and future housing stock of the Town.

The existence of serviced and/or serviceable land can influence the supply and therefore the availability of building lots, and because the mix of housing type can influence issues such as the correct fit between available housing stock to family structures and because lot size can affect the price of the finished home; the Town of Amherstburg has deemed it appropriate to try and influence the development industry and assist in directing it towards supplying the most appropriate mix of housing stock to meet the Town's residential needs.

6.6.2 Housing Objectives

To this end the Town of Amherstburg shall attempt to achieve the following objectives:

(1) To encourage a broad range of housing types which are suitable for the different age groups, lifestyles, and household structure of existing and future residents.
(2) To encourage an adequate supply of affordable housing as required by the provincial policy statement on housing.
(3) To encourage the rehabilitation and maintenance of the existing housing stock.
(4) To provide housing opportunities for those people in need of specialized care.

6.6.3 Housing Supply

(1) In order to support the creation of a livable, sustainable community and in keeping with the County of Essex Affordable Housing Action Plan the Town of Amherstburg wishes to ensure that there is an available mix of housing types for all household types, income levels and for persons with special needs. In approving development proposals, the housing needs, both type and tenure, shall be considered for low, medium and high income groups and all age related housing needs and all lifestyle needs of Amherstburg residents.
(2) The Town shall, where appropriate, inform the public of and encourage the use of federal and provincial housing programs.
(3) In order to implement the requirements of the policy statement, the Town shall have regard to the County of Essex Municipal Housing Statement. In an effort to reduce the time of processing residential applications has prepared a Procedural Guideline/Development Manual.

structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, and water facilities.

7.5 SITE PLAN CONTROL

(1) Council may, by by-law, designate areas where Site Plan Control will be in effect as provided in the Planning Act, R.S.O. 1990. The entire Town of Amherstburg, with the exception of land used or proposed for single detached or two family dwellings or for agricultural land uses, is proposed as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. Non agricultural land uses permitted within areas designated Agricultural within the Town are in the proposed Site Plan Control Area. Single detached and two family dwellings within a Heritage Zone may not be exempt from Site Plan Control.

(2) For the approval of developments proposed in the Site Plan Control Area, Council may require plans showing the location of buildings, structures and facilities to be developed in order to ensure that such plans meet the objectives stated below. Council may require drawings showing plan, elevation and cross-section views for each building to be erected.

(3) The overall objective of Site Plan Control is to improve the efficiency of land use and servicing, to protect adjacent land use and to encourage a more attractive form of development by:

a) Improving the treatment of site plan details to maintain a consistent municipal standard in the proposed Site Plan Control Area;
b) Ensuring the safety and efficiency of vehicular and pedestrian access;
c) Minimizing land use incompatibility between new and existing development and ensure any identified mitigation measures required by the Town are maintained;
d) Providing functional and attractive on-site facilities such as landscaping and lighting;
e) Controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection;
f) Securing easements to provide for public utilities and site drainage;
g) Ensuring that the development proposed is built and maintained as approved by Council.

(4) In order to achieve these objectives, Site Plan Control will address such matters as the location of buildings and structures, proposed road widenings, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage facilities, private and common outdoor areas, easements over and grading of the lands, provision of the disposal of storm, surface and waste water from the site and such matters as may be appropriate in each case. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

(5) Site Plan Control may be used by the Town to secure property for proposed road widenings without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. In cases that existing uses or topographical features do not allow for equal widenings of both sides of a roadway, a side being measured from the centreline of the road outwards, then only one-half of the total widening shall be taken under Site Plan Control and the remainder shall be obtained by other means.

7.6 INTERIM CONTROL BY-LAW

An Interim Control By-Law may be used by the Town to restrict development in areas subject to certain studies such as servicing feasibility studies, parkland feasibility studies, etc.

Appendix E

Town of Amherstburg – Zoning By-law

(12) LANDSCAPING

(a) LANDSCAPED OPEN SPACE

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following general provisions:

(i) Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural use or permitted outdoor storage areas shall be maintained as landscaped open space.

(ii) Except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space.

(iii) Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways.

(iv) No part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot

(b) PLANTING STRIPS

(i) Where the lot line of a lot containing a non-residential use and located in a Commercial Zone or Industrial Zone abuts a lot in a Residential Zone, or abuts a street on the opposite side of which is located a lot in a Residential Zone, then that part of the lot containing such non-residential use or directly adjoining the said lot line shall be used for no purpose other than having a minimum width of 3 metres measured perpendicularly to the said lot line.

(ii) Where a fence, a wall, a row of trees or a hedgerow is provided as part of a planting strip required by this By-law, such fence, wall, row of trees or hedgerow shall be designed to have an ultimate height of not less than 1.5 metres above the elevation of the ground at the nearest lot line, except that within a sight triangle the maximum height of any landscaping materials shall be 0.6 metre.

(iii) Where a planting strip required hereby is traversed by a pedestrian walkway or by a driveway, in accordance with Paragraph (iii) of Clause (a) of this Subsection, such planting strip shall not be required to extend closer than 1 metre to the edge of such walkway or 2 metres closer to the edge of such driveway, provided that any intervening space between the said planting strip and the said walkway or driveway is maintained as landscaped open space.

(13) LICENCED CANNABIS PRODUCTION FACILITY

The following provisions apply to a Licenced Cannabis Production Facility:

1. A Licenced Cannabis Production Facility shall be subject to the following provisions and only be permitted in the following zones:
   a. Heavy Industrial (HI)
   b. Light Industrial (LI)
   c. Agricultural (A)
2. Facilities shall be located and designed in accordance with Federal regulations to mitigate potential impacts including light emissions, air emissions, odour, and so forth as allowed by Heath Canada regulations.
3. The following distance separations shall apply to buildings and structures associated with a Licenced Cannabis Facility:
   a. No Cannabis Production Facility shall be located closer than 150 m from a residential use; and,

(i) the front yard on a lot containing an agricultural use, for a temporary roadside retail farm sales outlet for produce grown on the said lot; or

(ii) a lot containing a single dwelling, for a special temporary sale, by auction or otherwise, of personal possessions belonging to the occupants thereof.

(22) OUTDOOR PATIO ASSOCIATED WITH A RESTAURANT

Notwithstanding any other provisions of this By-law, the following shall apply to an outdoor patio associated with a permitted restaurant:

(a) CAPACITY

No outdoor patio shall accommodate more than 50 percent (50%) of the licensed capacity of the restaurant with which the patio is associated, or 50 persons, whichever is the greater.

(b) LOCATION

(i) No outdoor patio shall be permitted where any lot line adjoins lands which are in a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(ii) Notwithstanding the provisions of paragraph (i), where only the rear lot line adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane, an outdoor patio shall be permitted in the front yard.

(iii) No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(c) LIGHTING

Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets.

(d) LOADING

Notwithstanding Subsection (14), no loading space shall be required for an outdoor patio restaurant.

(e) ENTERTAINMENT

No music (whether performed live or recorded), dancing or other forms of entertainment shall be permitted.

(f) PARKING

Parking spaces shall be required for the gross floor area associated with the outdoor patio at the same ratio as for restaurants.

(23) PARKING REGULATIONS

(a) PARKING SPACES REQUIRED

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in Clause (b) and Clause (c) of this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, one or more parking spaces in accordance with the provisions of this Subsection. In addition to the parking spaces required by Section 3(21)(b) and 3(21)(c) where the parking requirement for any use is in excess of twenty (20) spaces, one (1) space out of the first twenty (20) spaces required and one additional space out of each additional one hundred (100) spaces or portion thereof, shall be provided near and accessible to the building and clearly marked for the parking of vehicles used by the physically handicapped person or persons. Parking spaces for the physically handicapped shall have a minimum width of 3.7 metres and a minimum length of 6.0 metres.

(b) PARKING SPACE REQUIREMENTS FOR RESIDENTIAL USES (MINIMA)

(i)	Apartment Building	1 per unit
(ii)	Boarding Dwelling	0.33 per unit
(iii)	Boarding House	See Lodging House
(iv)	Converted Dwelling	1 per unit
(v)	Duplex	1 per unit

(vi)	Fourplex	1.5 per unit
(vii)	Group Home	2 spaces
(viii)	Lodging House	0.33 per unit
(ix)	Mobile Home	1 per unit
(x)	Rooming Dwelling	0.33 per unit
(xi)	Rooming House	See Lodging House
(xii)	Rowhouse	1 per unit
(xiii)	Semi-Detached Dwelling	2 per unit
(xiv)	Single Detached	2 per unit
(xv)	Special Needs Apartment Building	0.25 per unit
(xvi)	Street Rowhouse	2 per unit
(xvii)	Triplex	1 per unit

(c) PARKING SPACE REQUIREMENTS FOR NON-RESIDENTIAL USES (MINIMA)

Agricultural Service Establishment	1 per 30 m² (323 sq. ft.)
Agricultural Supply Establishment	1 per 30 m² (323 sq. ft.) for retail showroom, plus 1 per 200 m² 2,153 sq. ft.) for warehousing/ wholesaling
Amusement Game Establishment	1 per 25 m² (269 sq. ft.)
Animal Hospital	1 per 45 m² (484 sq. ft.)
Arena (No Seats)	1 per 35 m² (376 sq. ft.)
Arena (With Seats)	1 per 8 seats
Art Gallery	1 per 50² (538 sq. ft.)
Assembly Hall	1 per 8 seats or

	1 per 35 m^2 (376 sq. ft) whichever is greater
Auction Establishment	1 per 30 m² (323 sq. ft.)
Auditorium	1 per 8 seats
Automobile Rental Establishment	1 per 25 m² (269 sq. ft.)
Automobile Sales & Service Establishment	See Vehicle Sales and Rental Establishment
Automobile Service Station	6 per bay
Automobile Supply Store	1 per 25 m² (269 sq. ft.)
Bake Shop	1 per 25 m² (269 sq. ft.)
Bakery	1 per 100 m² (1,076 sq. ft.)
Banquet Hall	See Assembly Hall
Body Shop	1 per 30 m² (323 sq. ft.)
Bowling Alley	See Commercial Recreation Establishment
Building or Contracting Establishment	See Manufacturing Establishment
Building Supply Outlet	1 per 30 m² (323 sq. ft.) for retail/showroom plus 1 per 200 m^2 (2,153 sq. ft.) for warehousing/ wholesaling
Bulk Beverage Establishment	1 per 30 m² (323 sq. ft.)
Bulk Sales Establishment	1 per 30 m² (323 sq. ft.)
Business Service Establishment	1 per 50 m² (538 sq. ft.)
Car Wash	*3 queuing spaces in advance of each service bay or area for a manual car wash; 6 queuing*

	spaces in advance of each service bay for an automated car wash (By-law 2006-61)
Catalogue Store	See Retail Store
Caterer's Establishment	1 per 200 m² (2,153 sq. ft.)
Chronic Care Facility	See Nursing Home
Church	See Place of Worship
Cinema	See Auditorium
Clinic and Outpatient Clinic	1 per 20 m² (215 sq. ft.)
Commercial Outdoor Recreation Facility	1 per 1000 m² (10,764 sq. ft.)
Commercial Recreation Establishment	1 per 30 m² (323 sq. ft.)
Commercial School	See School
Commercial Storage Unit	1 per 200 m² (2,153 sq. ft.)
Community Centre and Hall	1 per 8 seats or 1 per 35 m^2 (376 sq. ft.) whichever is greater
Continuum-of-Care Facility	See Appropriate Components as Proportioned
Convenience Store	See Variety Store
Data Processing Establishment	1 per 40 m² (430 sq. ft.)
Day Care	1 per 40 m² (430 sq. ft.)
Department Store	1 per 30 m² (323 sq. ft.)
Drive-Through Facility	*3 queuing spaces in advance of each drive-through window or service outlet (By-law 2006-61)*

Driving Range (Golf)	1.5 per tee
Drug Store	See Pharmacy
Dry Cleaning and Laundry Depot	1 per 25 m² (269 sq. ft.)
Dry Cleaning and Laundry Plant	1 per 200 m² (2,153 sq. ft.)
Dry Cleaning Establishment	1 per 50 m² (538 sq. ft.)
Duplicating Shop	1 per 25 m² (269 sq. ft.)
Electrical and Electronic Products	See Manufacturing Establishment
Emergency Care Establishment	1 per 40 m² (430 sq. ft.)
Film Processing Depot	1 per 25 m² (269 sq. ft.)
Financial Institution	1 per 30 m² (323 sq. ft.)
Fire Station	1 per 1.5 employees
Florist Shop	See Retail Store
Food Store	1 per 25 m² (269 sq. ft.)
Food, Tobacco and Beverage Processing	See Manufacturing Establishment
Funeral Home	Greater of 1 per 20 m^2 (215 sq. ft) or 20 spaces
Gallery	See Art Gallery
Gas Bar	3 spaces
General Offices	1 per 40 m² (430 sq. ft.)
Grocery Store	See Food Store
Hardware Store	1 per 25 m² (269 sq. ft.)

Home and Auto Supply Store	1 per 25 m² (269 sq. ft.)
Home Appliance Store	1 per 30 m² (323 sq. ft.)
Home Decorating Store	1 per 30 m² (323 sq. ft.)
Home Furnishings Store	1 per 30 m² (323 sq. ft.)
Home Improvement Store	1 per 30 m² (323 sq. ft.)
Homes for the Aged	See Rest Home
Hospital	1.25 per bed
Hotel	1.25 per unit
Industrial and Agricultural Equipment and Service	1 per 30 m² (323 sq. ft.)
Kennel	1 per 25 m² (269 sq. ft.)
Laboratory	1 per 45 m² (484 sq. ft.)
Laundromat/Laundry	1 per 25 m² (269 sq. ft.)
Library	1 per 50 m² (538 sq. ft.)
Liquor, Beer and Wine Store	1 per 25 m² (269 sq. ft.)
Manufacturing and Assembly	See Manufacturing Establishment
Manufacturing Establishment	1 per 100 m² (1,076 sq. ft.)
Marina (Transient)	1 per 10 slips
Marina (Seasonal)	1 per slip
Miniature Golf Course	1 per tee
Motel	1.25 per unit

Museum	1 per 50 m² (538 sq. ft.)
Music School	1 per 45 m² (484 sq. ft.)
Nursery and Garden Store	1 per 30 m² (323 sq. ft.)
Nursing Home	1 per 3 beds
Office, Business, Service and Professional	1 per 40 m² (430 sq. ft.)
Office, Medical/Dental	1 per 20 m² (215 sq. ft.)
Office Supply Outlet	See Retail Store
Office, Support	1 per 45 m² (484 sq. ft.)
Open Storage	1 per hectare (2.5 acres)
Paper and Allied Products Industry	See Manufacturing Establishment
Personal Service Establishment	1 per 20 m² (215 sq. ft.)
Pharmaceutical and Medical Products Industry	See Manufacturing Establishment
Pharmacy	1 per 25 m² (269 sq. ft.)
Place of Worship	1 per each 5 persons seating capacity
Police Station	1 per 1.5 employees
Post Office	1 per 30 m² (323 sq. ft.)
Printing Establishment	1 per 200 m² (2,153 sq. ft.)
Printing Plant	1 per 100 m² (1,076 sq. ft.)
Printing, Reproduction and Data Processing Industries	See Manufacturing Establishment

Printing Shop	1 per 100 m² (1,076 sq. ft.)
Private Club	1 per 20 m² (215 sq. ft.)
Private Outdoor Recreation Club	1 per 700 m² (7,535 sq. ft.) of lot area for the first 10 ha (25 ac.), plus1 per 5000 m^2 (53,820 sq. ft.) of lot area over 10 ha (25 ac.)
Processed Goods Industry	See Manufacturing Establishment
Public Hall	See Assembly Hall
Public Recreation Facility	1 per 35 m² (376 sq. ft.)
Public Use	1 per 45 m² (484 sq. ft.)
Public Utility	See Public Use
Racquet Facility	2 per court
Raw Materials Processing	See Manufacturing Establishment
Recreational Establishment	1 per 20 m² (215 sq. ft.)
Repair and Rental Establishment	1 per 20 m² (215 sq. ft.)
Research and Development Establishment	See Manufacturing Establishment
Resource Extraction Operation	2 spaces
Rest Home	1 per 3 beds
Restaurant, Drive-Through	*1 per 10 m^2 plus 6 queuing spaces in advance of each drive-through window or service outlet (By-law 2006-61)*
Restaurant, Eat-In and Outdoor Patio	1 per 15 m² (161 sq. ft.)

Restaurant, Fast-Food, and Take-Out	1 per 10 m² (107 sq. ft.)
Restricted Manufacturing and Assembly	See Manufacturing Establishment
Retail Store	1 per 25 m² (269 sq. ft.)
Retirement Lodge	1 per 3 beds
School, Commercial	1 per 45 m² (484 sq. ft.)
School, Community College	1 per 100 m² (1,076 sq. ft.) plus 1 per 15 students
School, Elementary	3 plus 1 per classroom
School, Private	3 per classroom
School, Secondary	3 per classroom
Service and Repair Establishment	1 per 25 m² (269 sq. ft.)
Service Shop	1 per 25 m² (269 sq. ft.)
Shopping Centre (Greater than 2000 m² and with 4 or more individual business establishments)	1 per 30 m² (323 sq. ft.) Gross Leaseable Floor Area
Stadium	See Auditorium
Storage Depot	See Warehousing
Studio	1 per 45 m² (484 sq. ft.)
Supermarket	See Food Store
Supervised Residence	1 per 4 residents
Tavern	1 per 6 m² (65 sq. ft.)
Taxi Establishment	1 per 6 m² (65 sq. ft.)

(b) LOTS REDUCED BY PUBLIC ACQUISITION

Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition, to have a lot area, lot frontage, lot coverage, area of landscaped open space, setback, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then nothing in this By-law shall apply to prevent the continued use of the lot as reduced as if no such acquisition had taken place, provided that:

(i) no change is made in the dimensions, area or any other characteristics of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said nonconformity; and

(ii) no building or structure or addition thereto is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all the provisions hereof for the zone in which such lot is located.

(26) SETBACKS

(a) SPECIAL SETBACK SELECT ROADS

Notwithstanding any other provisions of this By-law, where a building or structure is located adjacent to a road listed below, setbacks shall be provided and maintained for each road as listed below or the front yard depth provision of the appropriate zone, whichever is the greater.

Road	Location	Setback
Sandwich St.	Brunner Road to Fort St	25 m
Sandwich St.	Fort St. to Park St.	11.5 m
Sandwich St.	Park St. to Southern limit of Corporation	30 m
Alma St.	Sandwich St. easterly to Corporation limits	25m

Road	Location	Setback
Simcoe St.	Sandwich St. easterly to Corporation limits	25m
Richmond St.	Seymour St. easterly to Corporation limits	No minimum
Murray St.	Sandwich St. to Dalhousie St.	No minimum
Dalhousie St.	Rankin St. to Park St.	No minimum

Notwithstanding any yard or setback provisions of this By-law to the contrary, no part of any building or structure erected hereafter shall be closer than twenty-six (26) metres to the centreline of a County Road and, where a municipal drain running parallel to the direction of the road lies within the road allowance or adjacent to it, the building setback shall be thirty-four (34) metres from the said road centreline on the side containing the municipal drain. This provision does not apply to County Road 20 between Brunner Avenue and Lowe Sideroad.

For all other streets within the Corporation, the front yard depth provision of the zone shall apply.

(b) EXEMPTION IN BUILT-UP AREAS

The minimum setback required on a lot that is between two adjacent lots on which are located existing buildings not more than 90 metres apart shall be the average of the established building lines on the said adjacent lots, provided that no setback requirement calculated in accordance with this Clause shall exceed the applicable setbacks required of the appropriate zone provisions.

(c) SETBACKS FROM LAKE ERIE

Notwithstanding any other provisions of the By-law to the contrary, no part of any building or structure, other than a fence, hedge or shoreline protection wall, shall be erected in any zone or defined area:

(i) within thirty (30) metres of the water's edge of Lake Erie where erosion facilities and shore protection works described below have not been constructed;

(ii) within fifteen (15) metres of the water's side of the erosion facility or the shoreline protective work where adequate erosion facilities and shore protective works as recommended by the Essex Region Conservation Authority or a qualified professional engineer have been constructed.

iii) 1. Rear Yard Depth

In addition to the setback requirements in the Subsections above, on any lot that abuts Lake Erie the required rear yard depth shall be the rear yard depth required by the zone regulation applicable to the site, or the established waterfront building line or the setback as determined in the Subsections above, whichever is the greater. For the purpose of this Subsection, established waterfront building line shall be calculated by taking the average depth of the existing main building on the two adjacent lots as measured from the water's edge to the closest exterior wall of the main building and parallel to the front lot line. Where there is an existing building on only one side of the lot, the established waterfront building line will be calculated by taking the average depth of the existing main building on the adjacent lot as measured from the water's edge to the closest exterior wall of the main building and the measurement of 7.5 m for the vacant adjacent lot.

(By-law 2006-61)

2. Accessory Buildings and Structures

Notwithstanding Section 3(1) of the General Provisions, no person shall construct an accessory building or structure within the prescribed rear yard limits, except a deck, boat lift, boat well, boat house, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a permit issued by the applicable Conservation Authority in consultation with the Town.

(By-law 2015-114)

(d) SETBACK FROM DETROIT RIVER SHORELINE

Notwithstanding any other provisions of this By-law to the contrary, no part of any building or structure, other than a fence, hedge or shoreline protection work shall hereafter be erected in any zone or defined area:

(i) within fifteen (15.0) metres of the water's edge of the Detroit River, measured horizontally along a line perpendicular to a line drawn along the water's edge, where adequate erosion facilities and shore protection works as recommended by the Essex Region Conservation Authority or a qualified professional engineer have **not** been constructed;

(ii) within eight (8.0) metres plus the depth of the water's edge of the Detroit River, measured horizontally along a line perpendicular to a line drawn along the water's edge, where adequate erosion facilities and shore protection works as recommended by the Essex Region Conservation Authority or a professional hydrological engineer **have** been constructed; (2019-028)

(iii) in addition to the setback requirements in the Subsections above, on any lot that abuts the Detroit River, west of County Road 20 (former Highway No. 18), south of County Road 10 and north of Texas Road, the following regulations shall also apply:

a) On the north half of part Lot 14 and Part of Lots 15, 16, 17, and 18, Concession 1, no part of any building or structure shall be erected beyond a line measured forty-seven (47) metres from the centreline of County Road 20 road allowance. The General Provision on Yard Encroachment does not apply to this area;

b) On the southern half of Part of Lot 14 and Part of Lots 13, 12, 11, and 10, Concession 1, no part of any building or structure shall be erected beyond an established building line. For the purpose of this Section, an established building line shall be drawn from the closest existing single dwelling to the north of the proposed development to the closest existing single dwelling to the south of the proposed development. That part of the existing single dwelling that is to be used when drawing the established building line is that point of each dwelling that is closest to the Detroit River. The General Provisions Section on Yard Encroachments in required yards does not apply to development in this area;

c) Notwithstanding the section above, on Lot described as Parts 1, 2, 3, and 4 of Registered Plan 12R-6025, Part of Lot 11, Concession 1, no part of any building or structure shall be erected beyond an established building line. For this lot only, the established building line shall be drawn from the existing single dwelling two (2) lots to the north (municipally known as 600 Front Road N) of the subject property to the existing single dwelling to the south of the proposed development. That part of the existing single dwelling that is to be used when drawing the established building line is that point of the foundation of each dwelling that is closest to the shoreline of the Detroit River. The General Provisions Section on Yard Encroachment in required yards does not apply to development on the lot described as Parts 1,2,3, and 4 of Registered Plan 12R-6025, Part of Lot 11, Concession 1;

d) Nothing in this Section shall apply to the construction of an unenclosed boat dock not greater than one (1) metre above the high water datum.

(e) SETBACKS FROM INLAND WATERCOURSES AND MUNICIPAL DRAINS

No part of any building or structure, other than a permeable fence, shall hereafter be erected in any zone or defined area closer to an inland watercourse not affected by the Floodplain Development Control Area or an open municipal drain than eight (8.0) metres (26.24 feet) plus the depth of the watercourse or drain to a maximum of fifteen (15) metres (50 feet), from the top of bank, measured horizontally along a line perpendicular to a line drawn along the top of bank, or in the case where a drain may be covered, the minimum setback shall be six (6) metres (20 feet) from the centreline of the drain, except that the minimum setback shall be one and a half (1.5) metres (5 feet) from a covered drain for accessory buildings or structures in Residential zones. (2019-028)

(f) *CAR WASHES AND DRIVE-THROUGHS - SETBACKS FROM RESIDENTIAL*

Drive-through facilities, drive-through restaurants and car washes, as defined herein, shall be separated from any boundary of a Residential Zone by a minimum distance of 10 metres, measured from the nearest point along the lane providing access to and egress from the drive-through or car wash facility, and any part of the associated buildings or structures

including speakers and menus/display boards, to the nearest point along the Residential Zone boundary.

(By-law 2006-61)

(27) SHIPPING CONTAINERS

The permanent placement of shipping containers as storage containers is prohibited in all areas other than Industrial Zones and Agricultural Zones. For those areas not zoned Industrial or Agricultural, the temporary use of shipping containers for moving purposes or on construction sites will be permitted subject to regulations such as limiting the duration of the temporary placement of a shipping container, specifying setback distance from lot lines to maintain proper spatial separation and safe sight lines, and restricting the number of containers per property and the maximum size of a container.

For Agricultural and Industrial Zones, the use of permanent shipping containers for storage would be allowed subject to the following provisions:

(i) Permanent Shipping Containers require building permits and shall only be permitted as an accessory use on a lot where a principal use already exists;

(ii) Shipping Containers shall be used exclusively for storage purposes and not be used for human habitation, home industry, or any occupation or business;

(iii) The maximum number of shipping containers on any property shall be limited to two (2) unless the shipping containers are used in transportation of goods and materials in which case no maximum shall apply.

(iv) shall not be used for human habitation, office use, display, advertising, screening or fencing;

(v) shall only be located in the side yard or rear yard provided it:

a) is screened from view if the side yard or rear yard abuts a street or properties zoned other than industrial or agricultural;

b) complies with the lot coverage and accessory buildings and setback requirements of the zone;

c) is not located in any required parking areas or landscaped areas/buffer;

SECTION 13 RESIDENTIAL OFFICE (RO) ZONE

(1) SCOPE

The provisions of this Section shall apply in all Residential Office (RO) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED

No person shall within any RO Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RO uses, namely:

(i) uses permitted within a Residential Heritage Zone as provided in Section 12 hereto;
(ii) professional office;
(iii) working room for a tailor, dressmaker and draftsman;
(iv) studio for an artist, music teacher, academic tutor, and author;
(v) public use;
(vi) personal service shop (excluding laundry, laundromat, and dry cleaning establishment)[2];
(vii) existing uses[2];
(viii) dwelling unit;
(ix) medical/dental office;
(x) business office;
(xi) service office.

(3) ZONE REQUIREMENTS

No person shall within any RO Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Lot Area (Minimum)

(i)	Single detached dwelling unit, converted board or rooming dwelling	465 m²
(ii)	Duplex dwelling	560 m^2
(iii)	- Semi-detached dwelling - Semi-detached unit	600 m^2 280 m^2

[2] By-Law No. 1772.

	(iv)	- Non-residential uses and residential combination - Dwelling unit (Per unit)	465 m^2 185 m^2
(b)	Lot Frontage (Minimum)		
	(i)	Single detached dwelling unit, converted board or rooming dwelling	15 m
	(ii)	Duplex dwelling	18 m
	(iii)	- Semi-detached dwelling - Semi-detached unit	18 m 8.5 m
	(iv)	- Non-residential uses and residential combination	15 m
(c)	Front Yard Depth (Minimum)		6 m
(d)	Interior Side Yard Width (Minimum)		1.5 m
	provided that on a lot where there is no attached private garage or attached carport the minimum interior side yard width shall be 2.5 m on one side and 1.5 m on the other side		
(e)	Exterior Side Yard Width (Minimum)		6 m
(f)	Rear Yard Depth (Minimum)		7.5 m
(g)	Lot Coverage (Maximum)		40%
(h)	Landscaped Open Space (Minimum)		20%
(i)	Dwelling Unit Area (Minimum)		
	(i)	Single detached unit	75 m^2
	(ii)	Semi-detached and duplex unit	65 m^2
	(iii)	Converted, boarding, or rooming establishment per unit	30 m^2
(j)	Height (Maximum)		8.5 m
(k)	Parking and Loading		
	No parking or loading areas shall be located in the front yard		
(l)	Non-Residential Permitted Uses Restrictions		
	No non-residential use permitted in this Section shall create or become a nuisance in regard to noise, odour, vibration, radiation, traffic generated or parking.		

(m) Replacement

If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(n) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

(4) SPECIAL PROVISIONS

(a) RO-1 (CLINIC)

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-1 on Schedule "A" hereto the following special provisions shall apply:

(i) Uses Permitted

1. a clinic;
2. any use permitted in an RO Zone.

(b) RO-2

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-2 on Schedule "A" hereto the zone requirements of Section 13(3) shall apply with the exception of Section 13(3)(b)(ii). A permitted non-residential use may occupy up to 100 percent of the total gross floor area of the building.

(c) *RO-3 (193 Simcoe Street)*

Notwithstanding any provisions of this By-law to the contrary, within any area designated RO-3 on Schedule "A" hereto, the requirements of Subsection 13 of this By-law shall apply with the exception of the following special provisions:

(i) *Uses Permitted*

1. *Any use permitted in an RO Zone;*
2. *Day care.*

(ii) *Parking Provision*

Notwithstanding the parking requirements of Section 3(21), the parking requirements for any area zoned RO-3 on Schedule "A"

SECTION 15 COMMERCIAL GENERAL (CG) ZONE

(1) SCOPE

The provisions of this Section shall apply in all Commercial General (CG) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED

No person shall within any CG Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CG uses, namely:

(i) amusement game establishment;
(ii) animal hospital;
(iii) art gallery;
(iv) assembly hall;
(v) bakery shop;
(vi) catalogue store;
(vii) cinema;
(viii) clinic;
(ix) commercial recreation establishment;
(x) commercial school;
(xi) continuum of care facility;
(xii) data processing establishment;
(xiii) day care;
(xiv) department store;
(xv) drive through facility; (By-law No. 2012-65)
(xvi) dry cleaning or laundry establishment or distribution centre;
(xvii) dwelling units restricted to above the first floor;
(xviii) existing place of worship;
(xix) financial establishment;
(xx) florist shop;
(xxi) food store;
(xxii) funeral home;
(xxiii) hardware store;
(xxiv) home and auto supply store;
(xxv) home appliance store;
(xxvi) home decorating store;
(xxvii) home for the aged;
(xxviii) home furnishing store;
(xxix) home improvement store;
(xxx) hotel or motel;

(xxxi) institutional use;
(xxxii) laboratory;
(xxxiii) laundromat;
(xxxiv) library;
(xxxv) medical/dental office;
(xxxvi) merchandise service shop;
(xxxvii) marina;
(xxxviii) nursing home;
(xxxix) office;
(xl) parking lot;
(xli) personal service shop;
(xlii) pharmacy;
(xliii) place of entertainment;
(xliv) printing shop;
(xlv) public use;
(xlvi) recreational establishment;
(xlvii) repair and rental establishment;
(xlviii) restaurant;
(xlix) restaurant, fast-food;
(l) retail store;
(li) retirement lodge;
(lii) studio
(liii) supermarket;
(liv) tavern;
(lv) theatre;
(lvi) taxi establishment;
(lvii) vehicle repair shop;
(lviii) veterinarian clinic;
(lix) video rental establishment;
(lx) wholesale use accessory to a permitted CG use;
(lxi) any existing automotive use.

(3) ZONE REQUIREMENTS

No person shall within any CG Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a)	Lot Area (Minimum)	No minimum
(b)	Lot Frontage (Minimum)	No minimum
(c)	Front Yard Depth (Minimum)	No Minimum except as provided in Section 3(23) thereof

(d)	Interior Side Yard Width (Minimum) provided that where the interior side lot line abuts land in a zone other than a Commercial or Institutional Zone, the minimum interior side yard width shall be 7 m.	No Minimum
(e)	Exterior Side Yard Width (Minimum)	No Minimum
(f)	Rear Yard Depth (Minimum)	7.5 m
(g)	Dwelling Unit Area (Minimum)	55 m^2
(h)	Height (Maximum)	*10 m*

(By-law 2012-65)

(i) Heritage Buildings

If a building or structure that is designated as a Heritage Building is demolished, removed or destroyed, any new building or structure to occupy the lot must be of the same height, volume, floor area, general form, mass, and external design as the original building or structure.

(j) Open Storage

No open storage of goods, materials or waste shall be permitted.

(k) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.

(4) <u>SPECIAL PROVISIONS</u>

(a) CG-1 (BUILDING SUPPLIES)

(i) Uses Permitted

1. a building supply yard;
2. any use permitted in the CG Zone.

(b) CG-2 (SUPERMARKET AND ASSOCIATED RETAIL)

Notwithstanding any provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-2 on Schedule “A” hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i)	Frontage on Sandwich Street	30 m contiguous
(ii)	Front Yard Depth (Minimum) Sandwich	6 m from the street
(iii)	Interior Side Yard Width (Minimum)	7 m
(iv)	Exterior Side Yard Depth (Minimum)	3 m from Fort Street
(v)	Rear Yard Depth (Minimum)	7 m
(vi)	Minimum Widths for Landscaped Planting Strips	
	Abutting Sandwich Street	6 m
	Abutting Fort Street	3 m
	Abutting East Boundary	0 m
	Abutting existing residential Interior Side Yards	6 m
	Abutting all other boundaries	3 m
(vii)	Loading Spaces Required	1
(viii)	Location of Parking	
	Access and limited front yard parking shall be permitted on Part Lots 14 and 15, subject to the required landscaped planting strips as provided for in Subsection (vi) of By-law 2001-58. No access will be permitted from Part Lot 12.	
(ix)	Lot Area	1.5 hectares

(By-law 2001-58)
(By-law 2002-14)

(c) CG-3 (AUTOMOBILE SERVICE STATION)

Notwithstanding any provisions of this By-law to the contrary, within any area designated CG-3 on Schedule “A” hereto the following special provisions shall apply:

(i) Uses Permitted

1. an automobile service station;
2. any use permitted in a CG Zone.

(d) CG-4 (PARKING SPECIAL PROVISION)

Notwithstanding the parking requirements of Section 21(a) (b) or (c), the parking requirements for any area zoned CG-4 on Schedule "A" for residential units shall be 0.33 per unit and there shall be not parking requirements for non-residential land uses. All other parking regulations shall apply.

(By-law 2002-51)

The minimum height shall be 7 metres and the maximum height shall be 18 metres.

(By-law 2012-65)

(e) *CG-5 (DEPARTMENT STORE AND ASSOCIATED RETAIL)*

1. Zone Requirements

Notwithstanding any provision of this By-law to the contrary including Section 3(23), within any area zone CG-5 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(i)	*Frontage on Sandwich Street*	*30 m contiguous*
(ii)	*Front Yard Depth (Minimum)*	*6 m from Sandwich St, however, at least 25% of buildings fronting on to Sandwich Street shall not be setback further than 25 metres maximum*
(iii)	*Interior Side Yard Width (Minimum)*	*7 m*
(iv)	*Exterior Side Yard Depth (Minimum)*	*3.0 from Brunner Ave.*
(v)	*Rear Yard Depth (Minimum)*	*7 m*
(vi)	*Minimum Widths for Landscaped Planting Strips*	
	Abutting Sandwich Street	*6 m*
	Abutting Brunner Ave	*3 m*
	Abutting East Boundary	*0 m*

Abutting all other boundaries *0 m*

(vii) Restricted Build Area

The land area at the north east corner of Sandwich Street and Brunner Ave., within the CG-5 zone, shall be a Restricted Build Area. Such "Restricted Build Area" shall not be used for a restaurant or a restaurant, fast-food. Parking for uses permitted within the "Restricted Build Area" shall be prohibited within the front yard and exterior side yard. The "Restricted Build Area" shall extend northward a minimum of 18 m from the Brunner Ave. property line and extend a minimum of 138 m eastward from the Sandwich Street property line.

(viii) Restricted Uses

Notwithstanding Section 15(2) no lands zoned CG-5 may be used for a continuum of care facility, day care, home for the aged, hotel or motel, nursing home, retirement home, a dwelling unit or any land use involving overnight accommodation.

Notwithstanding Section 15(2) or the provisions of Section 15(4)(e)(ix), a department store will not be permitted until such time as the site plan has been approved and a building permit issued for the use.

(ix) Gross Floor Area

Maximum gross floor area for all permitted uses within the CG-5 Zone shall be 9000 square metres.

Individual retail uses shall have a minimum gross floor area of not less than 250 square metres, with the exception of a car wash accessory to a convenience store which shall have a minimum gross floor area of not less than 150 square metres.

Supermarkets, home and auto supply stores shall not be permitted unless support for such use is substantiated by a retail market study that has determined to Council's satisfaction that no negative impact on the planned function of established commercial development will result.

(x) Height

Maximum building height for a department store shall be 15 metres.

(xi) Permitted Uses

Notwithstanding Section 15(2) or 15(4)(viii) additional uses permitted in the CG-5 Zone include automobile service, business/professional office and convenience store.

(By-law 2004-80)
(By-law 2015-119)

(f) *CG-6*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-6 on Schedule 'A' hereto, the following special provisions shall apply:

(i) Uses Permitted

(a) Any use permitted in a CG zone;

(b) A maximum of 14 dwelling units including units on the first floor.

(ii) *Other Provisions*

(a) Rear Yard Depth (minimum)
4.5 m

(b) Building Height to roof peak 14 m maximum and 10 m minimum

(c) Heritage Building replacement shall be as approved on a site plan under Section 41 of the Planning Act with Council approval to drawings being required as per Section 41(4) of the Planning Act.

(d) Access to Parking Area and Required Spaces

Notwithstanding Section 3(21)(i)(i) access to the underground parking structure may be provided from a right of way that does not access an improved street and notwithstanding Section 3(21)(a)(b)or(c) the parking requirement for a residential unit shall be 0.33 spaces per unit and there shall not be parking requirements for non-residential land uses. All other parking requirements shall apply.

(By-law 2005-16)

(g) *CG-7*

Notwithstanding any other provisions of Section 15(3) and Section 3(23) to the contrary, within any area zoned CG-7 on Schedule "A" hereto, the minimum setback from the front lot line shall be 6 metres and the maximum setback from the front lot line shall be 15 metres. The minimum building height shall be 6 metres and the maximum building height shall be 10 metres. All other general provision and regulations of By-law 1999-52, as amended from time to time shall apply.

(By-law 2005-36)

(h) *CG-8 (Sandwich at Crownridge)*

(i) The following special provisions shall apply to lands zoned (CG-8):

Height (Maximum)	*29 metres*
Maximum residential density	*50 units*
Maximum hotel units	*70 bedroom units*

All other provisions under Subsection 15(3) Zone Regulations shall apply to lands zoned (CG-8).

(By-law 2010-28)

(i) *CG-9 (SPECIAL PROVISION- FRONT YARD DEPTH/ PARKING)*

The following special provisions shall apply to lands zoned (CG-9):

Notwithstanding Section 15(3)(c), the front yard depth within the CG-9 zone shall be a minimum of 14m and a maximum front yard depth of 34m.

Notwithstanding Section 3(21)(g) parking may be provided in the front yard in the CG-9 zone.

All other provisions under Section 3 and Section 15, as amended from time to time shall apply.

(By-law 2012-79)

(j) *CG-10*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-10 on Schedule 'A' hereto, the following special provisions shall apply:

(i) *Uses Permitted*

(a) Any use permitted in a CG zone;
(b) A maximum of 17 dwelling units including dwelling units on the first floor.

(ii) *Notwithstanding the parking requirements of Section 3(21)(a), (b), or (c), the parking requirements for any area zoned CG-10 on Schedule "A" for residential units shall be 0.33 per unit and there shall be no parking requirements for non-residential land uses. All other parking regulations shall apply.*

(iii) *The minimum height shall be 7 metres and the maximum height shall be 18 metres.*

(iv) *Other Provisions*

(a) Rear Yard Depth (minimum) Northwest corner 1.8 m

Southwest corner 3.2 m

(By-law 2014-79)

(k) *CG-11 (274-286 Dalhousie Street)*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-11 on Schedule 'A' hereto, the requirements of Subsection 15 of this By-law shall apply with the exception of the following special provisions:

(i) *Parking Provision*

Notwithstanding the parking requirements of Section 3(21), the parking requirements for any area zoned CG-11 on Schedule "A" for the residential units shall be 0.33 per unit and there shall be no parking requirements for non-residential land uses. All other parking regulations shall apply (By-law No. 2002-51).

(ii) *Height of Building*

The minimum building height shall be 7 metres and the maximum height shall be 18 metres.

(iii) *Rear yard for commercial uses*

0m minimum rear yard is permitted for commercial uses.

(iv) *Residential Units*

The location of residential units is restricted to above the commercial units. Entrances and stairways for the residential units are permitted to be located on the ground floor of the structure. The residential units may have road frontage associated with the units.

(By-law 2015-63)

(l) CG-12 (83 Sandwich Street South)

(i) Uses Permitted

Notwithstanding Section 15(2) additional uses permitted within the CG-12 Zone include a drive-through restaurant as defined in the definitions section of the by-law.

Notwithstanding any other provisions of this By-law to the contrary including Section 3(23), within any area zoned CG-12 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the exception of the following:

(ii)	*Frontage on Sandwich Street*	*30 m contiguous*
(iii)	*Front Yard Depth (Minimum)*	*6 m from the street*
(iv)	*Interior Side Yard Width (Minimum)*	*6 m*
(v)	*Exterior Side Yard Depth (Minimum)*	*3 m from Fort Street*
(vi)	*Rear Yard Depth (Minimum)*	*7 m*
(vii)	*Minimum Widths for Landscaped Planting Strips*	
	Abutting Sandwich Street	*6 m*
	Abutting Fort Street	*3 m*
	Abutting East Boundary	*0 m*
	Abutting Existing Residential Interior Side Yards	*3 m*

Abutting all other boundaries *3 m*

(viii) *Loading Spaces Required* *1*

(ix) *Notwithstanding Section 3(21)(c) the minimum number of parking spaces required shall be 190.*

(x) *Location of Parking*
Access and limited front yard parking shall be permitted on Lot 14 and Part Lot 15, subject to the required landscaped planting strips as provided for in Subsection (vi). No access will be permitted from Part Lot 12.

(xi) *An outdoor patio associated with a restaurant shall be permitted on lands adjoining a residential zone class with a maximum gross area of 44 sq m. All other provisions in Section 3(20) shall apply.*

(xii) *Lot Area* *1.5 hectares*

(xiii) The exit of the drive-thru lane be a minimum of 25 metres from the western property line.

(By-Law 2019-030)

(m) *CG-13 (253, 257-265 Dalhousie Street)*

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-12 on Schedule "A" hereto, the zone requirements of Section 16 of the By-law shall apply with the addition of the following special provisions:

(viii) *Uses Permitted*

(d) *a brewery accessory to a main use;*

(e) *any use permitted in a CG Zone.*

(ix) *Notwithstanding the parking requirements of Section 21(a) (b) or (c), the parking requirements for any area zoned CG-12 on Schedule "A" for residential units shall be 0.33 per unit and there shall be not parking requirements for non-residential land uses. All other parking regulations shall apply.*

(x) *The minimum height shall be 7 metres and the maximum height shall be 18 metres.*

(n) h-3 CG-14 (305, 319 and 327 Dalhousie Street)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-14 on Schedule 'A' hereto, the requirements of Subsection 15 of this By-law shall apply with the exception of the following special provisions:

(i) Height (Maximum) 16 m

(ii) Parking Provision

Notwithstanding Section 3(21)(c) the minimum number of parking spaces required shall be 75 with three barrier free parking spaces. Additional parking may be required on the vacant lot on Ramsey Street.

(2019-044)

Appendix F

Public Meeting Summary

Memo

To: Melissa Osborne, Deputy CAO, and Director of Planning and Building Services
Chris Aspila, Manager of Planning Services, Town of Amherstburg

From: Amy Farkas, Dillon Consulting Limited

cc: Kurt Barr, Toad One Inc.

Date: July 15, 2022

Subject: OPA-17/ZBA-11-22 - 51 & 57 Sandwich Street S, Public Meeting Summary

Our File: 22-3779

Dillon Consulting Limited (Dillon) has been retained by Toad One Inc. (the Applicant) to assist with the planning approvals in support of the Official Plan and Zoning By-law Amendments for the proposed development located at 51 and 57 Sandwich Street South, southeast of the intersection of Alma Street and Sandwich Street South (Subject Site).

On June 27th, 2022, the statutory public meeting was held for the proposed OPA and ZBA applications for a Dairy Queen (DQ) restaurant and drive-through and a three-storey mixed-use building. The residents that were in attendance or submitted written comments, provided valuable feedback to project staff and Council. Following the meeting, there was also consultation with municipal staff.

Comments Received

The following represents the comments raised and our responses:

Comments	Response
Land Use: • Concerns that the development is not appropriate due to its location on Sandwich Street S	• All concerns regarding the change of land use have been noted. The purpose of the Public Meeting was to get feedback to determine whether the proposed use is appropriate for the site. Consideration has been given to all of the comments and concerns provided by residents, Council, and municipal staff. • The subject site is designated General Commercial in the Official Plan, which encourages a broad range of commercial forms and services including retail establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores, and residential uses.

Comments	Response
Traffic:	
• Concerns about traffic problems already existing in the area and the potential for increased traffic	• A Transportation Impact Study (TIS) and addendum was submitted as part of the OPA and ZBA application. The assessment documented existing traffic volumes and traffic projections for the driveway under existing conditions and with the proposed development, utilizing transaction data from proxy DQ sites. It also looked at on-site circulation, and intersection capacity under existing and future conditions. The TIS concluded that the study area intersections and the proposed driveway are projected to operate in an acceptable manner through to the 2028 horizon year and that no modifications to off-site infrastructure or traffic control are needed to support this development.
• Recommendation by municipal staff to add a 'Right-out' exit for the drive-through to reduce the number of vehicles exiting the site at the primary access	• This comment has been noted. A 'right-out' access has been included in the updated Conceptual Development Plan dated July 13, 2022 (see attached).
• Concern that the drive-through will create traffic conflict and back-ups onto Sandwich Street South	• The proposed development provides for ten (10) drive-through queuing spaces. Zoning By-law 1999-52, as amended, requires a minimum of 6 spaces. In addition, the parking lot can accommodate an additional 10 to 11 vehicles.
Lighting:	
• Concern about the lighting and high overhead lighting standards	• Current standards are set to ensure that lighting stays on the property. This is done using measures such a full cut-off lighting. A Photometric Plan will be prepared for the Site Plan Control submission.

Comments	Response
Heritage:	
• Concern regarding the design of the mixed use/residential building as it was not available at the time of the Public Meeting	• This concern has been noted. The development proposal has been updated to confirm that the building in the rear of the property will have twelve (12) residential units and will not have a commercial use on the ground floor. Elevations will be provided to the Heritage Committee for the proposed building for their review. • At the outset of the project, the Heritage Planner for the Municipality was consulted on the proposed development. The design of both the DQ and the residential building have taken into account the recommendations from the Heritage Planner, including façade updates on the DQ model from EIFS to Hardi Board
• Concern regarding the landscaping features • Request that the fence design be circulated to the Heritage Committee	• The Applicant will continue to work with the Municipality and DQ throughout the site plan approval process to finalize the renderings for both the restaurant and the residential building that will complement the heritage character of the Town. This will include façade treatments, building materials, and accents. • A Landscape Plan and Details will be provided to the Municipality as part of the Site Plan Control process.
Noise:	
• Concern over noise volumes from the drive-through speaker box when customers are placing orders	• The speaker box has been located at the rear of the site to reduce noise impacts for the abutting properties and will be equipped with Automatic Volume Control (AVC) which adjusts the volume based on the outdoor, ambient noises levels. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. • According to MOECC Environmental Noise Guidelines, the subject site is considered a Class 2 Area. The noise guideline limits for Class 2 Areas range from 45 – 50 decibels (dBAs). Based on the decibel level standards from the manufacturer (see attached), the noise emissions would be below the applicable MOECC noise criteria for both daytime and nighttime hours (without mitigation measures).

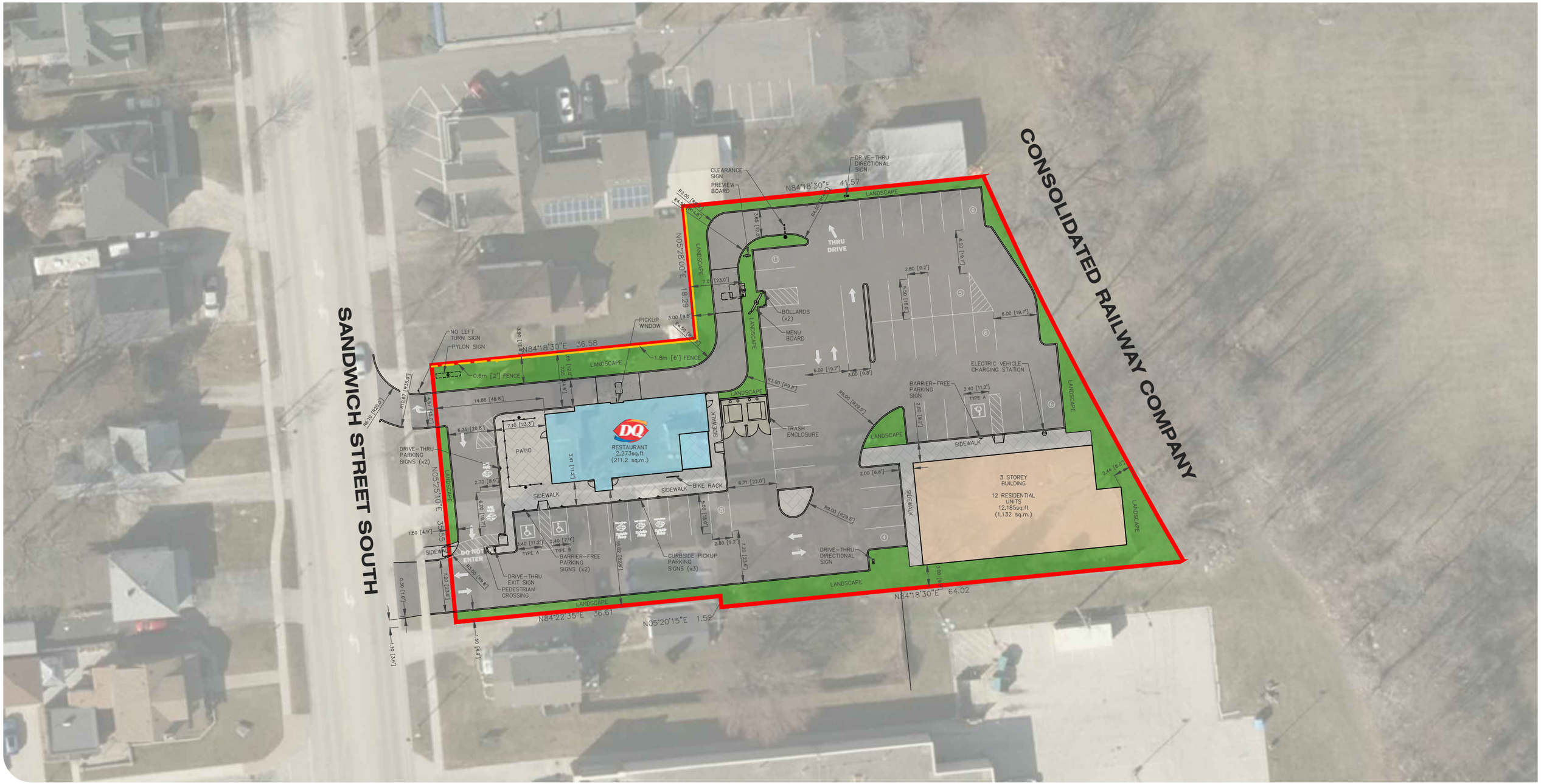
Comments	Response
• Concerns over noise from the patio late into the evening	• The proposed fencing and landscaping will bring additional buffering elements and further reduce any impacts to the neighbouring residential dwelling. • The hours of operation for the DQ will be from 10am to 10pm (Noon to 10pm on Sundays). For the summer months (May through August), it will be open until 11pm on Saturdays and Sundays. It should be noted that the kitchen closes at 10pm, with few customers between 10pm and 11pm. • Fencing (6ft) and landscaping are proposed adjacent to the abutting property to increase privacy and to mitigate potential noise from customers using the patio.
Active Transportation: • Recommendation to include bike racks and pedestrian cross-section to encourage active transportation and reduce drive-through use (idling)	• This comment has been noted. A bicycle rack for seven (7) bicycles and a pedestrian crossing have be included on the updated Conceptual Development Plan, dated July 13, 2022 (see attached).
Litter: • Concerns regarding litter on neighbouring properties	• This comment has been noted. The development will include additional waste receptacles on the sidewalk on Sandwich Street S, adjacent to the subject site.
EV Charging Stations • Recommendation for an EV Charging Station	• This comment has been noted. The development will include conduits to accommodate an EV Charging Station for the residential building.

Conclusion

We have given careful consideration to the comments received from the public, Council, and municipal staff and have incorporated these recommendations into the revised conceptual development plan. We feel the potential impacts of the built form in relation to the existing uses along the Sandwich Street commercial corridor have been addressed and will be compatible with the surrounding land uses.

We look forward to ongoing communication with the residents, the Municipality, and the Heritage Committee as we move through the planning approval and design process.

Amy Farkas, MCIP, RPP
Associate



TOAD ONE INC.
51 & 57 SANDWICH ST. S., AMHERSTBURG, ON

MIXED USE DEVELOPMENT
CONCEPTUAL DEVELOPMENT PLAN

SUBJECT AREA (± 0.42 ha / 1.04 ac)

PROPOSED RESTAURANT WITH DRIVE-THRU

PROPOSED RESIDENTIAL BUILDING

PROPOSED LANDSCAPE

PROPOSED SIDEWALK

PROPOSED FENCE

File Location:
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July, 13, 2022 4:42 PM

MAP/DRAWING INFORMATION
Base mapping from County of Essex Interactive Mapping.

CREATED BY: JMM
CHECKED BY: AMF

SCALE 1:500
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N W E S

DILLON CONSULTING

PROJECT: 22 3779
STATUS: TOWN COMMENTS
DATE: 22.07.12

HME

Customer Driven

Memo

Re: Drive-Thru Sound Pressure Levels From the Menu Board or Speaker Post

The sound pressure levels from the menu board or speaker post are as follows:

1. Sound pressure level (SPL) contours (A weighted) were measured on a typical HME SPP2 speaker post. The test condition was for pink noise set to 84 dBA at 1 foot in front of the speaker. All measurements were conducted outside with the speaker post placed 8 feet from a non-absorbing building wall and at an oblique angle to the wall. These measurements should not be construed to guarantee performance with any particular speaker post in any particular environment. They are typical results obtained under the conditions described above.

2. The SPL levels are presented for different distances from the speaker post:

Distance from the Speaker (Feet)	SPL (dBA)
1 foot	84 dBA
2 feet	78 dBA
4 feet	72 dBA
8 feet	66 dBA
16 feet	60 dBA
32 feet	54 dBA

3. The above levels are based on factory recommended operating levels, which are preset for HME components and represent the optimum level for drive-thru operations in the majority of the installations.

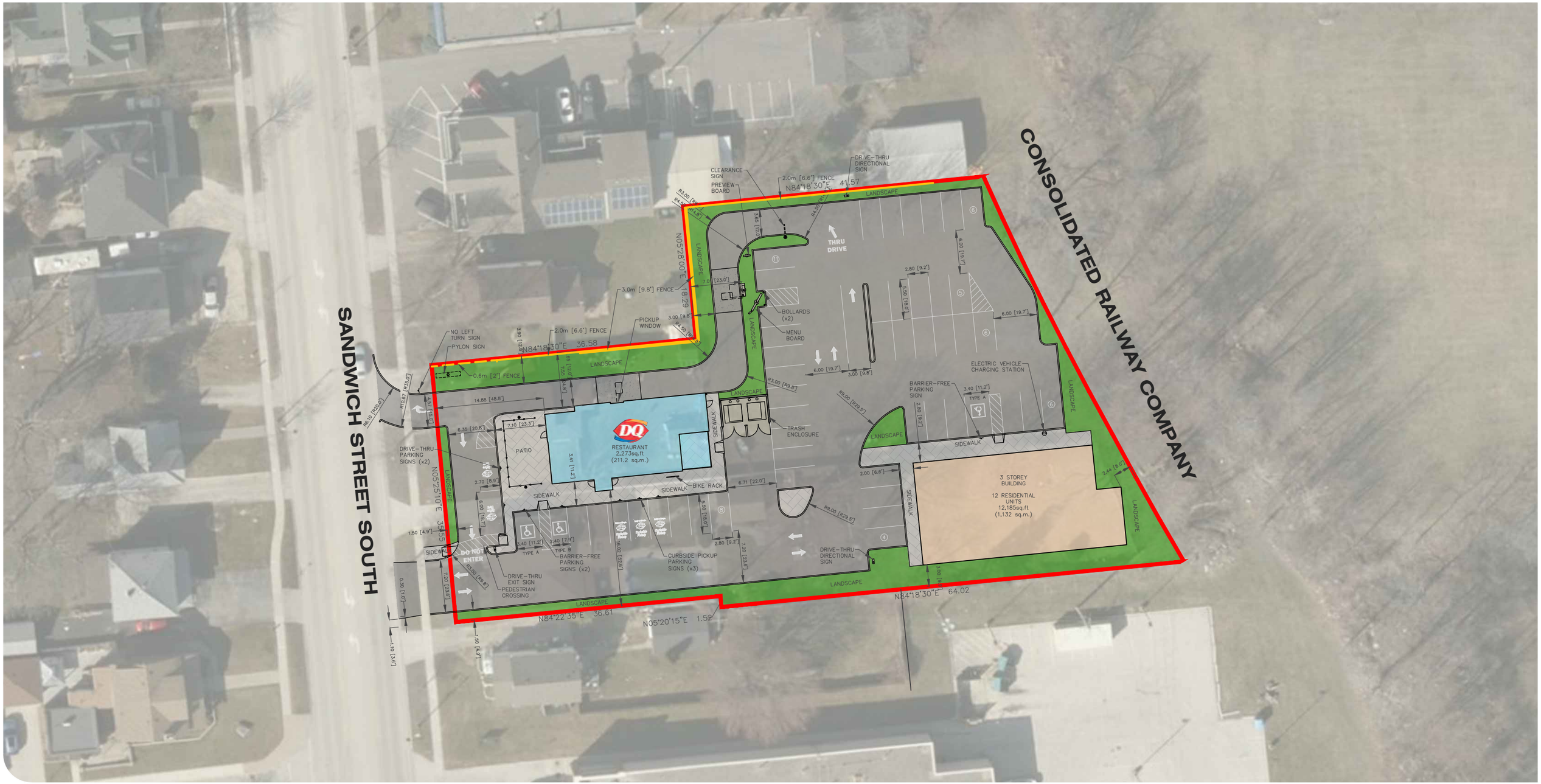
Also, HME incorporates automatic volume control (AVC) into many of our Systems. AVC will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. See below for example:

Distance from Outside Speaker	Decibel Level of standard system with 45 dB of outside noise <u>without</u> AVC	Decibel level of standard system with 45 dB of outside noise <u>with</u> AVC active
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA

If there are any further questions regarding this issue please contact HME customer service at 1-800-848-4468.

Thank you for your interest in HME's products.

HM Electronics, Inc. | 14[illegible] Drive | Poway, CA 92064
phone: 800.848.4468 | fax: 858.452.7207 | www.hme.com



TOAD ONE INC.
51 & 57 SANDWICH ST. S., AMHERSTBURG, ON

MIXED USE DEVELOPMENT
CONCEPTUAL DEVELOPMENT PLAN

SUBJECT AREA (± 0.42 ha / 1.04 ac)

PROPOSED RESTAURANT WITH DRIVE-THRU

PROPOSED MIXED USE BUILDING

PROPOSED LANDSCAPE

PROPOSED SIDEWALK

PROPOSED FENCE

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MAP/DRAWING INFORMATION
Base mapping from County of Essex Interactive Mapping.

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N W E S

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PROJECT: 22 3779
STATUS: TOWN COMMENTS
DATE: 22.08.25

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CONSULTING

TOAD ONE INC.

Noise Impact Assessment

51 and 57 Sandwich Street, Amherstburg, Ontario

August 2022

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B Drive-Thru Sound Pressure Levels from the Menu Board or Speaker Post with AVC

1.0 Introduction

1.1 Purpose and Objectives

Dillon Consulting Limited (Dillon) was retained by Toad One Inc. to prepare a Noise Impact Assessment for the proposed development located at 51 and 57 Sandwich Street S, in Amherstburg, Ontario. This study assesses the noise impacts of the proposed development on nearby noise-sensitive land uses as well as the on-site proposed 3-storey residential building. This study is being submitted in support of the Official Plan and Zoning By-law Amendments for the proposed development.

The proposed development is located in an area zoned as Residential Office Zone as per the Town of Amherstburg Zoning ByLaw – No. 1999-52. There are sensitive uses in close proximity of the proposed development, referred to herein as POR1, POR2, POR3, and POR4. The receptors are located on the same property as the proposed development as well as on the land adjacent properties to the north, south, and west.

This study has been completed in accordance with the applicable noise guidelines and methodologies set by the Ontario Ministry of the Environment, Conservation and Parks (MECP) in their publication entitled *NPC-300 – Environmental Noise Guideline* (2013).

1.2 Overview of Proposed Development

The proposed development is for a Dairy Queen restaurant with drive-thru facility and separate 3-storey residential building. The development's restaurant is proposed to be 370 square metres of building area on a 0.75 hectare land. The Site Plan of the proposed development has been provided in **Appendix A**.

The primary noise sources of concern related to the restaurant's operations include; rooftop air handling units, rooftop condensing units, rooftop exhaust fans, drive-thru speakers, and drive-thru vehicle traffic. The proposed restaurant will operate between 10:00 to 22:00, and between 10:00 and 23:00 on the weekends in the summer months (May through August)

The topography of the development and surrounding area is considered to be generally flat.

1.3 Summary of Acoustic Environment and Applicable Noise Limits

The background ambient noise of the surrounding lands can be characterized as having qualities of a Class 2 area, as described in NPC-300. The primary contributors to the background sound during the daytime and evening hours (07:00-23:00) include general urban activities including road traffic while background sound during the nighttime hours (23:00-07:00) is mainly characterized by the sounds of nature.

1.4 Statement of Compliance

This study confirms that with the implementation of the recommended mitigation, the proposed development will comply with the daytime, evening, and nighttime noise exclusionary limits defined in the MECP's NPC-300, for all sources assessed in this report.

2.0 Noise Criteria

The MECP noise guideline publication *NPC-300 – Environmental Noise Guidelines, Stationary and Transportation Sources – Approval and Planning (October 2013)* defines four (4) area classification as follows:

- ***Class 1 area*** *– an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum."*
- ***Class 2 area*** *– an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas: sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours).*
- ***Class 3 area*** *– means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as, a small community, agricultural area, a rural recreational area such as a cottage or a resort area, or a wilderness area.*
- ***Class 4 area*** *– means an area or specific site that would otherwise be defined as Class 1 or 2 and which is an area intended for development with new noise sensitive land use(s) that are not yet built; is in proximity to existing, lawfully established stationary source(s); and has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.*

For the purpose of this assessment, the subject site is considered to be a Class 2 area. The noise guideline criteria at sensitive receptors (such as residential dwellings) are given in terms of one-hour L_{eq}, the energy equivalent continuous sound level (in dBA). The applicable noise limits for Class 2 areas are presented in **Table 1**.

Table 1: NPC-300 Class 2 Stationary Source Exclusion Limits

Time of Day	Plane of Window One-Hour Leq (dBA)	Outdoor Point of Reception One-Hour Leq (dBA)
Daytime (07:00 – 19:00)	50	50
Evening (19:00 – 23:00)	50	45
Nighttime (23:00 – 07:00)	45	-

3.0 Noise Sensitive Points of Reception

As per the MECP noise guideline a Point of Reception (POR) / receptor as "any point on the premises of a person where sound or vibration originating from other than those premises is received." Noise sensitive receptors, as defined in MECP Publication NPC-300, include the following land uses:

- Permanent, seasonal, or rental residences;
- Hotels, motels and campgrounds;
- Schools, universities, libraries and daycare centres;
- Hospitals and clinics, nursing / retirement homes; and
- Churches and places of worship.

Four sensitive PORs were identified as the closest sensitive receptors to the proposed development, as shown in **Figure 1**. Brief descriptions of the receptors is provided below and summarized in **Table 2**.

- **POR1** – A 3-storey residential building located on-site (i.e., on the same parcel of land as the proposed restaurant. Receptor heights of 1.5 m, 4.5 m, and 7.5 m were used to represent receivers in the open plane of 1st, 2nd, and 3rd storey windows. This receptor was assessed for noise impacts during daytime, evening, and nighttime periods. Based on a review of the site plan, no locations were identified that would require assessment as an outdoor point of reception.
- **POR2** – A 1-storey residential dwelling located adjacent to the proposed development's north property boundary. A receptor height of 1.5 m, representing a receiver in the open plane of a 1st storey window was assumed. This receptor was assessed for noise impacts during daytime, evening, and nighttime hours. Additionally a receptor height of 1.5 m, representing an outdoor point of reception located in the front yard of the dwelling was assessed for daytime and evening hours.
- **POR3** – A 2-storey residential dwelling located adjacent to the proposed development's south property boundary. A receptor height of 4.5 m, representing a receiver in the open plane of a 2nd storey window was assumed. This receptor was assessed for noise impacts during daytime, evening, and nighttime hours. Additionally a receptor height of 1.5 m, representing an outdoor point of reception located in the backyard of the residence was assessed for daytime and evening hours.
- **POR4** – A 2-storey residential dwelling located adjacent to the proposed development's west property boundary. A receptor height of 4.5 m, representing a receiver in the open plane of a 2nd storey window was assumed. This receptor was assessed for noise impacts during daytime, evening, and nighttime hours. Additionally a receptor height of 1.5 m, representing an outdoor point of reception located in the backyard of the residence was assessed for daytime and evening hours.

Table 2: Noise Sensitive Receptors

Receptor ID	Location	Comments
POR1	51 and 57 Sandwich Street South	Proposed 3-storey residential building located within the proposed development
POR2	41 Sandwich Street South	Existing 1-storey residential dwelling
POR3	61 Sandwich Street South	Existing 2-storey residential dwelling
POR4	47 Sandwich Street South	Existing 2-storey residential dwelling

4.0 Acoustic Analysis

The proposed development includes a Dairy Queen restaurant with indoor and drive-thru facilities. The restaurant will operates between 10:00 and 23:00, however, some of the onsite noise sources including rooftop air handling units and condensing units will also operate during nighttime hours. The Site Plan of the proposed development is provided in **Appendix A**. The dominant noise generating sources and operations of the proposed development include rooftop air handling units, rooftop condensing units, rooftop exhaust fans associated with the building operation, as well as drive-thru vehicle traffic and speaker system.

The following analysis was completed to determine the impact of dominant noise sources on noise sensitive points of reception identified in **Section 3.0**.

4.1 Noise Source Types

The significant noise sources / operations that were identified as part of this study are summarized in **Table 3**. Any additional noise sources associated with building services (e.g., exhaust fans) that were not included in this assessment are expected to be negligible.

Table 3: Summary of Significant Noise Sources

Source ID	Description	Source Type	Sound Power Levels (dBA)	Number of Sources
RTU	Rooftop air handling unit assumed to operate continuously during daytime and evening periods and to operate at 30 minutes per hour during nighttime period.	Point Source	79.0	2
CD	Rooftop condensing unit assumed to operate continuously during daytime and evening periods and to operate at 30 minutes per hour during nighttime period.	Point Source	79.0	5
EF	Rooftop exhaust fan assumed to only operate continuously during the daytime and evening periods. This corresponds to the hours of operation of the restaurant.	Point Source	66.2	3
Speaker	Drive-thru service speaker operating 30 minutes per hours with Automatic Volume Control (AVC)	Point Source	58.0	1
Drive-thru	Vehicle traffic of drive-thru service at a speed of 1 km/h and an assumed daytime and evening capacity of 37 vehicles serviced per hour.	Road Traffic Noise Model	48.2	3

The sound power levels for RTUs, CDs, and EFs were obtained from Dillon's noise database (noise sources with similar specifications). The sound power level of the drive thru speaker was provided by the manufacturer and included in **Appendix B**.

Drive-thru vehicle volumes were based on 2021 transactional data from the Chatham, Ontario Dairy Queen restaurant. Based on the info provided, 65% of all transaction are anticipated to be using the drive-thru service and the peak hour of service is expected to be 57 total transactions. Therefore the worst case operations of the restaurant are expected to be 37 drive thru vehicles per hour (i.e., 65% of the total restaurant transactions of 57 during peak service hour)

It should be noted that parking lots for private vehicles at commercial facilities, such as retail stores, plazas, or shopping malls, are not considered as stationary sources as per MECP's NPC-300.

4.2 Site Plan Identifying All Significant Sources and Noise Control Equipment

The locations of the proposed development and noise sensitive PORs assessed in this study are illustrated in **Figure 1**. The locations of the dominant noise sources are illustrated in **Figure 2.**

4.3 Acoustic Model Results

Sound power levels for dominant on-site noise sources were used as input to the predictive computer model CADNA/A noise prediction software developed by DataKustik GmbH. The outdoor noise propagation model is based on ISO Standard 9613, Part 1: Calculation of the absorption of sound by the atmosphere, 1993 and Part 2: General method of calculation (ISO-9613-2:1996). The model is capable of incorporating various site specific features, such as elevation, berms, absorptive grounds, and barriers to accurately predict noise levels at specific receptors, pertaining to noise emissions from a particular source / sources. The ISO based model accounts for reduction in sound level due to increased distance and geometrical spreading, air absorption, ground attenuation, and acoustical shielding by intervening structures and topography. The model is considered conservative as it represents atmospheric conditions that promote propagation of sound from source to receiver.

4.3.1 Reflections

The noise sources were modelled assuming a single-order reflection. A building absorption coefficient of 0.37 was assumed to be representative of the brick façades present at the surrounding buildings, including the receptor buildings.

4.3.2 Ground Absorption & Topography

A global ground absorption coefficient of 0.5 was used to represent the mix between reflective (i.e., asphalt) and absorptive (i.e., grass) surfaces that exist between the proposed development and the

surrounding sensitive receptors. Furthermore, conservatively the lands of the proposed restaurant were modelled assuming a ground absorption coefficient of 0.20. This is to account for mainly paved surfaces at the restaurant.

4.3.3 Sound Quality

Based on the characteristics of the sources associated with the proposed development, no tonal or impulsive sounds are anticipated, therefore, no penalties were applied.

4.3.4 Predicted Noise Impacts - Unmitigated

The predicted receptor sound levels for daytime, evening, and nighttime operating scenarios are presented in **Table 4**. Also presented in this table are the applicable performance limits for each time period.

Table 4: Acoustic Assessment Summary – Regular Operations – Unmitigated

Point of Reception ID	Point of Reception Description	Time of Day / Operating Scenario	Sound Level at Point of Reception (dBA) (Leq)	Performance Limit (dBA) (Leq)	Compliance with Performance Limit (Yes/No)
POR1	Façade	Daytime / Evening	49	50	Yes
		Nighttime	42	45	Yes
POR2	Façade	Daytime / Evening	50	50	Yes
		Nighttime	33	45	Yes
	Frontyard	Daytime	53	50	**No**
		Evening	53	45	**No**
POR3	Façade	Daytime / Evening	48	50	Yes
		Nighttime	43	45	Yes
	Backyard	Daytime	44	50	Yes
		Evening	44	45	Yes
POR4	Façade	Daytime / Evening	52	50	**No**
		Nighttime	44	45	Yes
	Backyard	Daytime	55	50	**No**
		Evening	55	45	**No**

The predicted noise level contours and receptor noise levels for daytime/evening periods are presented in **Figure 3**.

The operations from the proposed restaurant are predicted to exceed the noise performance limits at POR2 and POR4. As such, noise mitigation measures are required to achieve compliance with the applicable performance limits.

4.3.5 Recommended Mitigation

The following barriers are recommended for the proposed development:

- A barrier with length of 35 m and height of 2 m to be located along the north property boundary of the lot in order to provide shielding to POR2; and
- An L-shaped barrier with length of 45 m and height of 3 m to be located along the west and north property boundary of the lot in order to provide shielding to POR4.

The locations of the recommended noise barriers are presented in **Figure 4**.

The noise barriers detailed below should have a minimum surface density (face weight) of 20 kg/m^2 and should be structurally sound, appropriately designed to withstand wind and snow load, and constructed without any gaps. Any gaps under the barriers that are necessary for drainage purposes should be minimized and localized so that the acoustical performance of the barrier is maintained.

4.3.6 Predicted Noise Impacts - Mitigated

The predicted with mitigation receptor sound levels for daytime, evening, and nighttime as well as the applicable performance limits are presented in **Table 5**.

Table 5: Acoustic Assessment Summary – Regular Operations – Mitigated

Point of Reception ID	Point of Reception Description	Time of Day / Operating Scenario	Sound Level at Point of Reception (dBA) (Leq)	Performance Limit (dBA) (Leq)	Compliance with Performance Limit (Yes/No)
POR1	Façade	Daytime / Evening	49	50	Yes
		Nighttime	41	45	Yes
POR2	Façade	Daytime / Evening	49	50	Yes
		Nighttime	33	45	Yes
	Frontyard	Daytime	45	50	Yes
		Evening	45	45	Yes
POR3	Façade	Daytime / Evening	48	50	Yes
		Nighttime	43	45	Yes
	Backyard	Daytime	44	50	Yes
		Evening	44	45	Yes
POR4	Façade	Daytime / Evening	50	50	Yes
		Nighttime	43	45	Yes
	Backyard	Daytime	45	50	Yes
		Evening	45	45	Yes

The predicted noise level contours and receptor noise levels for daytime/evening periods are presented in **Figure 4**.

As shown in **Table 4**, with the implementation of the recommended noise mitigation measures, the operations at the proposed restaurant are predicted to be in compliance with the applicable noise performance limits.

5.0 Conclusion

Dillon Consulting Limited (Dillon) was retained by Toad One Inc. to prepare a Noise Impact Assessment for the proposed development located at 51 and 57 Sandwich Street South, in Amherstburg, Ontario. This study assesses the noise impacts of the proposed development on nearby noise-sensitive land uses as well as the on-site proposed 3-storey residential building.

This study confirms that with the implementation of the recommended noise mitigation measures, the noise emissions associated with the proposed development will be in compliance with applicable daytime, evening, and nighttime noise performance limits as specified in MECP's NPC-300, for all noise sources assessed herein.

6.0 Closure

This Noise Impact Assessment has been prepared based on the information provided and/or approved by Toad One Inc. This report is intended to provide a reasonable review of available information within an agreed work scope, schedule, and budget. This report was prepared by Dillon for the sole benefit of Toad One Inc. and to satisfy the reporting requirements for permitting purposes. The material in the report reflects Dillon's judgment in light of the information available to Dillon at the time of this report preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. Dillon accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

We trust that the report is to your satisfaction. Please do not hesitate to contact the undersigned if you have any further questions on this report.

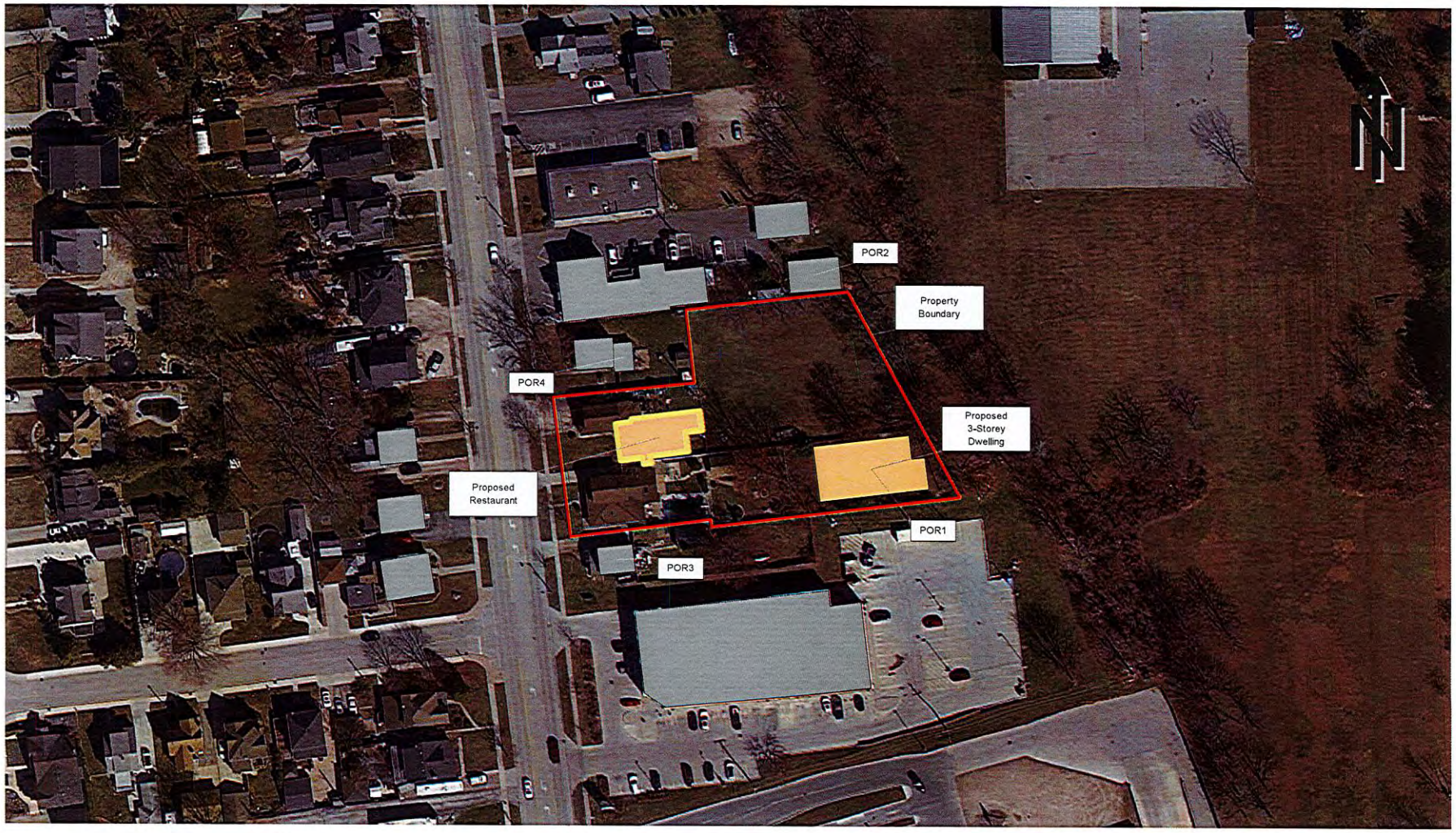
Respectfully Submitted:
DILLON CONSULTING LIMITED

LICENSED PROFESSIONAL ENGINEER
A. IRAVANI
100059269
25-08-2022
PROVINCE OF ONTARIO

Amir A. Iravani, Ph.D., P.Eng.
Associate

Callum Heggart, EIT

Figures



Scale 1: 2,000

Figure 1

Project # 22-3779

Aug 2022

Subject Site and Surrounding Area

51 and 57 Sandwich Street South, Amherstburg, Ontario

DILLON CONSULTING

Scale 1: 1,000

Figure 2

Project # 22-3779

Aug 2022

Noise Source Locations

51 and 57 Sandwich Street South, Amherstburg, Ontario

DILLON CONSULTING

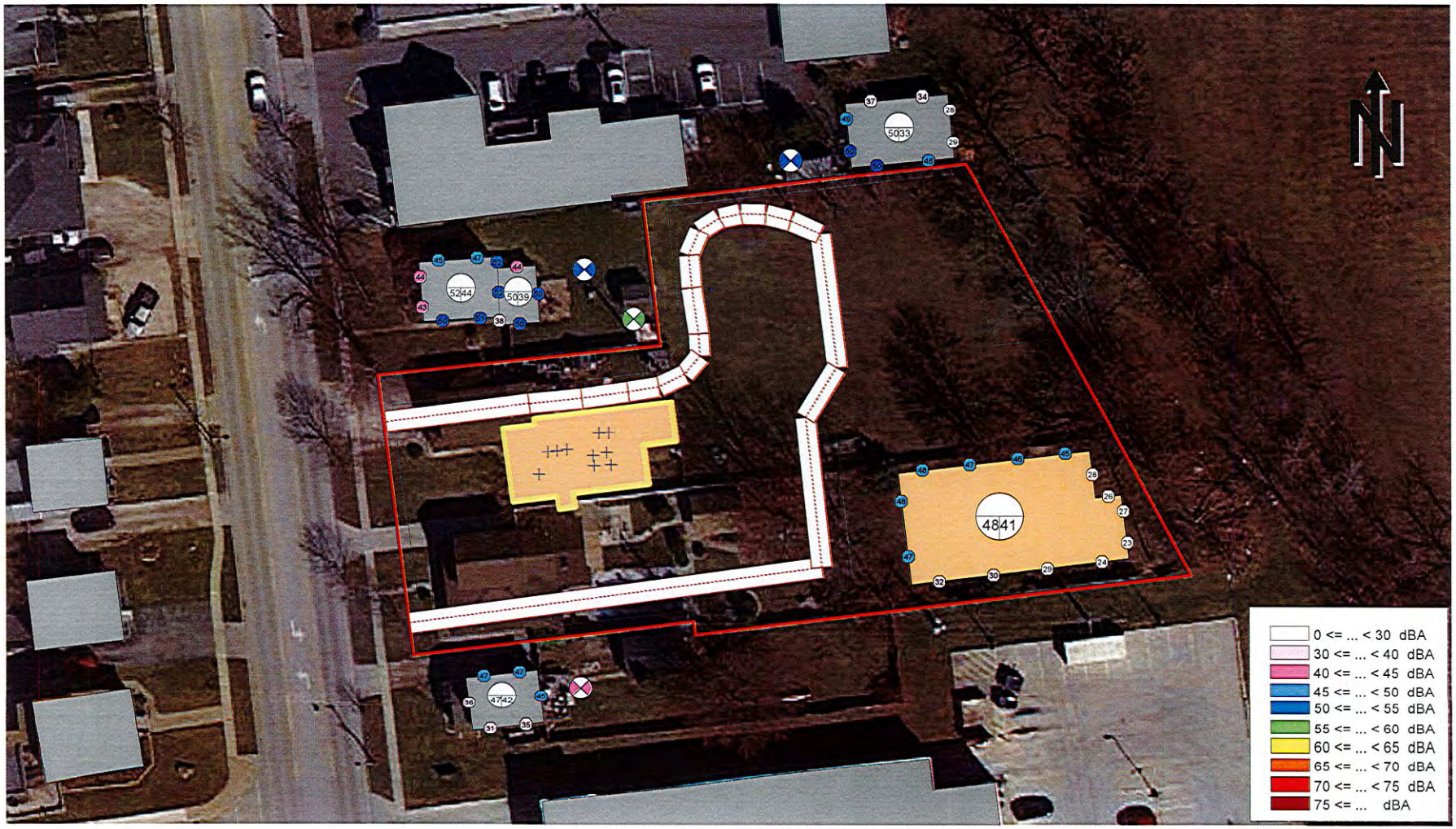


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Figure 3

Project # 22-3779

Aug 2022

Predicted Noise Impacts Daytime/Evening

51 and 57 Sandwich Street South, Amherstburg, Ontario

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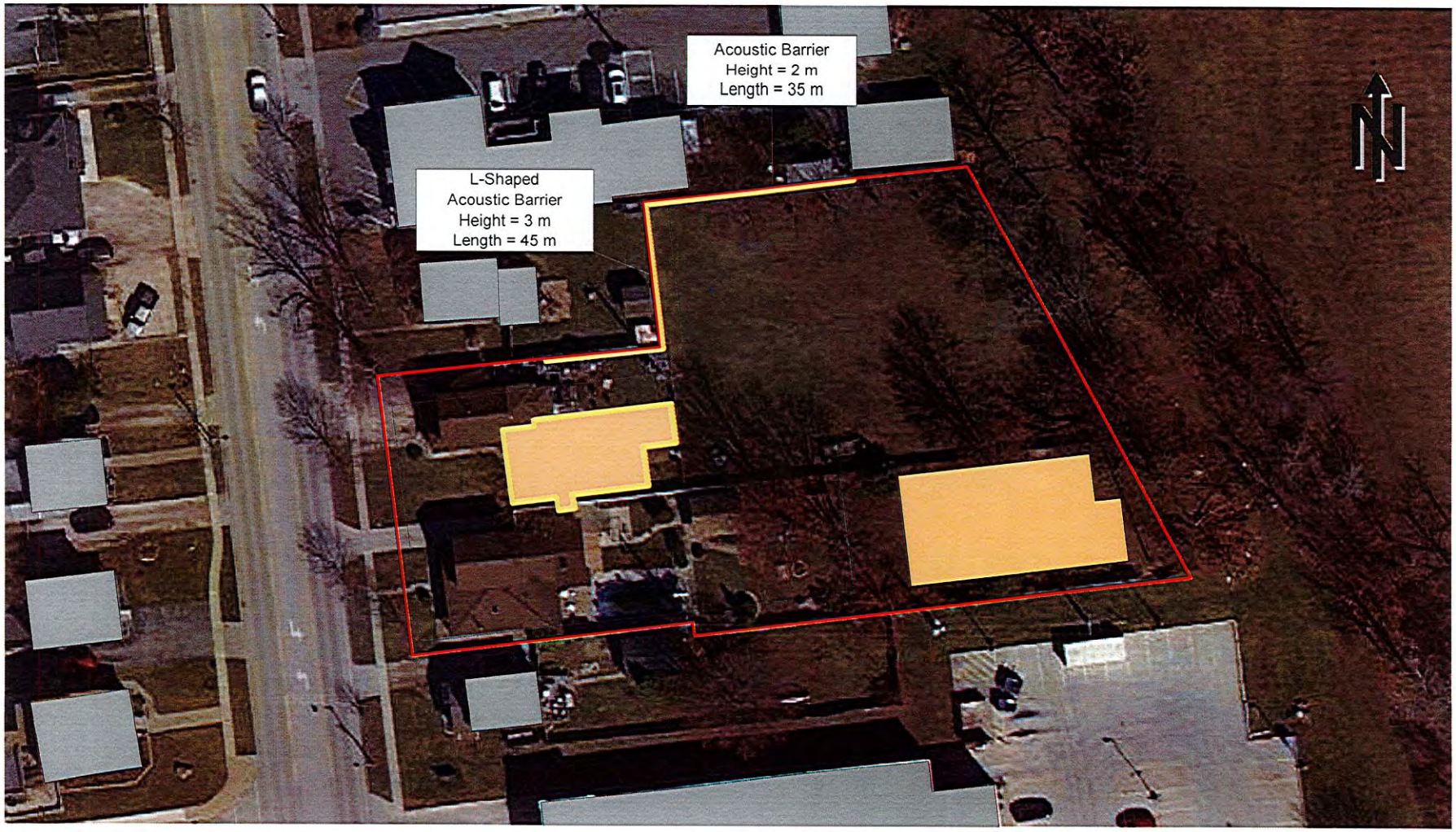

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Figure 4

Project # 22-3779

Aug 2022

Recommended Mitigation

51 and 57 Sandwich Street South, Amherstburg, Ontario

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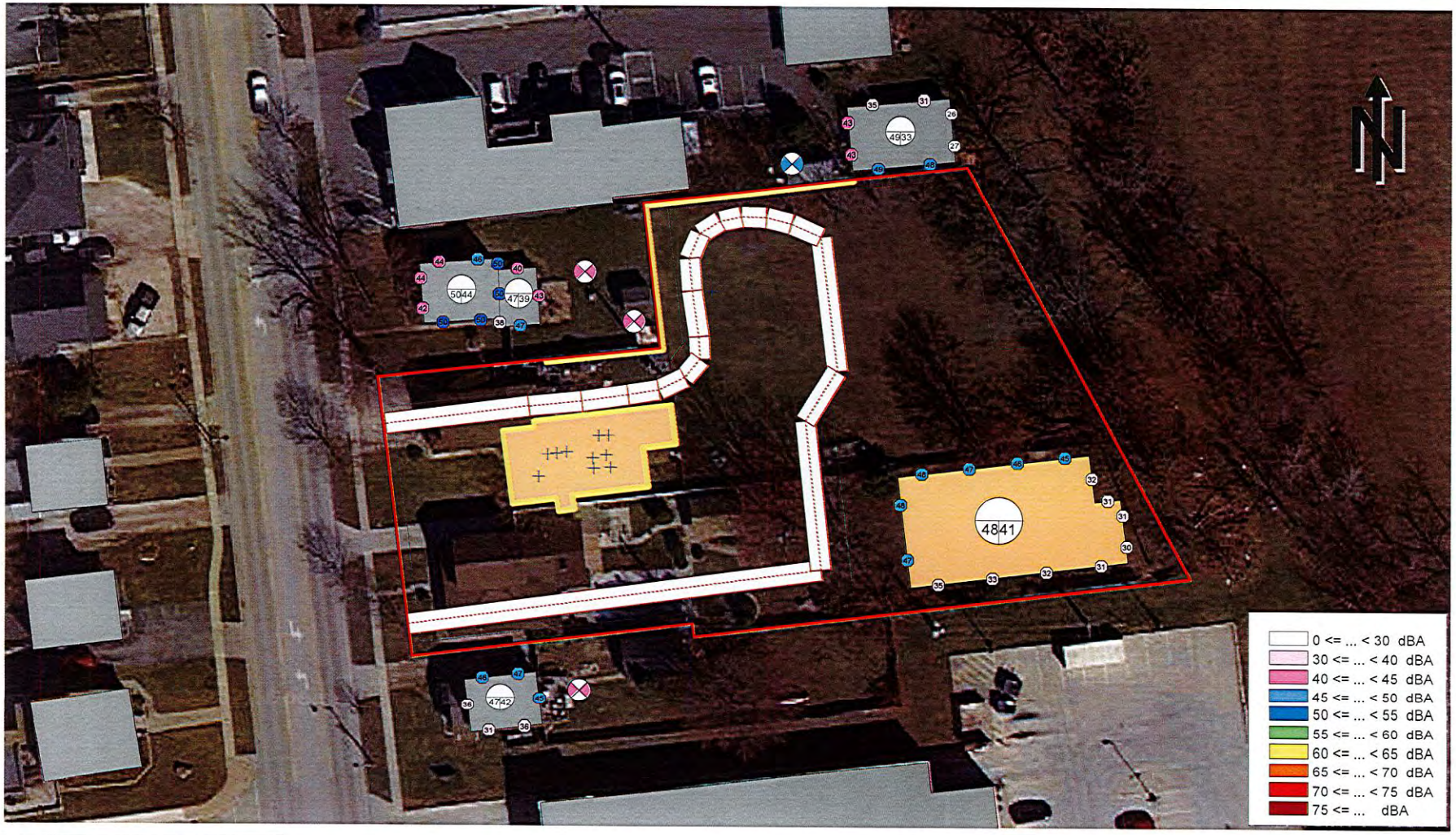

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Figure 5

Project # 22-3779

Aug 2022

Mitigated Predicted Noise Impacts Daytime/Evening

51 and 57 Sandwich Street South, Amherstburg, Ontario

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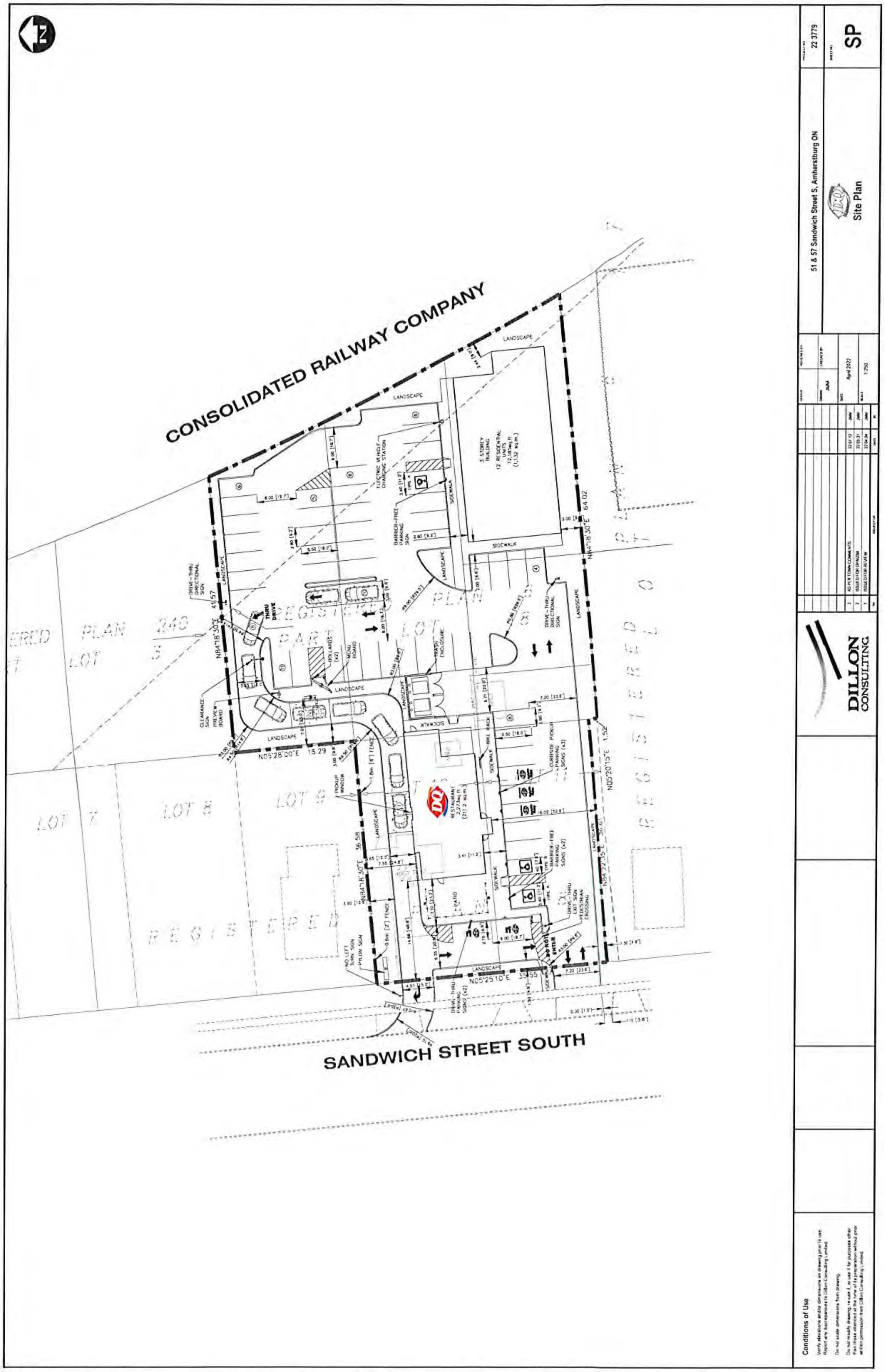
Appendix A

Site Plan


CONSOLIDATED RAILWAY COMPANY
SANDWICH STREET SOUTH
3 STOREY BUILDING
12 RESIDENTIAL UNITS
12,185sq.ft
(1,132 sq.m.)
RESTAURANT
2,273sq.ft
(211.2 sq.m.)
ELECTRIC VEHICLE CHARGING STATION
BARRIER-FREE PARKING SIGN
DRIVE-THRU DIRECTIONAL SIGN
CLEARANCE SIGN
PREVIEW BOARD
BOLLARDS (x2)
MENU BOARD
TRASH ENCLOSURE
PICKUP WINDOW
1.8m [6'] FENCE
0.6m [2'] FENCE
NO LEFT TURN SIGN
PYLON SIGN
DRIVE-THRU PARKING SIGNS (x2)
CURBSIDE PICKUP PARKING SIGNS (x3)
BARRIER-FREE PARKING SIGNS (x2)
DRIVE-THRU EXIT SIGN
PEDESTRIAN CROSSING
BIKE RACK
PATIO
SIDEWALK
LANDSCAPE
THRU DRIVE
DO NOT ENTER
N84°18'30"E 41.57
N05°28'00"E 18.29
N84°18'30"E 36.58
N05°25'10"E 39.55
N84°22'35"E
N05°20'15"E 1.52
N84°18'30"E 64.02
LOT 7
LOT 8
LOT 9
51 & 57 Sandwich Street S, Amherstburg ON
Site Plan
22 3779
SP
JMM
April 2022
1:250
3 AS PER TOWN COMMENTS 22.07.12 JMM
2 ISSUED FOR OPA/ZBA 22.05.31 JMM
1 ISSUED FOR REVIEW 22.04.04 JMM
DILLON CONSULTING
Conditions of Use
Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.
Do not scale dimensions from drawing.
Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

MECHANICAL ROOF PLAN NOTES

1. SHIM BETWEEN BOTTOM OF CURB AND DECK TO MAKE CURB LEVEL.
2. NATURAL GAS ROOF PENETRATION. CONNECTION TO RTU BY PLUMBING CONTRACTOR.
3. ELECTRICAL CONDUIT ROOF PENETRATION AND ELECTRICAL DISCONNECT BY ELECTRICAL CONTRACTOR.
4. CONDENSATE DRAIN WITH EXTERNAL 4" DEEP P-TRAP INSTALLED BY HVAC CONTRACTOR. PLUMBING CONTRACTOR SHALL EXTEND DRAIN TO ACCEPTABLE LOCATION.
5. SMOKE DETECTOR. INSTALL IN RETURN SECTION OF CURB WITH SAMPLING TUBE IN RETURN AIRSTREAM. IF RTU HAS AN EQUIPMENT, INSTALL DETECTOR IN THE RETURN GRILLE DAM.
6. WATER HEATER INTAKE & EXHAUST WITH APPROVED CAP PROVIDED BY PLUMBING CONTRACTOR.
7. OUTSIDE AIR HOOD. MAINTAIN 10'-0" MINIMUM FROM ANY EXHAUST OR PLUMBING VENTS.

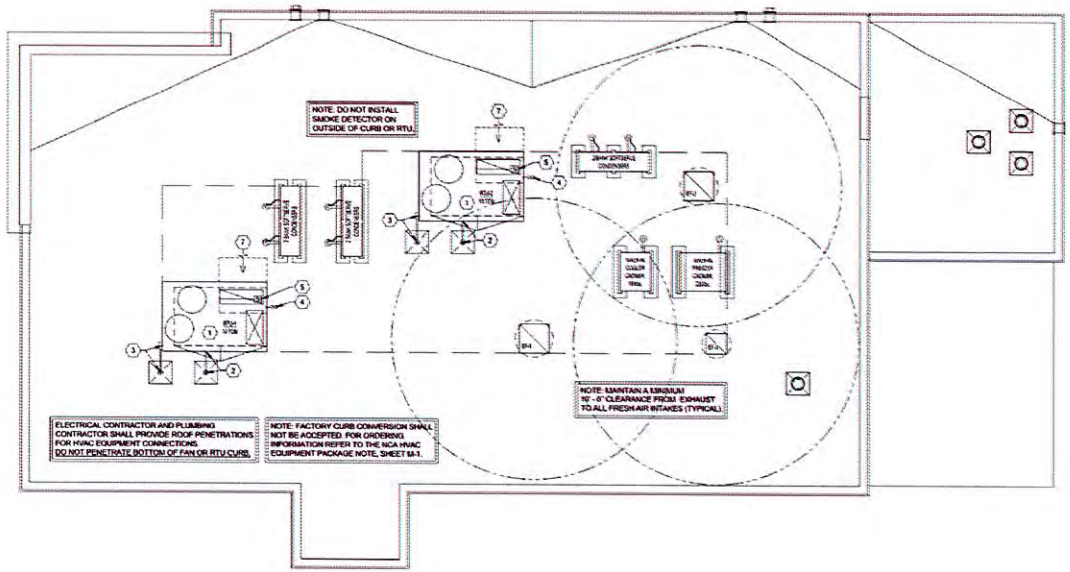
ENGINEER SHALL CONFIRM RAINFALL AT SITE AND DETERMINE SIZE AND NUMBER OF SCUPPERS NEEDED. COORDINATE WITH ARCHITECT AND ADJUST SHEET M-2 ACCORDINGLY.

ENGINEER SHALL VERIFY LOCAL REQUIREMENTS FOR CONDENSATE DISPOSAL AND ADJUST PLANS ACCORDINGLY.

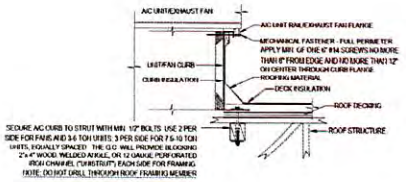
COORDINATE ALL HVAC UNIT LOCATIONS WITH STRUCTURAL ENGINEER AND ARCHITECT.

COORDINATE NUMBER AND LOCATION OF ROOF-MOUNTED CONDENSERS WITH ARCHITECT/OWNER.

COORDINATE WITH MANUFACTURER. HVAC UNIT ALIGNMENT ON ROOF CURB.



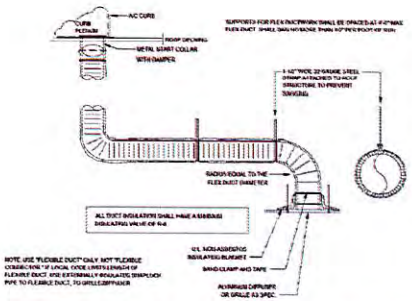
1 / M2 MECHANICAL ROOF PLAN
SCALE: 1/4" = 1'-0"



ACCEPTABLE FOR 140 MPH ZONE

VERIFY ON SITE WITH GENERAL CONTRACTOR

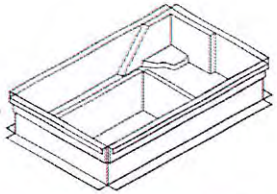
2 / M2 ROOF EQUIP. CURB MOUNTING DETAIL
SCALE: N.T.S.



DUCT SCHEDULE	
SIZE	GAUGE
6"Ø - 8"Ø	26
9"Ø - 12"Ø	24
14"Ø - 18"Ø	24
20"Ø - 30"Ø	22

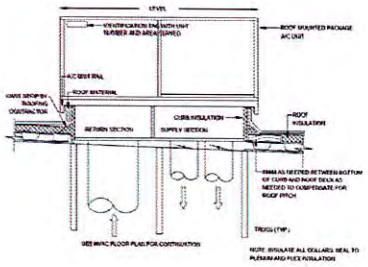
DUCT SUPPORT
SUPPORT ENCTRONIK WITH 1-1/2" WIDE 22-GAUGE STEEL STRAPS FIRMLY ATTACHED TO THE BUILDING STRUCTURE. SPACING SHALL BE MAXIMUM 10'-0" FOR RIGID ENCTRONIK, AND MINIMUM 4'-0" FOR FLEXIBLE ENCTRONIK. 12 GAUGE WIRE MAY BE SUBSTITUTED FOR STRAPS IF 1-1/2" WIDE 22 GAUGE STEEL GARDES ARE USED TO FULLY ENCIRCLE DUCT. REFER TO THE HVAC DUCT CONSTRUCTION STANDARDS PUBLISHED BY SMACNA FOR ADDITIONAL DETAILS. FULLY COMPLY WITH MECHANICAL CODES.

3 / M2 RIGID/FLEX DUCT CONNECTION/INSTALL DETAIL
SCALE: N.T.S.



FACTORY CURB CONVERSION SHALL NOT BE ACCEPTED.

4 / M2 NCA PLENUMIZED AC CURB DETAIL
SCALE: N.T.S.



5 / M2 DUCT RISER/LEVELING DETAIL
SCALE: N.T.S.

HVAC SYSTEM
N-C-A
CONSULTANTS/GROUP
NATIONAL CORPORATE ACCOUNT SERVICES, INC.

DRAWINGS SHOWN ARE FOR PROTOTYPICAL CONSIDERATIONS ONLY. SITE-SPECIFIC DESIGN IS REQUIRED BY AMERICAN DAIRY QUEEN. AS A COURTESY, NCA CONSULTANTS PROVIDES SITE-SPECIFIC DESIGN WITH SITE-SPECIFIC PROFESSIONAL ENGINEER SEAL UNDER AN AGREEMENT BETWEEN NCA CONSULTANTS AND AMERICAN DAIRY QUEEN.

FOR SITE-SPECIFIC DESIGN, ARCHITECTS EMAIL REFLECTED CEILING PLAN, ELEVATIONS, KITCHEN PLANS, FLOOR PLAN, SITE PLAN, EXTERIOR ELEVATIONS, AND ROOF STRUCTURAL PLAN TO DESIGN@NCACONSULTANTS.COM

TO CONTACT THE NCA CONSULTANTS BY PHONE, CALL TOLL-FREE (877) 630-0576.

DATE	DESCRIPTION
2-08-2022	ISSUED FOR CONSTRUCTION

NOT FOR CONSTRUCTION

DESIGN INTENT

NO	DATE	REVISIONS	BY
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

PLOT DATE: June 13, 2022
APPROVAL DATE
DRAWN: -
CHECKED: CJA
FILE NAME: [illegible]

DAIRY QUEEN CANADA INCORPORATED
ORANGE JULIUS CANADA LIMITED
BURLINGTON, ON CANADA

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Grill & Chill® NRD/ARD Prototype - Core 40VE

MECHANICAL ROOF PLAN

NORTH
TRUE NORTH
FOR SITE PLAN ROTATE MAGNETIC NORTH 16.5° EAST

SHEET NO. M2

STORE NO. T.B.D.

Appendix B

Drive-Thru Sound Pressure Levels from the Menu Board or Speaker Post with AVC

HME

Customer Driven

Memo

Re: Drive-Thru Sound Pressure Levels From the Menu Board or Speaker Post

The sound pressure levels from the menu board or speaker post are as follows:

1. Sound pressure level (SPL) contours (A weighted) were measured on a typical HME SPP2 speaker post. The test condition was for pink noise set to 84 dBA at 1 foot in front of the speaker. All measurements were conducted outside with the speaker post placed 8 feet from a non-absorbing building wall and at an oblique angle to the wall. These measurements should not be construed to guarantee performance with any particular speaker post in any particular environment. They are typical results obtained under the conditions described above.

2. The SPL levels are presented for different distances from the speaker post:

Distance from the Speaker (Feet)	SPL (dBA)
1 foot	84 dBA
2 feet	78 dBA
4 feet	72 dBA
8 feet	66 dBA
16 feet	60 dBA
32 feet	54 dBA

3. The above levels are based on factory recommended operating levels, which are preset for HME components and represent the optimum level for drive-thru operations in the majority of the installations.

Also, HME incorporates automatic volume control (AVC) into many of our Systems. AVC will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. See below for example:

Distance from Outside Speaker	Decibel Level of standard system with 45 dB of outside noise <u>without</u> AVC	Decibel level of standard system with 45 dB of outside noise <u>with</u> AVC active
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA

If there are any further questions regarding this issue please contact HME customer service at 1-800-848-4468.

Thank you for your interest in HME's products.

HM Electronics, Inc. | 14110 Stowe Drive | Poway, CA 92064
phone: 800.848.4468 | *fax:* 858.452.7207 | www.hme.com

MEMO

TO: The Town of Amherstburg
FROM: Dillon Consulting Limited
DATE: August 23rd, 2022
SUBJECT: Design Brief – Street Lighting for 51 & 57 Sandwich St S, Amherstburg - DQ
OUR FILE: #22-3779

Dillon Consulting Limited (Dillon) has prepared a lighting study for the Town of Amherstburg for the site at 51 & 57 Sandwich St S, Amherstburg.

The attached photometric analysis was completed to meet ANSI RP-8-21 lighting standards using AGi32 Lighting Analysis software.

Following the ANSI/IES RP-8-21 standards, the recommended requirements for illuminance are as follows in **Table 1**:

Table 1 – Recommended Illuminance Values for Parking Lots*

Parking Lot	Minimum Horizontal Illuminance (Lux)	Minimum Vertical Illuminance (Lux)	Maximum Uniformity Ratio (L_{max}/L_{min})
51 & 57 Sandwhich St S	≥ 2	≥ 1	≤ 20

**According to ANSI/IES RP-8-21*

Following the ANSI/IES RP-8-21, the recommended trespass light level for the assumed Lighting Zone of LZ-2, which is recommended for light commercial business districts and high or mixed use residential districts, is less than 3.0 lux.

The following fixtures were used in this lighting analysis:

New luminaires:

- **ECF-S-32L-530-CW-G2-3-HIS**

Based on the calculations performed using AGi32 and with the fixtures as per Luminaire Schedule shown in Sheet **SE1,** below are the results of the analysis in **Table 2 and Table 3**:

Table 2 – Calculated Illuminance Values

Calculation	Minimum Illuminance (Lux)	Maximum Uniformity Ratio (L_{max}/L_{min})
Drive Lane Vertical EB	5	3
Drive Lane Vertical NB	6	2
Drive Lane Vertical SB	1	10
Drive Lane Vertical WB	4	4
Overall Horizontal	2	11

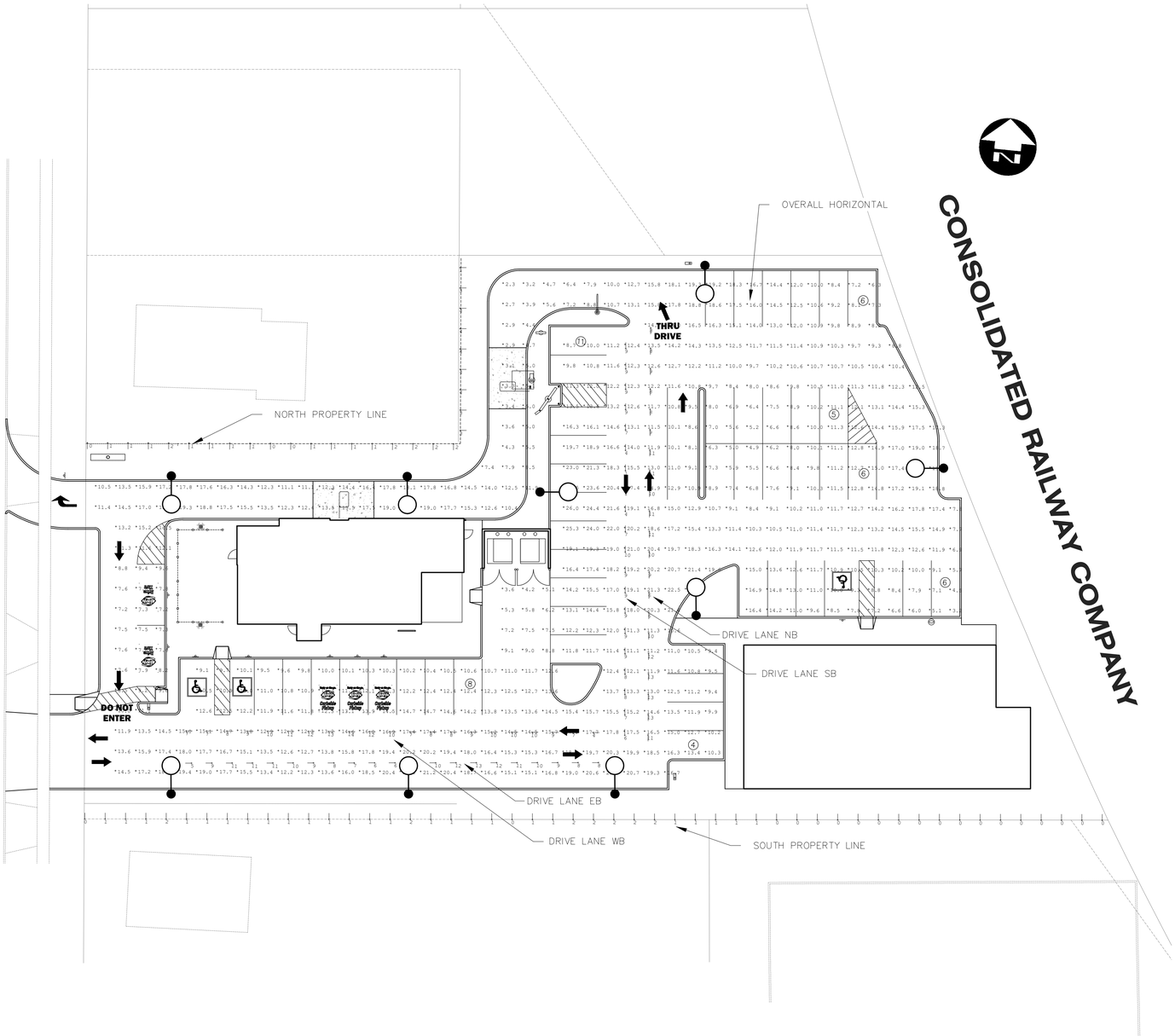
Table 3 – Calculated Trespass Values

Calculation	Maximum Illuminance (Lux)
North Property Line	4.3
South Property Line	2.3

Based on the above results the design meets the recommendations as depicted in ANSI/IES RP-8-21. Noting that trespass lighting levels for a few calculated points were above the recommended level.

DILLON CONSULTING LIMITED 3200 DEZIEL DRIVE, SUITE 608, WINDSOR, ONTARIO, N8W 5K8, PHONE (519) 948-5000, FAX (519) 948-5054

SANDWICH STREET SOUTH



DESIGN CRITERIA:

PARKING LOT LIGHTING CRITERIA PER IESNA RP-8-21:

MINIMUM HORIZONTAL ILLUMINANCE	≥ 2 LUX
MINIMUM VERTICAL ILLUMINANCE	≥ 1 LUX
MAX/MIN RATIO	≤ 20

Calculation Summary					
Label	Units	Avg	Max	Min	Max/Min
Drive Lane EB	Lux	N.A.	13	5	2.6
Drive Lane NB	Lux	N.A.	13	6	2.2
Drive Lane SB	Lux	N.A.	10	1	10.0
Drive Lane WB	Lux	N.A.	14	4	3.5
North Property Line	Lux	N.A.	4	0	N.A.
Overall Horizontal	Lux	12.8	26.0	2.3	11.3
South Property Line	Lux	N.A.	2	0	N.A.

Luminaire Schedule					
Symbol	Qty	Label	LLF	Luminaire Watts	Pole Length
	9	ECF-S-32L-530-CW-G2-3-HIS	0.950	55.7	7.6m

0 2.5m 12.5m 25m

Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
1	CLIENT REVIEW		GDW

DESIGN GDW	REVIEWED BY KVL
DRAWN GDW	CHECKED BY KVL
DATE AUGUST 2022	
SCALE 1:250	

51 & 57 Sandwich Street S, Amherstburg ON

PROJECT NO. 22 3779

LIGHTING LAYOUT

SHEET NO. SE1

PLANTING PLAN

CODE	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	COND.	SPACING	NATIVE	DROUGHT TOLERANT
TREES								
AF	ACER X FREEMANII 'AUTUMN BLAZE	AUTUMN BLAZE MAPLE	2	70mm cal.	WB		N	Y
QR	QUERCUS ROBUR 'FASTIGIATA'	COLUMNAR OAK	7	70mm cal.	WB		N	Y
TO	THUJA OCCIDENTALIS	EASTERN WHITE CEDAR	10	200cm	HEDGE FORM, WB.	2M	Y	Y
SHRUBS								
Ca	CORNUS AMOMUM	SILKY DOGWOOD	24	60cm	3 GAL	1.50m	Y	Y
PERENNIAL/GRASSES/GROUNDCOVERS								
ca	CALAMAGROSTIS X ACUTIFOLIA 'KARL FOERSTER	FEATHER REED GRASS	86		1 GAL	0.75m	N	Y
ss*	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	89		1 GAL	0.65m	Y	Y
	BOUTELOUA GRACILIS	BLUE GRAMA			1 GAL	0.40m	Y	Y
	CAREX PENSYLVANICA	OAK SEDGE			1 GAL	0.50m	Y	Y

**** PLACE IN GROUPINGS OF 3-5***

PLANT CODE
XX
1
PLANT QUANTITY
DECIDUOUS TREE
PROPOSED SHRUB
PROPOSED GROUND COVER
SOD
RIVER ROCK
MULCH
EXISTING TREE TO BE REMOVED
PRIVACY FENCE

NOTE:
THE OWNER ACKNOWLEDGES AND AGREES THAT STAFF HAVE REVIEWED THIS APPLICATION ON THE UNDERSTANDING IT WILL COMPRISE OF ONE PARCEL OF LAND UPON COMPLETION. THE OWNER SHALL NOT CONVEY OR TRANSFER ANY PART OF THE DEVELOPMENT SITE IN ANY OTHER MANNER THAN THAT AGREED TO ABOVE IF TO DO SO WOULD RESULT IN EITHER THE RETAINED PARCEL OR THE CONVEYED OR THE TRANSFERRED PARCEL CEASING TO COMPLY WITH CHAPTERS 681 OR 851 OF THE CITY OF TORONTO MUNICIPAL CODE, AS AMENDED, WHICH PROHIBIT A PRIVATE SERVICE CONNECTION, THAT CONNECTS TO A MUNICIPAL WATER OR SEWER SYSTEM, FROM SERVICING MORE THAN ONE PROPERTY. EACH PARCEL SHALL HAVE SEPARATE SERVICE CONNECTIONS TO THE MUNICIPAL WATER AND SEWER SYSTEMS, INCLUDING ANY ASSOCIATED STORMWATER MANAGEMENT SYSTEMS, TO THE SATISFACTION OF THE CHIEF ENGINEER AND EXECUTIVE DIRECTOR OF ENGINEERING AND CONSTRUCTION SERVICES, AT THE SOLE COST TO THE OWNER. FURTHER, THE OWNER SHALL PREPARE ALL PLANS AND STUDIES AS REQUIRED BY THE CITY FOR THE SERVICING AT THE SOLE COST OF THE OWNER.

Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.

DILLON CONSULTING

No.	ISSUED FOR	DATE	BY
2	ISSUED AS PER CLIENT COMMENTS	2022-08-25	KT
1	ISSUED FOR ZBA APPROVAL	2022-08-19	KT

DESIGN | REVIEWED BY
DRAWN: KT | CHECKED BY
DATE: Aug 2022
SCALE: 1:250

51 & 57 Sandwich Street S, Amherstburg ON

Landscape Plan

PROJECT NO. 22 3779

SHEET NO. **LP-1**

CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-071

By-law to amend Zoning By-law No. 1999-52
51 & 57 Sandwich Street South, 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;

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 37 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from RO to CG-16" on Schedule "A" attached hereto and forming part of this By-law from "Residential Office (RO) Zone" to "Special Provision Commercial General (CG-16) Zone".

2. THAT Section 15(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (p) as follows;

   "(p) CG-16 (51 and 57 Sandwich Street South)

   Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-16 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the addition of the following special provisions:

   (i) Uses Permitted;
      (a) restaurant, drive-through;
      (b) multiple dwelling;
      (c) any use permitted in a CG Zone.

   (ii) Rear Yard Depth (Minimum) 2 m

   (iii) Height (Maximum) 14 m

   (iv) Notwithstanding Section 3(12)(b), the planting strip on the south side of the lands shall be 1.5 m in width.

   (v) Notwithstanding Section 3(22)(b), an outdoor patio associated with a restaurant shall be permitted on the lands adjoining a residential zone class. All other provisions in Section 3(22) shall apply.

   (vi) Notwithstanding Section 3(26)(f), the minimum setback of a drive-through restaurant from a Residential Zone shall be 3 m.

3. THAT all other appropriate regulations for the use of land and the character, location and use of buildings and structures conforms to the regulations of the Commercial General Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.

DRAFT

4. 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.0. 1990, c.P. 13.

Read a first, second and third time and finally passed this 12th day of September, 2022.

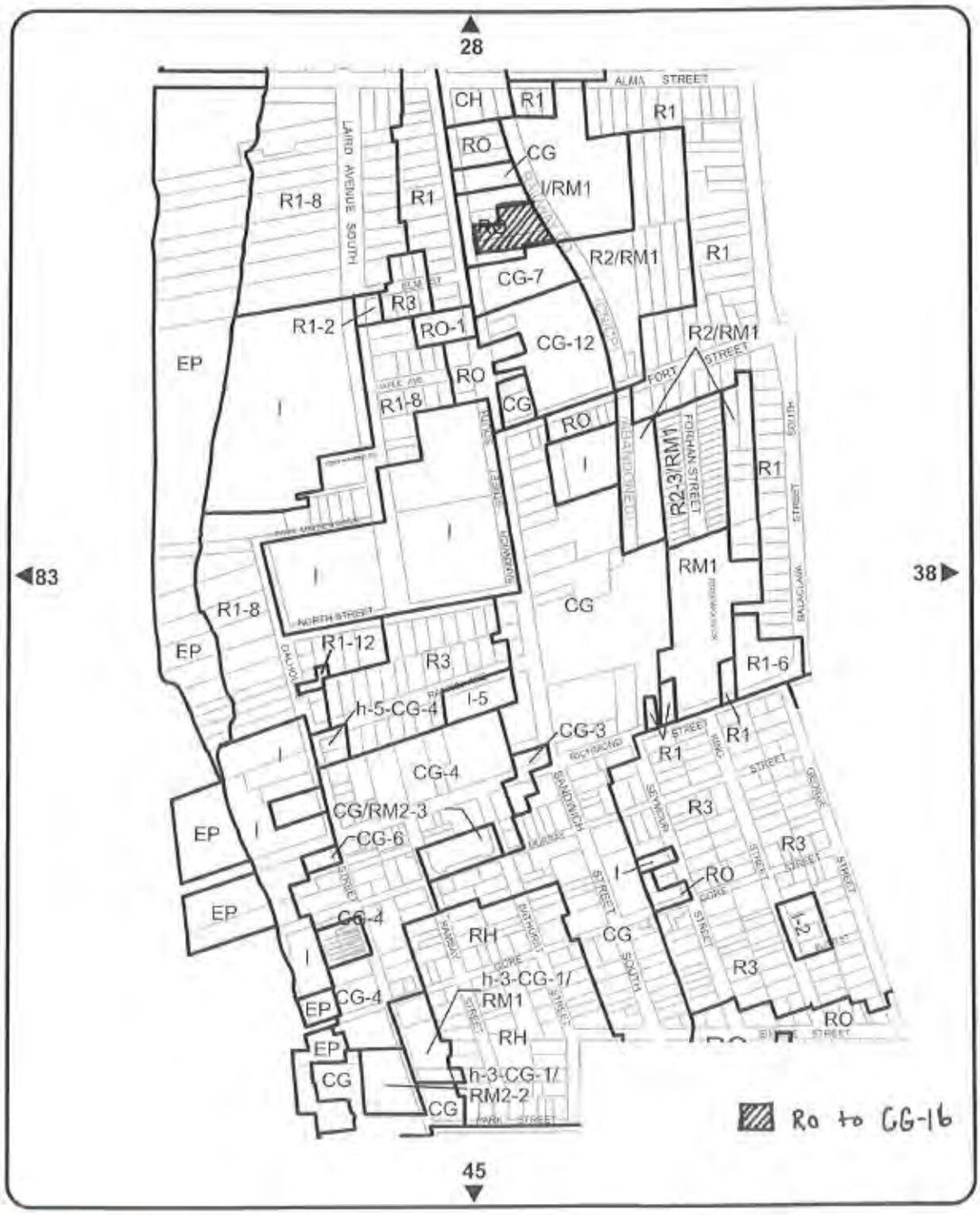
_____
MAYOR- ALDO DICARLO

_____
CLERK- VALERIE CRITCHLEY

DRAFT

TOWN OF AMHERSTBURG

SCHEDULE “A” TO BY-LAW No. 2022-071
A BY-LAW TO AMEND BY-LAW No. 1999-52



TOWN OF AMHERSTBURG
ZONING BY-LAW NO. 1999-52

SCHEDULE 'A'
MAP 37
0 50 100 200m

MAYOR- ALDO DICARLO

CLERK- VALERIE CRITCHLEY

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

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: Bill Tetler	**Report Date: July 22, 2022**
Author's Phone: 519 736-0012 ext. 2251	**Date to Council: September 12, 2022**
Author's E-mail: btetler@amherstburg.ca	**Resolution #: 20200914-292**

To: **Mayor and Members of Town Council**

Subject: **Short Term Rentals**

---

1. RECOMMENDATION:

It is recommended that:

1. The report dated July 22, 2022 regarding Short Term Rentals **BE RECEIVED for information**; and,
2. Direction **BE PROVIDED** to Administration to pursue either Option A or Option B, namely that:
    a. Administration **BE DIRECTED** to complete consultations with stakeholders and **BRING BACK** a licensing regime for Council consideration; or,
    b. Administration **BE DIRECTED** to enforce applicable By-laws already in place.

2. BACKGROUND:

The Short Term Rental (STR) housing market is one of the fastest growing sectors in the worldwide travel and tourism industry. Various companies provide platforms for homeowners to advertise their STR properties to renters, including – but not limited to – Airbnb, VRBO and HomeAway.

At the September 14, 2020 Meeting of Council, Councillor Courtney asked the following questions of Administration (20200914-292), seconded by Councillor Prue;

"That Administration BE DIRECTED to bring back a report regarding regulating Airbnb's"

It should be noted that during the preparation of this report, concerned citizens reached out to Administration regarding properties being used as a STR in their neighbourhood.

Administration spoke/met with these citizens in order to determine the nature of their complaints. They shared concerns including noise, increased traffic – both vehicular and pedestrian – as well as potential safety concerns related to the number of different renters utilizing the property on a rotational basis.

While 20200914-292 asks for a report on how the Town will license and zone for STRs it is important to first understand the local context, review what other municipalities are doing, and consult local stakeholders. Accordingly, the following is provided for informational purposes in response to the Councillor's question.

3. DISCUSSION:

Consumers who are looking for more choice, flexibility and often lower cost while travelling have driven the rapid growth of the STR market. Those offering properties for rent, commonly referred to as Hosts, are drawn by the prospect of earning extra income in a relatively simple manner through the renting of rooms in their homes or renting out an entire dwelling/property. In recent years, the growth of this industry has prompted municipalities to research and implement various methods of regulation and taxation of the STR industry. The STR market is a piece of the larger 'Sharing Economy', a concept gaining more prevalence in the mainstream as time goes on.

For the purposes of this Report, STR's do not include Bed and Breakfasts which are defined as follows:

> "Bed and Breakfast Establishment" means a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travellers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein."

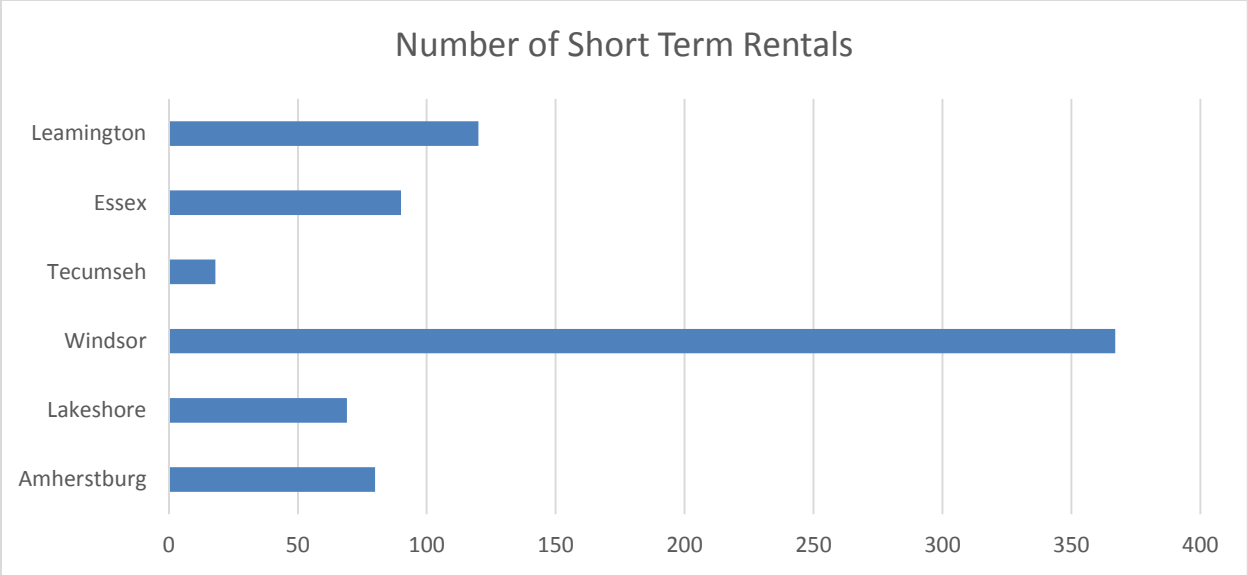
The difference between a Bed and Breakfast and an STR is that the owner of the Bed and Breakfast resides in the dwelling together with the guests and provides breakfast; whereas the owner of an STR usually does not.

What is currently permitted?

What is currently permitted? STRs are generally rented for less than thirty days, which differentiates them from traditional monthly rental accommodations. This distinction is highlighted in the Town's existing definition of 'Bed & Breakfast', which refers to the travelling public. Currently, any dwelling unit within the Town can be rented on a monthly basis by up to three lodgers under separate agreements. More than three lodgers would require zoning and a licence for a 'Lodging House'. This does not include scenarios wherein 3 or more individuals are renting as a single party (e.g. a family unit or unrelated group of persons. This is an important fact as the decision to permit, prohibit, or regulate STRs will not affect the ability of homeowners to rent rooms or the entire dwelling on a monthly basis.

Statistics in Amherstburg

To date, there have been approximately eighty (80) STR's identified within the Town of Amherstburg ranging from an apartment, to houses and guesthouses, which were located on various online rental platforms.



Source: VRBO & Airbnb, 2020

In order for an STR by-law to come before Council for consideration, several factors must be examined.

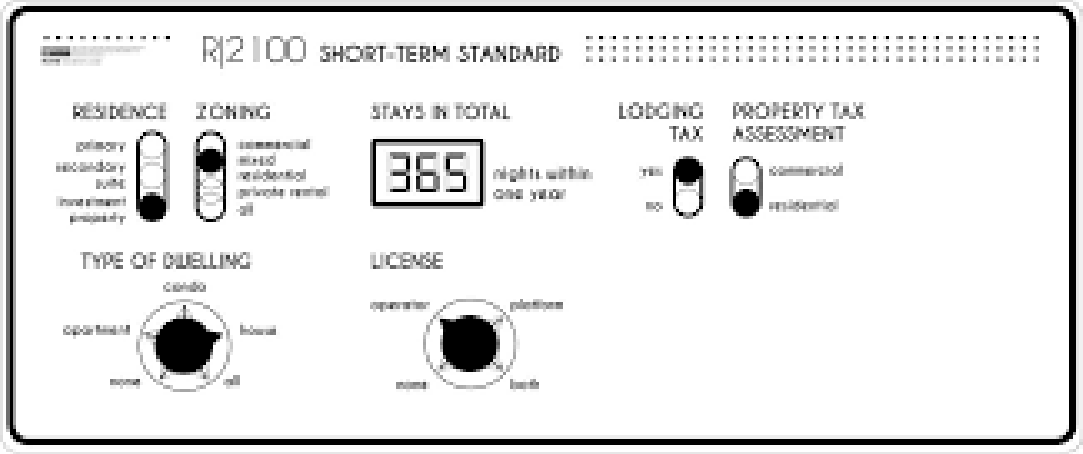
Decision Framework

Should Council wish to pursue regulation of STRs it is recommended that a wide range of stakeholders be consulted, which include but are not limited to:

- The B&B and Hotel Industry;
- Housing and tenant advocacy organizations;
- Affordable housing providers;
- Landlord associations;
- Existing STR operators/hosts;
- STR platform companies;
- Tourism Windsor Essex Pelee Island;
- The Windsor Essex Economic Development Corporation; and
- Ontario's Sharing Economy Advisory Committee.

Before considering the regulation of STRs it is important to define which issues are most important in Amherstburg (e.g. impact on affordable housing, tourism, public safety, and economic development). Once the key opportunities and concerns are identified Administration can recommend an appropriate regulation regime.

To understand the complex range of regulatory options, the following diagram was developed by the MaRS Solutions Lab in Toronto. It displays regulatory options as a dashboard control panel with a variety of settings, where each control is not independent of the other but operate in combination to achieve the objectives identified by the community.



Short term standard regulatory dashboard MaRS Solution Labs Toronto 2017

Municipal Licensing

STRs are not currently licensed in Amherstburg. 'Appendix A' also outlines a great deal of information on STR legislation provided by the Provincial government. Licensing STRs has been explored using a number of different methods, with a few consistent factors to consider. Licensing fees and renewal timelines vary across municipalities, based on the presence of STRs and how in-depth the licensing procedure is.

The cost for a business licence in the Town of Amherstburg is $217, which often includes the cost of various inspections. In some municipalities, fees similar to business licensing fees have been levied on the Hosts. Others have opted for a lower licensing fee and a self-declaration that the property meets all requirements outlined by the platform and the municipality.

In systems where the Hosts are responsible for licensing, the larger platforms such as HomeAway and airbnb have worked with municipalities to assist in ensuring licensing regimes are followed. In order for a Host to advertise their property in a municipality with a regulatory system in place, they must first obtain the license from the municipality and show proof of licensing. They then list the license number in a specific area when registering, without which they cannot continue the process.

The enforcement of the licensing regime is a major consideration in this matter, as the Town's By-law, Fire and Building Officers are operating at full capacity at this time. The ability to create any regulatory regime relies on the ability to inspect and enforce compliance at a given point; with the current compliment of staff in the three main enforcement areas, the necessary staff time cannot be dedicated. Another difficulty in enforcement is the lack of entry rights given to officers. Most rentals are in private dwellings which, in most cases, require explicit permission (judicial or from the homeowner) to enter and inspect. This creates yet another barrier to enforcement that must be considered in any regulatory regime.

Land Use

There are three main approaches municipalities have employed with respect to zoning for STRs.

1. The first involves prohibiting STRs geographically, often within areas that are already inundated with tourism, hotels and entertainment facilitates. In New Orleans, LA, STRs are not permitted in the popular French Quarter District, but are allowed in all other areas of the city. The zoning ordinance is enforced in conjunction with a licensing regime.

2. Some municipalities have opted to permit STRs only in certain land use classifications or zones. The Town of the Blue Mountains does not permit STRs within low density residential zones but does permit STRs in areas which are zoned for commercial resort units. In Jersey City, New Jersey STRs are permitted as an accessory use in all zoning districts where residential uses are permitted.

3. The last approach common among municipalities broadly permits STRs subject to limits of use. For example, in Philadelphia, Pennsylvania, anyone can participate in the STR market for up to 90 days per year. Once a host is in excess of 90 rental days per year they would be required to apply for a special ordinance to allow for STR use in their zoning district.

The regulation of STRs through land use planning works best paired with a licensing component to allow for greater compliance and enforceability. For example, the Zoning By-law cannot regulate how many days STR are rented for in a year.

Few Ontario municipalities have made a decision regarding STRs as they are taking a 'wait and see' approach while monitoring what others do. Those who have enacted regimes, have generally opted for a more flexible system to allow Hosts to continue operating without much hardship. In early 2018 Toronto City Council passed a comprehensive system of STR regulation including the following:

- short-term rentals are permitted across the city in all housing types

- people can host short-term rentals in their principal residence only – both homeowners and tenants can participate

- people can rent up to three bedrooms or entire residence

- people who live in secondary suites(basement or loft apartments and the like) can also participate, as long as the secondary suite is their principal residence

- an entire home can be rented as a short-term rental if owner/tenant is away – to a maximum of 180 nights per year

- the owner must notify their neighbours of the intended use

- people who rent their homes short term must register with the City and pay $51

In January 2020, the City of Vaughan allowed short term rentals after the City undertook an extensive review of the impacts of short term rentals, including challenges, opportunities, benefits and best practices. Vaughan allows short term rentals in a homeowner's primary residence – provided that a licence is obtained and renewed annually.

In February 2022, the City of Windsor passed a by-law allowing short term rentals provided the licensee could meet the following:

- be individual persons
- have a permanent residency in Canada; and
- the property on which the proposed Short Term rental is located must be:
    - the principal residence of at least one of the Applicants
    - located in an area that permits residential uses; and
    - be otherwise in compliance with all applicable laws, including the OBC and FPPA.

In June 2022, the City of London approved a new business licence for short term accommodations. A licence would require inspections and charging the 4% MAT (municipal accommodation tax). A business licence is required:

- for any building containing four or fewer rental units
- for any building containing five or more units but is classified as a converted dwelling
- if the registered property owner does not occupy the property and has no intentions of occupying the property
- if there are multiple units (even if the registered owner occupies one of the units)
- for a group home not registered or licensed with the Federal or Provincial government

Administration will continue to enforce existing by-laws that may assist in the mitigation of some issues associated with STRs. Issues brought forward by residents include; potential parking disruptions, noise complaints, issues regarding the maintenance of properties and concern regarding the amount of people coming and going from a given residence and, in some cases, the quality of residence they are receiving. Respectively, the Parking By-law, Noise By-law, Property Standards By-law, Zoning By-law and Vital Services By-law work to address these issues. It should be noted that there have only been a limited number of complaints in regards to STRs specifically, however Administration will continue to ensure that these matters are dealt with appropriately in the context of the existing systems.

<u>Municipal Accommodation Tax</u>

Through legislative changes in 2017, municipalities also have the option and authority to levy a tax on transient accommodation if they chose to do so. Other municipalities have referred to this as a Municipal Accommodation Tax or a hotel tax. Municipalities can apply this to Short-Term Rentals.

4. RISK ANALYSIS:

One of the highest profile challenges when dealing with STRs on a Municipal level is in relation to affordable housing stock. Some critics of STRs argue that the rental stock is adversely affected by those participating in the STR market – as more vacant homes or apartments are rented for short term rather than long term tenancies. This may negatively impact the amount of affordable housing available to the residents of a given municipality and some argue that it has a tendency to drive existing rents up.

Another recurring issue is based on the thought that STRs can create quality of life concerns in urban/densely populated areas. This includes a wide range of issues such as parking concerns and other by-law infractions. This matter also encompasses the concern regarding 'ghost hotels', or homes in vibrant neighbourhoods being used as hotels, with a limited presence of the actual property owner and constant revolving occupancy. There have also been well documented cases in cities like New York wherein the rentals are small apartments housing 25 air mattresses as shared accommodations.

5. FINANCIAL MATTERS:

It should be noted that financial matters to consider involve the cost of enforcement resources, both staff and other, should council direct administration to create a regulatory regime.

6. CONSULTATIONS:

The Planning and Building, Licensing & Enforcement Dept., Finance, and Fire Departments were consulted in the preparation of this report. Administration has also met with residents in relation to these matters.

7. CONCLUSION:

At this time there are many options for the creation of a STR regulatory regime. A general consensus of various communities is that greater compliance is achieved with a more 'bare bones' approach. Further direction and consultation are required to discern what level of regulation is necessary for Amherstburg, and what those regulations will require of homeowners as well as Town Administration. In the interim, Administration will continue to effectively enforce and uphold the standards set forth in the Parking, Noise, Property Standards, Zoning, and Vital Services By-Laws.

_____

Bill Tetler
Manager, Licensing and Enforcement

Report Approval Details

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

Tracy Prince

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THE HOME-SHARING GUIDE FOR ONTARIO MUNICIPALITIES

Ministry of Finance
2018

Ontario

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INTRODUCTION

In Ontario, home-sharing is one of the fastest growing sectors in the sharing economy. The growth of home-sharing in Ontario and around the world has been driven by consumers looking for greater choices, flexibility and lower costs, and the opportunity to earn extra income for hosts.

There is no consensus definition of home-sharing, but it is generally understood to refer to individuals renting out their residence, or part of their residence, for short periods of time through internet-based platforms such as Airbnb, HomeAway and VRBO.

Through consultations in 2016 and 2017, the Government of Ontario heard that home-sharing is a priority sector in the sharing economy for municipalities. The province also heard that local flexibility is key to address home-sharing in ways that allow municipalities to achieve local objectives (e.g., protecting long-term housing stock, attracting tourism, etc.).

Reflecting this feedback, the province has developed these home-sharing guidance materials as an informative resource that municipalities may wish to consult if they are considering regulating home-sharing locally.

The province also recommends that municipalities consult the sharing economy guide developed by the City of Guelph and the Guelph Lab for the Large Urban Mayors' Caucus of Ontario (LUMCO), entitled Navigating the sharing economy: A 6-decision guide for municipalities. The province provided funding for this handbook to help municipalities respond to the sharing economy in a way that is thoughtful, adaptable and innovative. The LUMCO guide identifies six decision points for municipalities to consider when addressing a sector of the sharing economy such as home-sharing.

Ontario's Home-sharing Guide for Ontario Municipalities has been carefully prepared and is intended to provide a summary of complex matters. It does not include all details and cannot take into account all local facts and circumstances. The guide refers to or reflects laws and practices which are subject to change.

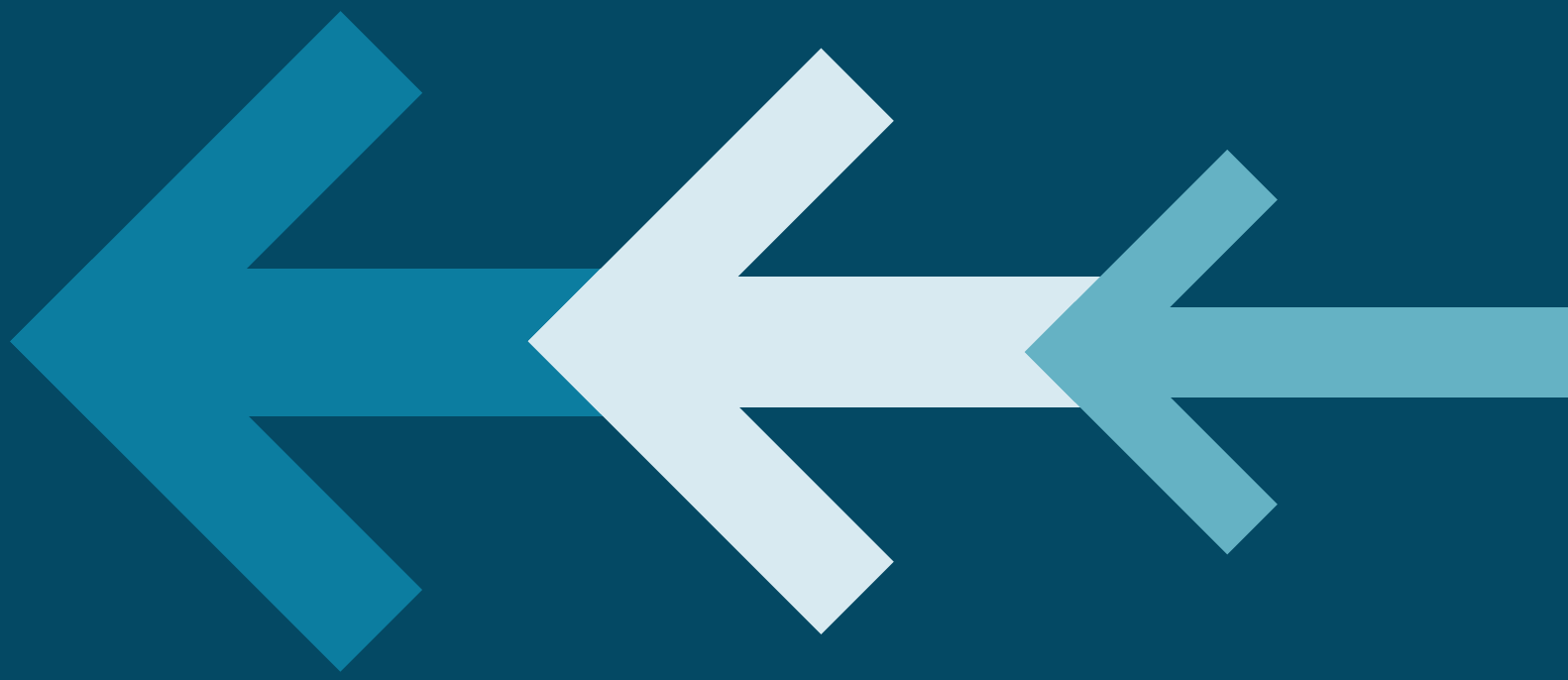
Municipalities are responsible for making local decisions, including decisions in compliance with law such as applicable statutes and regulations. For these reasons, the guide, as well as any links or information from other sources referred to in it, should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter. The user is solely responsible for any use or application of this guide. The inclusion of municipal examples in this guide does not imply an endorsement by the Province.

IN THIS GUIDE

This guide is meant to provide municipalities with resources to help them begin their research about addressing home-sharing in their communities. The guide focusses on five questions municipalities may have about regulating home-sharing. These questions and some highlights are below.

Policy Considerations	Regulatory Levers	Stakeholders	Provincial Legislation	Jurisdictional Scan
1. Why might municipalities consider addressing home-sharing?	**2. How might municipalities wish to regulate home-sharing?**	**3. Who might municipalities wish to consult before taking action?**	**4. What legislation* may be of interest to municipalities considering taking action?**	**5. What are other municipalities doing?**
Issues: • Impact on affordable housing • Increased opportunities for tourism • Challenges to existing regulations • Public safety concerns • Economic opportunity • Competitive advantages	Regulatory levers: • License platforms • License/register hosts/operators • Limit rentals to principal residences • Limit maximum number of consecutive days • Limit maximum number of days per year • Limit number of guests • Zoning • Prohibited/Ineligible Building List	Stakeholders: • Advocacy Coalitions • Housing Advocates and Local Residents • Community Groups • Home-owners and Landlords • Platforms • Hosts/Operators • Province of Ontario • Bed & Breakfast and Hotel Industry • Tourism organizations	Legislation: • Accessibility For Ontarians With Disabilities Act • Condominium Act • Fire Protection And Prevention Act • Hotel Registration Of Guests Act • Municipal Act • City Of Toronto Act • Planning Act • Residential Tenancies Act *There is also other law, such as federal legislation and "judge-made law" ("case law"), which may be of interest to municipalities.	Municipalities: • Blue Mountains • Niagara-on- the-Lake • Toronto • Vancouver • New Orleans (USA) • Chicago (USA)

At the end of the guide there is a list of other resources municipalities can consult to learn more about home-sharing, its impact on local communities and what other municipalities are doing to address it.



POLICY CONSIDERATIONS

POLICY CONSIDERATIONS

Why might municipalities consider addressing home-sharing in their communities?

Home-sharing platforms are present in over 190 countries across the globe and many municipalities are taking action to regulate this activity. As municipalities address home-sharing, they often seek to find a balance between encouraging its growth to promote economic development and placing limits on the scope of activity to preserve the character of local communities. Findings from literature on home-sharing and public opinion research from Ontario in 2016 show support for home-sharing while also acknowledging there is a role for governments to play in regulating this sector.

Part of the research municipalities may wish to undertake when considering regulating home-sharing is to review concerns raised about short-term rental activity, or potential short-term rental activity, across the entire municipality to help verify the scope of issues that may be raised by various stakeholders. Municipalities may hold public consultations and may also wish to consult their legal counsel during policy development.

For more information about home-sharing policy options and considerations, visit the City of Guelph's Compendium of Resources for information including case studies, policy primers and proposals, and law and regulation resources.

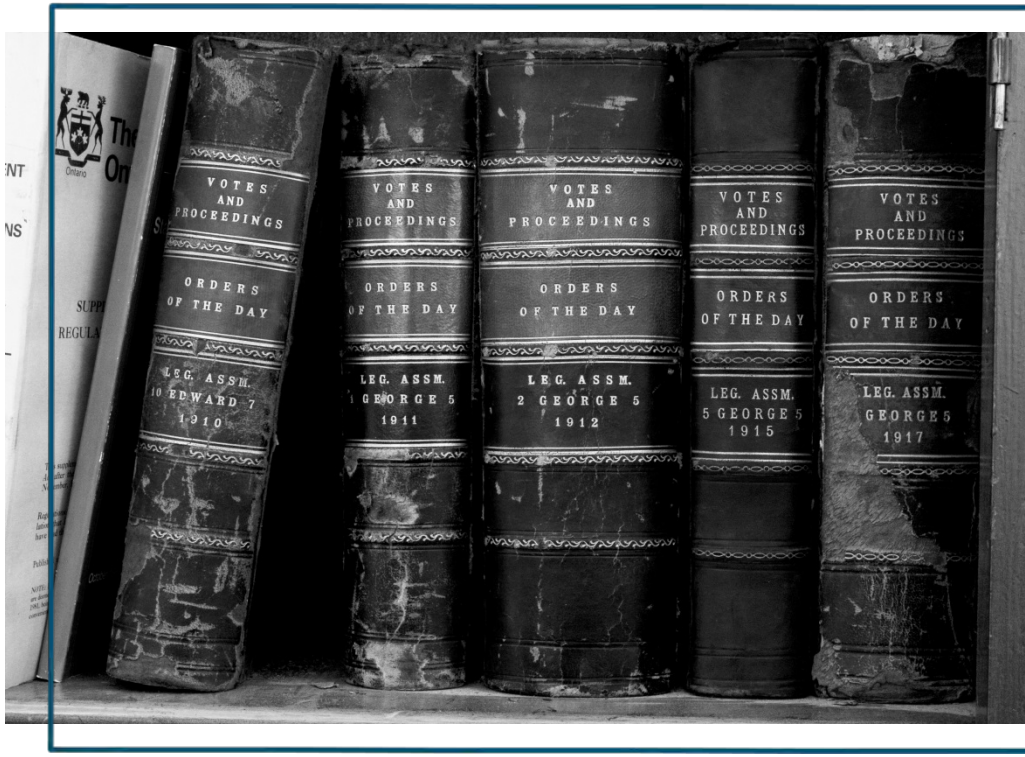


TABLE 1 – POLICY CONSIDERATIONS

Municipalities may seek to address some of the key issues noted below through home-sharing regulations or policies.

Issue	Description	Potential Responses *See Table 2 for more information about regulatory levers*
Impact on affordable housing	Home-sharing platforms may allow individuals to make more money renting on the short-term market than on the long-term market, which can deplete available stock of long-term rentals and raise market rents.	Limit home-sharing to principal residences. Limit the number of days a unit can be rented so that long-term rentals are more profitable than short-term rentals.
Tourism	Home-sharing has the potential to increase the number of visitors to Ontario, provide a wider selection of accommodations, allow a visitor to live like a local and can make travel more affordable for Ontarians. Short-term vacation rentals already provide an important source of tourism activity in communities across Ontario. Smaller communities that lack sufficient tourist lodging can increase short-term vacation accommodations through home-sharing. Commercial operators may make use of home-sharing platforms to attract visitors.	Consider how new regulations could increase the costs to both guests and hosts/operators or create barriers to new entrants, and aim to limit those costs or barriers. Allow home-sharing in some parts of the community but not others through zoning.
Challenges to existing regulations	People involved in home-sharing may be currently subject to local by-laws (e.g., property tax, zoning and licensing by-laws, and the governing documents of a condo corporation (e.g. declarations, by-laws or rules). Home-sharing hosts may be knowingly or unknowingly violating municipal rules, and/or condominium corporation rules.	Educate residents about existing by-laws and policies, and how they relate to home-sharing. Advise potential hosts to check their condominium corporation governing rules. Explore partnerships with platforms to share information about by-laws. Collect data from platforms to facilitate enforcement.
Public safety concerns	Residents in some jurisdictions have raised concerns about having an influx of short-term renters in their communities who may:	Limit home-sharing to principal residences. Require licenses or registration for

Issue	Description	Potential Responses *See Table 2 for more information about regulatory levers*
	• not respect communal property (e.g., litter the neighbourhood); • bring a party atmosphere to the community; or • be involved in criminal behaviour. Concerns have also been raised about safety issues such as fire safety in condominiums (renters may not be aware of exit plan) and water safety in beachfront communities (renters may not be aware of proper precautions for water activities).	hosts/operators (include documents to ensure that the unit meets the municipality's health and safety requirements). Partner with platforms to communicate relevant by-laws to hosts/operators.
Economic opportunity	People can generate additional income by renting out their homes or rooms in their homes, making it more affordable to live in their own residence. Short-term vacation rentals allow individuals to supplement their income, and thereby offset the cost of their vacation property.	Consider how new by-laws could increase the costs to guests and reduce opportunity for hosts/operators or create barriers to new entrants. Aim to limit those costs or barriers.
Competitive advantages	The traditional accommodation industry may raise concerns that individuals, businesses, or platforms involved in home-sharing may be taking advantage of different rules to operate in the accommodations sector with a lower operating cost. Displacing the existing hospitality and accommodation industry may result in job losses, lower wages and lost tax revenues.	Consider ways to harmonize new by-laws with by-laws for traditional accommodations, such as including B&Bs in the home-sharing by-laws or vice versa.

REGULATORY LEVERS

REGULATORY LEVERS

How might municipalities wish to address home-sharing?

The province recognizes municipalities as responsible and accountable governments that are in the best position to address matters within their jurisdiction. Through the Municipal Act and the City of Toronto Act, municipalities have broad powers respecting certain matters (subject to certain limits), which they may wish to consider using to regulate certain aspects of home-sharing platforms and hosts/operators. Under the Planning Act, municipalities have the authority to make local planning decisions that determine the future of communities, including whether and where home-sharing is allowed through their municipal official plan policies and zoning by-laws.

REGULATORY MODERNIZATION:

The Province has adopted regulatory modernization principles when designing regulations to reduce burden on business. Municipalities could consider these principles when designing home-sharing regulations. The seven regulatory modernization principles adopted by the Province are:

1. Focus on the user by writing regulations in plain language and creating a single point of contact for business to access information or government services.

2. Use international industry standards (e.g. ISO) where available/ appropriate to eliminate redundant reporting requirements.

3. Move to risk-based inspections: reduce the enforcement burden on businesses with a strong safety and compliance record, using accreditation to distinguish good actors from high-risk targets; better coordinate inspections among ministries and agencies.

4. Create a "Tell Us Once" culture where all ministries that interact with business use the Business Number so businesses do not provide the same information to government repeatedly.

5. Apply a small business lens by setting different compliance paths to achieve desired outcomes, rather than using a one-size-fits-all approach.

6. Go digital by delivering simple and straightforward digital services and products that will modernize public service delivery and make government work better for businesses.

7. Facilitate equivalent means of regulatory compliance where a business can demonstrate an alternative approach that meets or exceeds the requirement of the regulation.

SELF-REGULATION

One common impetus for regulation is to protect the public interest. Self-regulation pursues this goal but places the burden on the participants in the transaction.

Governments may conclude that internal feedback mechanisms on sharing economy platforms are sufficient to enable markets to regulate themselves.

TAXATION

In the 2017 Budget, the government announced that it would provide the City of Toronto and all single-tier and lower-tier municipalities in Ontario with the authority to levy a tax on transient accommodation (often referred to as a “hotel tax”). Legislative amendments to the Municipal Act, 2001 and the City of Toronto Act, 2006 that provide the City of Toronto and all single and lower-tier municipalities in Ontario with the authority to levy a tax on transient accommodation came into force on December 1, 2017.

Under these amendments, municipalities have the flexibility to decide whether or not to implement a hotel tax, and also have the ability to determine the types of transient accommodation to which the tax would apply, the rate that would be charged, and other details about the tax.
A municipality would be responsible for setting out the application of the tax in a municipal by-law.

A municipality could choose to apply a municipal hotel tax to home-sharing arrangements, and may determine the applicable tax rate.

Regulations prescribing required revenue sharing with not-for-profit tourism organizations by municipalities that choose to implement a hotel tax also came into force on December 1, 2017.

TABLE 2 – REGULATORY LEVERS

Regulating home-sharing in the context of home-sharing platforms, such as Airbnb, HomeAway and VRBO, is a relatively new practice. There are no proven best-practices established at this time, but the following are regulatory levers that municipalities have implemented to address home-sharing in their communities.

Regulatory levers	
License platforms	Municipalities may license platforms (subject to certain limits). Municipalities may wish to consider the feasibility of obtaining information (e.g. from platforms) and sharing information to assist with enforcement or future policy development. **Considerations** Very few jurisdictions around the world currently license home-sharing platforms; many only license the hosts/operators.
License/Register hosts/operators	Municipalities may wish to consider the feasibility of licensing or registering hosts/operators, creating databases of short-term rentals in their municipalities, and collecting other data relevant to enforcing home-sharing by-laws. Municipalities may wish to consider how licensing/registration systems might help address compliance with the municipality's health and safety requirements. Incorporating traditional short-term rentals (e.g., Bed & Breakfasts) into one licensing/registration regime along with home-sharing could provide the municipality with an opportunity to update current short-term rental licensing/registration regimes if they already exist. Creating different types of licenses based on zoning or types of accommodations could be explored to help achieve desired policy outcomes, such as limiting home-sharing in residential areas to maintain the character of neighbourhoods while encouraging it in tourist areas. **Considerations** Municipalities may wish to consider other options, such as permits to track short-term rentals and may wish to consider the regulatory burden on hosts/operators and the municipal resources required to enforce these options.
Limit rentals to principal residences	Several jurisdictions have imposed restrictions on second units to curb commercial activity (the use of investment properties for short-term rentals), to protect the availability of long-term rental stock. While limiting home-sharing to principal residences may curb commercial activity, it may also interfere with individuals who want to rent out vacation properties for part of the year.

Regulatory levers

Definitions of principal residence

Toronto: A principal residence is a dwelling unit owned or rented by an individual person, alone or jointly with another person, where he or she is ordinarily resident.

Vancouver: The dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills.

Chicago: A dwelling unit: (1) that is occupied by its owner on a daily basis at least 245 days in the applicable calendar year; and (2) for which the owner has claimed a Cook County homeowner exemption.[1]

Canada Revenue Agency:

A property qualifies as your principal residence for any year if it meets **all** of the following **four** conditions:

- It is a housing unit, a leasehold interest in a housing unit, or a share of the capital stock of a co-operative housing corporation you acquire only to get the right to inhabit a housing unit owned by that corporation.
- You own the property alone or jointly with another person.
- You, your current or former spouse or common-law partner, or any of your children lived in it at some time during the year.
- You designate the property as your principal residence.

Considerations

If a municipality limits rentals to principal residences, it will need to determine what proof of residence it will require and how that proof will be submitted (e.g., through a registration process, only when asked, etc.).

Municipalities will also need to consider whether secondary suites are included in the definition of primary residence, or if they will be excluded from home-sharing.

[1] A program administered by the Cook County Assessor's Office that allows taxpayers whose single-family home, townhouse, condominium, co-op or apartment building (up to six units) is their primary residence to save $250 to $2,000 per year, depending on local tax rates and assessment increases. The Homeowner Exemption is available to people who own or have a lease or contract which makes them responsible for the real estate taxes of the residential property. It must also be used as their principal place of residence for the year in question.

Regulatory levers	
Maximum number of consecutive days	Municipalities may wish to explore the option of establishing a cap on the number of **consecutive** days a unit can be rented in order to distinguish short-term rentals from long-term rentals. For example, many municipalities define short-term rentals as rentals that last fewer than 30 days. **Considerations** Municipalities may wish to consider the feasibility of proactively monitoring and enforcing this option. For example, in the City of Vancouver's policy licensing report, Regulating Short Term Rentals in Vancouver (July 5, 2017), it is stated that even though renting units for less than 30 days is prohibited, short-term rentals supply approximately 29 per cent of Vancouver's accommodations for tourists and other transient guests.
Maximum number of days per year	Municipalities may wish to consider the option of restricting the number of days per year a unit can be rented out on a short term basis, in order to encourage homes to retain a 'private use' component. Municipalities adopting this approach may wish to explore arrangements with home-sharing platforms to remove listings in violation of local restrictions. **Considerations** Municipalities may wish to consider the feasibility of enforcing restrictions on the maximum number of days. For example, this could require tracking individuals/addresses over several different platforms.
Number of guests	Municipalities may wish to consider restricting the number of guests allowed in a unit (e.g., two per bedroom). For example, this may help address home-sharing units being used as "party houses". **Considerations** Municipalities may wish to consider the feasibility of enforcing limits on the number of guests and how complaints about activity in the rental unit would be addressed.
Zoning	Where a municipality has determined that home-sharing is a discrete land use, the municipality may wish to consider limiting the use to certain areas (e.g., residential or mixed-use zones), or certain building types (e.g., six units or less) to achieve the desired policy goals, such as encouraging tourism, preserving the character of neighbourhoods, protecting housing stock, etc.
Ineligible and Prohibited Building Lists	Municipalities may wish to consider creating lists of buildings that are ineligible to participate in home-sharing for various reasons, e.g., repeated by-law infractions, repeated fire code violations, by request of a condo corporation, etc. Municipalities could explore the possibility of working with home-sharing platforms to help enforce these rules.

STAKEHOLDER CONSULTATIONS

STAKEHOLDER CONSULTATIONS

Who might municipalities wish to consult before taking action?

Photo looking down at two women and two men seated at a circular table.As noted in the Large Urban Mayors' Caucus of Ontario's sharing economy guidebook, *Navigating the sharing economy: A 6-decision guide for municipalities*, consulting with stakeholders is a crucial part of municipal decision-making.

The following is a list of potential stakeholders municipalities may want to consult when addressing home-sharing. This list provides examples and is not meant to be exhaustive.

TABLE 3 – POTENTIAL STAKEHOLDERS

Group	Description/Interest (highlights based on the groups' websites linked below)
Advocacy Coalitions	**Fairbnb.ca**: Fairbnb.ca • A national coalition of homeowners, tenants, tourism businesses and labour organizations bringing together groups from the regulated hotel and B&B industry with property owners, property renters and other concerned citizens. • Calling for a robust, nationally-consistent policy framework to ensure home-sharing complies with fair, safe and respectful legislation – drawing on the experience of other countries and other cities. • Released a report about Airbnb in Toronto, entitled *Squeezed Out: Airbnb's Commercialization of Home-Sharing in Toronto*.
Bed & Breakfast and Hotel Industry	**Federation of Ontario Bed & Breakfast Accommodation**: https://www.fobba.com/ • The professional association representing the Bed & Breakfast industry in Ontario. • Members voluntarily agree to adhere to a high set of consistent standards defining cleanliness, comfort, quality, safety and hospitality. • Represents approximately 280 B&Bs, and has approximately 100 direct B&B members and three local association members (Fergus/Elora, Stratford and Niagara-on-the-Lake). **The Hotel Association of Canada:** http://www.hotelassociation.ca/home.asp • Represents more than 8,178 hotels, motels and resorts that encompass the $18.4 billion Canadian hotel industry which employs 304,000 people across Canada. **The Ontario Restaurant Hotel & Motel Association:** http://www.orhma.com/home.aspx • Has over 4,000 members, representing more than 11,000 establishments across the province. **UNITE HERE:** http://unitehere.org/industry/hotels/ • Labour union that represents 270,000 working people across Canada and the United States, including workers in the hotel industry. **Unifor**: https://www.unifor.org/en

Group	Description/Interest (highlights based on the groups' websites linked below)
	• Unifor represents 17,600 members working in the diverse hospitality and gaming sector. One-third of their membership work in hotels - including major chains (like Fairmont, Radisson and Delta) and stand-alone facilities.
Housing and Tenant Advocates and Local Resident/ Community Groups	**Housing Help Association of Ontario:** https://findhousinghelp.ca/ • Provides a list of coalitions, advocacy groups and organizations across Canada that are working on housing and homelessness issues. **Federation of Metro Tenants' Associations (FMTA):** https://www.torontotenants.org/ • A non-profit organization which advocates for better rights for tenants. • FMTA has over 3,000 members, including affiliated tenant associations and individuals. **Advocacy Centre for Tenants Ontario (ACTO):** http://www.acto.ca/ • Works to better the housing situation of Ontario residents who have low incomes including tenants, co-op members and people who are homeless. • ACTO works with legal clinics, tenant associations and other groups and individuals concerned about housing issues.
Landlords	**Federation of Rental Housing Providers of Ontario (FRPO):** https://www.frpo.org/ • Represents those who own, manage, build and finance, service and supply residential rental homes. • FRPO represents over 2,200 members who own or manage over 350,000 household across Ontario. **Landlord's Self-Help Centre (LSHC):** https://landlordselfhelp.com/ • A non-profit community legal clinic funded by Legal Aid Ontario and mandated to support Ontario's small-scale landlord community exclusively. **Greater Toronto Apartments Association (GTAA):** https://www.gtaaonline.com/ • Represents the interests of Toronto firms participating in the multifamily rental housing industry. • The GTAA represents over 240 property management companies that own and operate 160,000 apartment units. **Ontario Landlords Association:** http://ontariolandlords.org/

Group	Description/Interest (highlights based on the groups' websites linked below)
	• A network of landlords who promote and protect the interests of landlords and help landlords succeed through education, news and networking. **Canadian Apartment Properties Real Estate Investment Trust**: https://www.caprent.com/ • One of Canada's largest residential landlords
Hosts/Operators	If home-sharing is already taking place in your municipality, there may be a community of hosts/operators you can engage with to understand their experiences and how potential regulations may impact them. Municipalities could target hosts/operators through events such as town halls that are advertised for people involved in the short-term rental market.
Platforms	There are several home-sharing platforms operating in Ontario. Some have a larger presence in certain municipalities than others. The following are some of the major platforms in Ontario. **Airbnb** • Has listings in more than 65,000 cities and 191 countries. • The most popular home-sharing platform in Ontario. • Partnered with the Ontario Government and the Canada Revenue Agency to educate Ontarians who engage in home-sharing about their rights and responsibilities. • Has engaged with municipalities and the Province of Ontario to address home-sharing. **HomeAway** • Has more than 2 million unique places to stay in 190 countries. • Part of the Expedia, Inc. family of brands, including VRBO and travel mob. **Flipkey** • Has more than 830,000 properties in 190 countries. • Part of TripAdvisor Rentals
Province of Ontario	In October 2015, the Province established the Sharing Economy Advisory Committee (SEAC) with representation from key ministries to oversee Ontario's approach and to harness the opportunities presented by the sharing economy, including home-sharing. In 2016 and 2017, SEAC has been researching the sharing economy, has consulted a wide range of industry, community and municipal stakeholders, and conducted public polling of Ontarians about their use and perception of the sharing economy. If you have questions for SEAC, please send an email

Group	Description/Interest (highlights based on the groups' websites linked below)
	to: sharingeconomy@ontario.ca.
Tourism Industry	**Tourism Association of Ontario**: http://www.tiaontario.ca/cpages/home • Advocates for the importance of tourism as an economic driver and job creator in order to serve the interests of Ontario's diverse tourism industry and business community. • Recognized as the umbrella government advocacy organization serving Ontario's diverse tourism industry and facilitating conversations between industry and government to affirm the economic value of tourism.

PROVINCIAL LEGISLATION

PROVINCIAL LEGISLATION

What provincial legislation may be of interest to municipalities considering taking action?

The Municipal Act provides municipalities with broad powers to introduce by-laws and govern activities within their jurisdiction, which may include some aspects of home-sharing. The Planning Act provides municipalities with the authority to regulate the use of land, buildings and structures through zoning. A municipality can regulate the locations and development standards that could apply to a specific use of land based on the planning impacts. The following table describes some provincial legislation that may be of interest to municipalities considering regulating home-sharing.

The law is complex and municipalities should consult their solicitors whenever any legal issue is in question. This list provides examples and is not meant to be exhaustive. There is also other law, such as federal legislation and "judge-made law" ("case law"), which may be of interest to municipalities.

TABLE 4 PROVINCIAL LEGISLATION

Provincial Act

ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2005 (AODA)

INTEGRATED ACCESSIBILITY STANDARDS REGULATION (IASR), O. Reg. 191/11

Ontario has laws to improve accessibility for people with disabilities. The Accessibility for Ontarians with Disabilities Act (AODA) is a law that sets out a process for developing and enforcing accessibility standards.

Accessibility standards are laws under the Integrated Accessibility Standards Regulation that government, businesses, non-profits and public sector organizations must follow to become more accessible. They help organizations identify and remove barriers to improve accessibility for people with disabilities in 5 areas of daily life in the areas of transportation, customer service, employment, information and communications and in the design of public spaces.

Application

The AODA and its related accessibility standards applies to every person or organization that provides goods, services or facilities to the public or other third parties and that has **at least one employee in Ontario.** Accessibility requirements and deadlines depend on the type and size of your organization.

If an organization has one or more employees, the organization must adhere to the accessibility requirements under the AODA and its standards. Sole proprietors or self-employed individuals who do not have employees are exempt from having to comply with the AODA and its accessibility standards.

Accessibility requirements for organizations can be found at the government's accessibility website at: https://www.ontario.ca/page/accessibility-laws.

CONDOMINIUM ACT

The Condo Act provides for the registration and creation of condominiums and gives owners the tools to run their condominium corporations with minimal government involvement.

Hierarchy of a condominium's governing documents

Governing document	What it does	Threshold for change	Other limitations
1. Declaration	Considered to be like the "constitution" of the condo – can include restrictions on the use and occupation of the units and common elements, etc.	Currently, the owners of 80 per cent or 90 per cent of units must consent to a change	Need not be reasonable; must be consistent with the Condo Act and the declaration would be subject to any other act (such as the Human Rights Code) that has primacy over the Condo Act or the declaration.
2. By-laws	Condo by-laws can set occupancy standards that are either: 1) the same as municipal by-laws where the condominium is located or, 2) subject to the regulations, not more restrictive than the standards that are in accordance with the maximum occupancy for which the condo building is designed (based on the Building Code).	Currently, owners of a majority of units must vote to approve a change	Must be reasonable and consistent with the declaration and the Condo Act
3. Rules	Govern the use of units and common elements to: • promote safety, security and welfare, or • prevent unreasonable interference with use and enjoyment of the property	Made by the board Can be overturned by a majority vote at a meeting of owners	Must be reasonable and consistent with the by-laws, the declaration, and the Condo Act

- The declaration may contain conditions or restrictions with respect to the occupation and use of the units or common elements.
- The content of a condo corporation's governing documents is ultimately up to the board and owners. The Condominium Act does not specifically address short-term rentals.
  The planning authority can require that the description contain certain conditions, before the developer registers the description to create the condo corporation.
- Generally, if a condo's governing documents are more restrictive than the municipality's by-laws, owners and occupiers of the condo must still comply with the condo's governing documents. For example, if the municipality permits short-term rentals but a condo corporation's governing documents prohibit or restrict short-term rentals, the restriction or prohibition of the condo corporation's governing documents would still apply.

Provincial Act

FIRE PROTECTION AND PREVENTION ACT (FPPA)

The FPPA reflects the principle that municipalities are in the best position to determine their own needs and circumstances.

One of the intents of the FPPA is to establish municipal responsibility for fire protection and makes fire prevention and public education mandatory. It serves to clarify the role of municipalities in providing fire services and establish the minimum level of fire protection without imposing significant costs on municipalities.

Municipalities are responsible for conducting a risk assessment of their jurisdiction, and identifying what fire protection services are necessary to mitigate those risks to an acceptable level. This would include assessing risks related to home-sharing in their community and home-sharing regulations they may be contemplating. While municipalities are responsible to ensure that this is done, they may request assistance from the Office of the Fire Marshal, or contract the necessary consulting services to actually conduct the assessment.

When regulating home-sharing, municipalities should consider fire and life safety criteria for compliance with the Ontario Fire Code.

HOTEL REGISTRATION OF GUESTS ACT

This act is not directly relevant to regulating home-sharing at a municipal level; however, the definition of hotel may be useful for distinguishing between hotels and short-term accommodations. The act requires every hotel to keep a register of guests and it contains a number of offences relating to the keeping of a register. In addition, the room rates are to be posted in each room, failure of which is also an offence.

> "**Hotel**" means a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not fewer than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week or otherwise commonly known as "boarding houses" or of furnishing living quarters for families and having a dining room or restaurant commonly known as "apartment houses" or "private hotels".

MUNICIPAL ACT
CITY OF TORONTO ACT

Under the Municipal Act and the City of Toronto Act municipalities have broad powers (subject to certain limits) that allow them to make decisions in a number of areas to address local circumstances and interests. Some of these broad powers include:

- Economic, social and environmental well-being of the municipality, including respecting climate change;
- Health, safety and well-being of persons; and
- Protection of persons and property, including consumer protection.

It is up to municipalities to make local decisions, such as providing local programs and services, and interpreting their powers. Generally, municipalities are under no obligation to inform the province about local decisions. Interested persons often raise their concerns with the municipality.

PLANNING ACT

Municipal councils, landowners, developers, planners and the public play an important role in shaping a community. Community planning is aimed at identifying common community goals and balancing competing interests of the various parties. The central activity in the planning of a community is the making of an official plan, a document which guides future development of an area in the best interest of the community as a whole. The Planning Act sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them. It provides for a land use planning system led by provincial policy, promotes sustainable economic development, and recognizes the decision-making authority and accountability of municipal councils in land use planning.

Under the Planning Act, municipalities:

- make local planning decisions that will determine the future of communities
- prepare planning documents, such as:
  - an official plan, which sets out the municipality's general planning goals and policies that will guide future land use
  - zoning by-laws, which set the rules and regulations that control development as it occurs. The Planning Act also gives planning boards in northern Ontario the power to adopt official plans and pass zoning by-laws for unorganized territory within their planning areas
- ensure planning decisions and planning documents are consistent with the Provincial Policy Statement which sets the policy foundation for regulating the development and use of land, and conform or do not conflict with provincial plans such as the Growth Plan for the Greater Golden Horseshoe and thee Greenbelt Plan.

The Planning Act does not explicitly address home-sharing or the sharing of land between individuals. It would be up to the municipality through its zoning by-laws to determine if sharing a residential dwelling constitutes a use of land, whether it changes the use land from residential to another use (e.g. commercial), and whether the change in use is permitted by municipal zoning by-laws. Alternatively, municipalities could consider home-sharing as a home business which is regularly permitted in residential zones in many municipal zoning by-laws.

RESIDENTIAL TENANCIES ACT

The Residential Tenancies Act, 2006 (RTA) sets out the rights and responsibilities of landlords and tenants for most residential rental properties in Ontario.

"The purposes of this Act are to provide protection for residential tenants from unlawful rent increases and unlawful evictions, to establish the framework for the regulation of residential rents, to balance the rights and responsibilities of residential landlords and tenants and to provide for the adjudication of disputes and for other processes to informally resolve disputes." 2006, c. 17, s. 1.

Application of the Act

While the RTA applies to residential rental units despite any other legislation, agreement or waiver to the contrary, certain types of accommodation are exempt. For example, the RTA does not apply to accommodation intended to be provided to the travelling or vacationing public or occupied for a seasonal or temporary period in a hotel, motel, bed and breakfast vacation establishment, or certain other types of facilities. As well, the RTA does not apply where the occupant is required to share a bathroom or kitchen with the owner.

In situations where it may be unclear, a landlord or tenant can make an application to have the Landlord and Tenant Board (LTB) determine whether all or part of the RTA applies to a rental unit or residential complex. It is up to the Member to determine whether or not the RTA applies in any situation, depending on the facts of the case.

Tenancy Agreement

Where a rental unit is subject to the RTA, a landlord and tenant enter into a tenancy agreement. A tenancy agreement is a written, oral or implied agreement between a landlord and a tenant for occupancy of a rental unit. In the contract, the tenant agrees to pay rent to live in a rental unit provided by the landlord.

The landlord and tenant can agree to a fixed term tenancy which lasts for a specific period of time. Most fixed term tenancies are for one year, but the RTA does not mandate minimum rental periods. When a tenancy agreement expires, the tenancy does not end – it continues under the same terms and conditions as before, because landlords and tenants have to give each other proper notice to end a tenancy.

Subletting

A sublet occurs when a tenant moves out of the rental unit, lets another person live there for a period of time, but returns to live in the unit before the tenancy ends.

A tenant must have the landlord's consent to sublet the unit, but the landlord must have a good reason to refuse. If a tenant sublets without the landlord's consent, the landlord can apply to the Landlord and Tenant Board (LTB) for an eviction order to terminate the original tenancy and evict the unauthorized occupant. If the tenant thinks that the landlord is being unreasonable in withholding their consent to sublet to a specific person, the tenant can file an application with the LTB.

A tenant who sublets a rental unit cannot:

charge a rent that is greater than the rent that is lawfully charged by the landlord for the rental unit;

collect any additional fee for subletting a rental unit; or

require an individual to pay for goods or services as a condition for the subletting in addition to the rent the person is lawfully required to pay to the tenant or landlord.

In a sublet, all of the terms of the original tenancy agreement stay the same. The tenant is liable to the landlord for any breaches in their lawful obligations under the tenancy agreement, while the sub-tenant is liable to the tenant.

Eviction

Under the Act, in certain cases a tenant can be evicted if the tenant, tenant's guest or someone else who lives in the rental unit does something they shouldn't do. Grounds for eviction include, but are not limited to:

- wilfully or negligently causing damage to the rental property
- substantially interfering with the reasonable enjoyment or another lawful right of other tenants or the landlord
- seriously impairing the safety of others
- allowing too many people to live in the rental unit in contravention of health, safety or housing standards ("overcrowding")

A landlord can end a tenancy only for the reasons allowed by the Act.

The first step is for the landlord to give the tenant notice in writing that they want the tenant to move out. The proper forms a landlord must use for giving a notice to end the tenancy are available from the LTB.

If the tenant does not move out after receiving the notice, the landlord can ask the LTB to end the tenancy by filing an application. The LTB will decide if the tenancy should end after holding a hearing. Both the landlord and the tenant can come to the hearing and explain their side to a member of the LTB.

Landlord and Tenant Board

The LTB resolves disputes between residential landlords and tenants and provides information/brochures about the RTA.

Contact the LTB: Toll free: 1-888-332-3234
Toronto area: 416-645-8080
TTY: Bell Relay Service at 1-800-268-9242
Website: http://www.sjto.gov.on.ca/ltb/

JURISDICTIONAL SCAN

JURISDICTIONAL SCAN

What are other municipalities doing?

The following is a high-level scan of how municipalities in Ontario and the United States are, or are not, utilizing some common home-sharing regulatory levers.
The chart below is a summary for reference purposes.

For further details, refer directly to the links below in Table 6 – Jurisdictional Scan Narrative.

The inclusion of municipal examples in this guide does not imply an endorsement by the Province.

TABLE 5 JURISDICTIONAL SCAN

Regulation	The Blue Mountains	Niagara-on-the-Lake	Toronto	Vancouver	New Orleans (USA)	Chicago (USA)
License home-sharing platform			✓			✓
License/Register hosts/operators	✓	✓	✓	✓	✓	✓
Limit rentals to principal residences			✓	✓		✓
Maximum number of consecutive days	✓	✓	✓	✓	✓	
Maximum number of days per year					✓	
Number of guests	✓				✓	
Zoning	Certain areas of the Town are zoned to allow for Commercial Resorts Units; these do not need to be licenced for short term rentals.	Zoning restrictions are based on the type of short-term rental, e.g., cottage rental, vacation apartment, etc.	Short-term rentals to be added as a permitted use for all zones where dwelling units are permitted	Short-term rentals to be allowed in all residential dwelling units across certain zoning districts.	The Comprehensive Zoning Ordinance allows specific short-term rental types in specific zoning districts.	Zoning used to restrict home-sharing in some residential areas.
Ineligible or Prohibited Building List						✓
Tax on transient accommodation			Under review	Under review	✓	✓

TABLE 6 JURISDICTIONAL SCAN NARRATIVE

The following table provides a more detailed look at the approaches to regulating home-sharing in several municipalities in Ontario and the Unites States. For further details, please refer to the links below.

JURISDICTIONAL APPROACHES

TOWN OF THE BLUE MOUNTAINS

http://www.thebluemountains.ca/sta-consult.cfm

Goal

The Town of Blue Mountains is aiming to balance the needs of property owners with those of residents looking for safe, adequate and properly maintained short-term accommodation (STA) premises.

The accommodation of recreational visitors is critical to the economy of the Town and to employment in the many recreational businesses and activities located there. Short-term accommodations, including the rental of private houses, chalets and condominium units, are important to tourism in the area.

Definition

BY-LAW NO. 2009-04

”SHORT TERM ACCOMMODATION (STA)” means a dwelling or structure of any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. Short term accommodation shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit or similar commercial or institutional use.

Key Points

- Generally, a newly established STA is not permitted in a low density residential zone.
- Short term (less than 30 days) accommodation uses are NOT permitted in any traditionally single-family-dwelling neighbourhoods, zoned R1, R2 and R3.
- The maximum number of occupants within a dwelling that is being operated as a short term accommodation shall not exceed a total number based upon 2 persons per bedroom plus an additional 2 persons.

- The number of non-occupying guests permitted at a short term accommodation premises must not be such that it may conflict with the residential neighbourhood or amenity.
- Short term accommodation renters are not to host commercial functions.
- So called "party houses" conflict with residential amenity and are not permitted.
- Any gathering, celebration or entertainment at a short term rental accommodation premise must not conflict with residential amenity and must comply with all the other requirements of this Code and the Town of The Blue Mountains by-laws.
- An STA Licence is only required if you rent for periods of less than 30 days.
- There are certain areas of the Town where owners do not require a license to rent for short term periods but they must meet other requirements. Certain areas of the Town are zoned to allow for Commercial Resorts Units (CRU) and these do not need to be licensed for short term rental periods at this time.
- Consequences can include fines if an owner is found to be in violation of the bylaw.
- A license is valid for a period of 2 years from date of issuance.

NIAGARA-ON-THE-LAKE

Definition

BY-LAW NO. 4634-13

SHORT TERM RENTALS means the use of a building for overnight guest lodging for a period of not more than 28 days and includes Bed and Breakfast Establishment, Cottage Rentals, Villas, County Inns and Vacation Apartments.

Key Points:

- Short-term rentals include:
  - Bed and Breakfasts – no more than three guestrooms
  - Villas – four or more bedrooms
  - Cottages – up to three bedrooms
  - County Inns – more than three rented rooms.
- Only the registered owner or the lessee of a residential building, who has explicit permission from the owner, may apply for and hold a license to operate a short-term rental.
- In the case of a corporation, any of the largest shareholders can apply.
- The lessee of a commercially zoned property may apply.

- No person shall use or operate a short-term rental unless they hold a valid license.
- Only buildings that have been occupied as a single detached dwelling for a minimum of 4 years shall be eligible for a license. Any additions placed on the building that expand the number of rooms will not be available to rent until that portion of the addition/extension has been occupied for 4 years.
- All municipal taxes, building permits, water and hydro accounts for the property must be current and not outstanding before a license will be issued.
- Short term rentals must front a public road, have parking, be fully serviced by water and sewage, in compliance with all by-laws, zoning, official plan, proof of liability insurance, fire and health and safety codes.
- All guests must leave registration information with the licensee and the licensee is required to keep daily records for inspection.
- A Municipal Law Enforcement Officer may require access to the licensed premises to inspect and verify compliance.
- A Special Occasion permit is required if a licensee wishes to hold a more commercial gathering or wedding or large reception.
- License infringements will get 72 hours to correct an issue. If the Town must correct the violation it will be at the expense of the Owner. License may also be revoked.
- License fee is $108 per licensed guest room per year.
- Fine for operating a short term rental without a current license is $500.

TORONTO

https://www.toronto.ca/city-government/public-notices-bylaws/public-notices/proposal-to-establish-a-new-municipal-code-chapter-for-short-term-rentals/

Goal

The City of Toronto's regulations are intended to maximize the benefits of short-term rentals and contain their negative impacts in a manner that is also consistent with the principles in the City's official plan and the overall objectives to promote consumer protection, public safety, and the economic, social and environmental health of the City.

Definition

A short-term rental is all or part of a dwelling unit in the City of Toronto used to provide sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes existing bed and breakfasts and excludes hotels and motels and accommodations where there is no payment.

Key Points

- Short-term rentals are permitted across the city in all housing types
- People can host short-term rentals in their principal residence only – both homeowners and tenants can participate
- People can rent up to three bedrooms or entire residence
- People who live in secondary suites can also participate, as long as the secondary suite is their principal residence
- An entire home can be rented as a short-term rental if owner/tenant is away - to a maximum of 180 nights per year
- People who rent their homes short term must register with the City and pay $50
- Companies such as Airbnb must become licensed and pay a fee of $5,000, plus $1/night booked through the platform

VANCOUVER

http://vancouver.ca/doing-business/short-term-rentals.aspx

Definition

"A short-term rental (STR) is a home, or a room in a home, that is rented for less than 30 days at a time."

Goal

Through its short term rental regulations, the City of Vancouver is seeking to accomplish the following:

- **Long Term Rental Supply**: Protect the supply and affordability of long term rental housing for Vancouver residents.
- **Health and Safety**: ensure residential space rented as tourist accommodation meets Building Bylaw and Property Use standards.
- **Neighbourhood Fit**: Maintain quality of life and safety in residential neighbourhoods and buildings.
- **Tax and Regulatory Equity**: Treat accommodation providers equitably from a tax and regulatory perspective.
- **Supplemental Income**: allow residents to earn income from renting their home occasionally.
- **Tourism**: Support growth in tourism and Vancouver's ability to support peak tourism season and to host major events.
- **Compliance**: design a regulatory, licensing and enforcement system that is easy to understand, inspires high levels of voluntary compliance and has effective means of preventing unlawful behaviour.

Key Points

- Short-term rentals are allowed starting April 2018 – but not before.
- Homeowners and renters will only be allowed to list their principal residences, defined as where you live most of the year, pay

your bills, cook your meals, and receive government mail.

- Vancouver residents will not be permitted to apply for licences to list secondary suites like basement apartments or laneway homes, or second homes (unless they are the person's principal residence).
- Annual licensing fee of $49 each year; anyone operating a short-term rental must list the licence number in online advertisements.

NEW ORLEANS (USA)

https://www.nola.gov/short-term-rentals/

Definition

"'Short term residential rental' means a dwelling unit located within the city that is rented as, or held out as being used as, a shared housing unit, bed-and-breakfast establishment or vacation rental."

Key Points

- There are three license categories:
  - Accessory – rooms in principle residence or secondary unit; no limit on number of days it can be rented in a year; maximum of three guests per bedroom, with a maximum of six guests in total.
  - Temporary – entire residence; can be rented for a maximum of 90 days per year; maximum of two people per bedroom, with a maximum of ten guests in total.
  - Commercial – entire unit in non-residential district; no limit on the number of days it can be rented in a year; maximum of ten guests.

- The license placard provided by Safety and Permits must be prominently displayed on the front facade of the structure in a location clearly visible from the street during all periods of occupancy.
- Airbnb must collect taxes from their hosts.
- Short-term rentals are banned in the tourism centric French Quarter.
- Short-term rentals are not permitted outdoors, in an accessory structure (e.g. shed, garage, etc.), or in a recreational vehicle.
- Only one party of guests are permitted per short-term rental
- Use of the short-term rental for any commercial or social events is prohibited.

- The short-term rental shall outwardly appear as a residential dwelling.
- Short-term rentals shall not adversely affect the residential character of the neighborhood nor shall the use generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of his or her residence.

Chicago (USA)

Shared Housing Ordinance:
https://www.cityofchicago.org/content/dam/city/depts/bacp/ordinances/sharedhousingordinanceversionfinal.pdf

Definitions

"**Shared housing host**" means an owner or tenant of a shared housing unit who rents such unit to guests.

"**Shared housing unit**" means a dwelling unit containing 6 or fewer sleeping rooms that is rented, or any portion therein is rented, for transient occupancy by guests. The term "shared housing unit" shall not include: (1) single-room occupancy buildings; (2) hotels; (3) corporate housing; (4) bed-and-breakfast establishments, (5) guest suites; or (6) vacation rentals.

Goal

To strengthen protections for consumers and quality of life while generating new revenue to invest in supportive services and housing for the homeless.

Key Points

- Chicago has created two categories of platforms and has different requirements for each:
  - "intermediaries" (e.g., Airbnb) that primarily list shared housing units registered with the City on the company's platform; and
  - "advertising platforms" (e.g., HomeAway) that primarily list licensed vacation rentals or bed-and-breakfasts on the company's platform, and do not receive rental or revenue data from hosts.
- Chicago limits short-term rentals in the different types of units as follows, though hosts can seek exemptions from these rules from the city:
  - **single-family homes**: only primary residences can be rented;
  - **multi-family homes** (i.e. 2-4 units): only primary residences can be rented and a limit of one rental unit per building will apply; and
  - **multi-unit buildings** (i.e. 5+ units): a limit of one-quarter of the total number of dwelling units in the building or 6 rental units, whichever is less, will apply.

- Primary residence is defined as a dwelling unit: (1) that is occupied by its owner on a daily basis at least 245 days in the applicable calendar year; and (2) for which the owner has claimed a Cook County homeowner exemption
- There is a “one-strike-and-you’re-out” rule for certain “egregious conditions” (e.g. violent acts, drug trafficking, gang-related activity, improper commercial activity including large parties) and a “three-strikes-and-you’re out” rule for units that cause a disturbance due to certain incidents (e.g. noise, public drunkenness, harassment of passersby, loitering, overcrowding).
- The City will establish an “**ineligible list**” and ensure that these units are not allowed to operate. This list will prohibit the properties of problem landlords, building code scofflaws, and units that are subject to an order to vacate or that have been deemed a public nuisance from being listed on the site.
- Cooperative buildings, condominium buildings, and buildings governed by a homeowner’s association, regardless of size, along with owners of buildings with five or more units are able to request to be added to a “**prohibited buildings**” list to establish short-term rental activity as illegal in their buildings. The City screens unit registrations to determine if any are located in these buildings and, if so, take enforcement action to remove the units from the registry.
- The legal voters of any precinct within the City that contains residentially zoned property may petition their local alderman to introduce an ordinance establishing that precinct as a restricted residential zone, with different levels of restriction available.

RESOURCES

Ontario by-laws

Town of The Blue Mountains: BY-LAW NO. 2009-04

Town of Niagara-on-the-Lake: BY-LAW NO. 4634-13

Other jurisdictions

New Orleans, USA: Short Term Rentals; Licensing Ordinance; Zoning Ordinance

Chicago, USA: Ordinance, Summary

Mowat Centre Research

What to do about Airbnb? Four things Ontario should consider in the move to regulate home-sharing

Regulating Disruption: Governing in an era of rapid technological change

Canadian Centre for Policy Alternatives

Regulating Airbnb and the Short-Term Rental Market

THE HOME-SHARING GUIDE FOR MUNICIPALITIES

Ministry of Finance
2018

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THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF CORPORATE 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: Tracy Prince	**Report Date: September 2, 2022**
Author's Phone: 519 736-0012 ext. 2254	**Date to Council: September 12, 2022**
Author's E-mail: tprince@amherstburg.ca	**Resolution #: NA**

To: **Mayor and Members of Town Council**

Subject: **2021 Year- End Financial Ratios and Indicators**

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1. RECOMMENDATION:

It is recommended that:

1. The report from the Director of Corporate Services/CFO dated August 15, 2022, regarding 2021 Year-End Financial Ratios and Indicators **BE RECEIVED for information.**

2. BACKGROUND:

Financial ratios quantify many aspects of a business and are an integral part of the financial position analysis. Management and financial analysts use financial ratios to compare the strengths and weaknesses in various companies.

Administration monitors financial and operational effectiveness indicators and benchmarking to validate the Town's related policies and processes and to identify opportunities for change that would improve operational outcomes.

The financial ratio analysis focuses on important indicators such as the Town's ability to pay its short-term debts (liquidity ratios), to efficiently issue a credit to its ratepayers/customers and collect funds from them in a timely manner (tax and accounts receivable ratios), and how much capital comes in the form of debt (loans) and or the Town's ability to meet its financial obligations (financial leverage ratios).

3. DISCUSSION:

This report outlines key financial indicators and benchmarks for the Town based on the 2021 Audited Financial Statements, in comparison to the prior two years ended. Calculation details are shown in the schedule attached to this report.

Liquidity Ratios

Current Ratio: This ratio is used to provide a picture of the Town's ability to pay back its short-term liabilities (debt and payables) with its short-term assets (cash, receivables). The higher the current ratio, the more capable the Town is of paying its obligations. A ratio under 1 suggests that the Town would be unable to pay off its obligations if they came due at that point in time.

The Ministry of Municipal Affairs and Housing (MMAH) evaluates this ratio as a sustainability indicator and identifies a ratio of greater than 0.5 to 1 as low risk, while most commercial banks call for a current ratio of no less than 1:1 or 1.25:1 as part of the banking covenants.

	2021	2020	2019
Current Ratio (ratio of current assets to current liabilities)	5.60:1	5.69:1	2.89:1

The Town's Current Ratio and cash liquidity have increased from 2019 to 5.69 to 1 in 2020 and remain relatively stable for 2021 at 5.6 :1 in 2021. Again, this measures the ability to pay off all short-term debts.

It is important to note that some of the short-term assets (cash) are restricted for the purpose of future capital replacement. Historically, the Town has relied on a substantial line of credit to meet current cash-flow obligations. Administration has made some significant strides again in 2021 with management of the use of the line of credit, recommending a fully funded budget and cash-flow management measures. The line of credit was not in use at the end of 2021.

This ratio has been calculated in a manner consistent with past practice at the Town, which includes all cash assets including reserves and reserve funds held for use at a later date. Going forward Administration will revisit the calculation to exclude restricted cash that is not expected to be used within one year, which is expected to better reflect the Town's ability to meet current liability obligations (must be paid within one year).

The ratio is at an acceptable level and no corrective action is needed at this time.

Taxes Receivable as a Percentage of Total Tax Revenue: This ratio is used to determine how much of the Town's taxation revenue remains uncollected at year end. Uncollected tax revenues negatively affect the municipality's cash flow, though the negative impact is offset through application of interest and penalty charges on the tax arrears.

	2021	2020	2019
Taxes Receivable as a Percentage of Total Tax Revenue	4.81%	5.01%	3.81%

The amount of taxes receivable, as a percentage of total tax revenue, has increased from the 2019 year but has remained stable in comparison to 2020. This ratio is a key indicator for both the Ministry of Municipal Affairs and the Town's banking services provider.

Administration has been working for a number of years through collection efforts to reduce and maintain this number below 10%, as that target is viewed as a favourable one by the MMAH. This target was achieved for the first time in 2017 with even greater results in 2019. However, in 2021 the taxes receivable balance is up by about $400,000 over 2019, which reflects growth in the Town and related supplementary property tax billings including a December 2021 supplementary assessment roll. Another factor for 2021 was the impact of the pandemic emergency on the local economy, which appears to have resulted in balances remaining on account longer than in the prior year

Under the *Municipal Act* (Section 373), municipalities are provided with the authority to register a tax arrears certificate against a property that is two years in arrears, which has contributed to the reduction of taxes receivable for the Town over the years. Administration will continue efforts to maintain an acceptable level of taxes receivable going forward, and the 4.81% ratio is well within the acceptable range; no corrective action is needed at this time.

Total Accounts Receivable as a Percentage of Total Revenue: This ratio reflects how much of the total revenue remains uncollected at year end. Uncollected revenues negatively affect the municipality's cash flow.

	2021	2020	2019
Accounts Receivable as a Percentage of Total Revenue	10.55%	11.46%	10.77%

The ratio reflects a level consistent with 2019, a decrease from the 2020 rate. The increase related to taxes receivable is discussed above

Administration has continued to enhance collection efforts for water account arrears, including implementation of the Water and Wastewater Billing and Collections Policy adopted by Council in 2020 and working with Essex Power to introduce ensure a timely collection process. These measures have had a positive impact, which has mitigated the effects of the Pandemic on Taxes Receivable; no corrective action is needed at this time.

Total Accounts Receivable over Accounts Payable (use of operating cash flow): This shows the amount of cash flow that the Town is financing at year end by comparing the amount of Accounts Receivable in relation to Accounts Payable.

Accounts Receivables over Accounts Payable	2021	2020	2019
Total Accounts Receivable	6,389,311	$6,371,379	$5,486,908
Total Accounts Payable	8,971,749	$6,387,237	$5,931,055
Source of Operating Cash Flow	$(2,582,438)	$(15,858)	$(444,147)

Administration is continuing efforts to reduce accounts receivable and improve cash flow for the Town. Items such as local improvements and drainage works financed by the Town for residents over long periods of time place additional pressure on total accounts receivable and cash-flow, we expect there will be an increase in future years due to the size of drainage projects needed in future years.

In 2021 the increase in accounts receivable and the timing of large construction invoices included in accounts payable at year end created a timing difference that was favourable to the Town's cash-flow and shows a positive trend from the prior year. Administration will continue to review opportunities to reduce and improve cash-flow going forward. For details of the sources and uses of Cash refer to the Consolidated Cash Flow from the Audited financial statements.

Financial Leverage Ratios

Total Long-term Debt to Long-term Assets: is defined as the ratio of total long-term debt to total assets, expressed as a percentage, and can be interpreted as the proportion of the Town's assets that are financed by debt. The higher this ratio, the greater the Town's financial risk.

Long-term Debt to Long-term Assets (Cost)	2021	2020	2019
Total Long-term Debt	$30,857,062	$33,279,308	$35,619,965
Total Tangible Capital Assets (Cost)	$473,400,051	$456,878,094	$445,878,360
Debt as a Percentage of Assets (Cost)	6.52%	7.28%	7.99%

The above ratio indicates that 6.52% of the original asset cost (Cost) of the Town's total tangible capital assets is funded by debt.

Long-term Debt to Long-term Assets (NBV)	2021	2020	2019
Total Long-term Debt	$30,857,062	$33,279,308	$35,619,965
Total Tangible Capital Assets NBV*	$261,148,325	$254,641,943	$253,631,274
Debt as a Percentage of Assets NBV*	11.82%	13.07%	14.04%

*NBV (Net Book Value): The net value of an asset that is equal to its original cost (its book value) minus accumulated amortization.

The above ratio indicates that of the Town's total tangible capital assets 11.82% of the net book value (depreciated value) of the assets is funded by debt.

The Town has seen improvement and reduction in both ratios, which reflects decreasing debt levels and increasing asset values, as legacy assets are replaced and new assets are added.

The trends for these ratios are positive and Administration will continue to review opportunities to enhance the Town's financial sustainability by reducing its reliance on long-term debt.

Total Long-term Debt to Equity: This ratio indicates what proportions of equity and debt the Town is using to finance its assets. A high ratio usually indicates a higher degree of business risk because the entity must meet principal and interest payments on its obligations.

Long-term Debt to Equity	2021	2020	2019
Total Long-term Debt	30,857,062	$33,279,308	$35,619,965
Accumulated Surplus (Equity)	247,249,721	$230,481,665	$214,975,055
Debt as a Percentage of Accumulated Surplus	12.48%	14.44%	16.57%

This Ratio reflects a positive trend as it indicates that the total debt has decreased as compared to the total Town equity position.

This positive trend is an indicator that the current funding models are improving the Town's financial stability; however, there is still work to be done. Administration will continue to review opportunities to further reduce the Town's reliance on long-term debt and to increase reserve and reserve fund balances to support asset management through a pay-as-you-go model.

Other Financial Management Considerations

Contingent Liabilities: Note 12 of the Town of Amherstburg Financial Statements states the following:

> "From time to time, the Town is subject to claims and other lawsuits that arise in the ordinary course of business, some of which may seek damages in substantial amounts. Liability for any claims and lawsuits are recorded to the extent that the probability of a loss is likely and it is estimable."

Currently, no legal action has met the definition of "probable loss" and at this time no "verifiable estimate" has been reached. However, it is important to note that at the end of 2021 the Town of Amherstburg was involved in litigation with the following upset limits:

Claimant	Year Claim Initiated	Amount of Claim	Reason for Claim
Facca Incorporated CV-13-19969	2013	$2,704,700 plus taxes, interest and costs	Delay Claim, liquidated damages, various disputed contract issues for Wastewater Treatment Plant
Human Rights Tribunal claim vs APSB	2018	$15,000, plus court cost and returned time, substantial amount dismissed in 2021.	Complaint filed against the APSB from a former employee.

In addition to the legal claims above, the Town is self-insured for insurance claims up to a maximum of $50,000 per claim; which means the Town would incur an expense of up to $50,000 per claim. The costs for any claims that exceed the self-insured amount would be covered through the Town's insurance provider, who responds on behalf of the Town with these actions being handled by their legal counsel. The Town carries a reserve account to mitigate financial risk on claim costs incurred above the budget allowance in a given year.

Annual Repayment Limit (ARL): is a long-term borrowing limit calculated based on 25% of certain annual revenues or receipts, less most ongoing annual long-term debt service costs (and similarly less most annual payments for other long-term financial obligations). The calculation of the Town's Annual Repayment Limit (ARL) is based on data contained in the Town's Financial Information Return (FIR), as submitted to the Ministry of Municipal Affairs.

The Debt and Financial Obligation Limits regulation place a limit on how much a municipality can commit to principal and interest payments relating to debt and financial obligations, without first obtaining approval from the Ministry of Municipal Affairs & Housing.

Annual Repayment Limit	2021	2020	2019
Total Revenue for ARL	$51,000,000	$43,671,327	$39,748,749
25% of Revenue (Debt Limit) (maximum allowed)	$12,750,000	$10,917,832	$ 9,937,187
Actual Principal and Interest Payments	$3,641,000	$3,648,372	$ 3,900,830
Additional Room	$9,109,000	$ 7,269,460	$ 6,036,357
Percentage of Revenue applied to Debt Repayment	7.10%	8.40%	9.80%

At 7.10%, the Town is within the maximum ARL for debt service (25%) and is within the amounts approved in the Town's Loans and Borrowing Policy (20%); no corrective action is required at this time. However, MMAH considers this a financial flexibility indicator and identifies 'low' risk as a factor of less than five (5) percent.

4. RISK ANALYSIS:

Future financial risk exists if the Town does not continue to evaluate the operations by performing ratio analysis and benchmarking progress toward the Town's long-term financial goals.

5. FINANCIAL MATTERS:

In support of the key strategic goal of ensuring financial sustainability through a long-term financial plan and maintenance of adequate reserves, Administration will continue to review opportunities to further reduce the Town's reliance on short term financing and long-term debt and to increase reserve and reserve fund balances to support asset management through a pay-as-you-go model.

6. CONSULTATIONS:

KPMG LLP audited financial statements were utilized with regard to this report.
Financial Services Manager/Deputy Treasurer.
Clerks

7. CONCLUSION:

Positive trends in debt reduction and improved financial stability are being observed with the results of 2021. No significant corrective actions are recommended at this time; however, it is essential that a 'pay as you go' approach be supported with more robust reserves and reserve funds established to support funding and fiscal stability needs to continue well into the future. The presentation of the AMP on August 15, 2022, the proposed financial strategy presented by the consultant (PSD Citywide) provides guidance on how to improve the position on funding of Town Infrastructure.

Tracy Prince
Director of Corporate Services/CFO

Report Approval Details

Document Title:	2021 Year-End Financial Ratios and Indicators.docx
Attachments:	
Final Approval Date:	Sep 2, 2022

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

Valerie Critchley

Town of Amherstburg
Ratio Analysis & Important Factors
Year ended December 31, 2021

Liquidity Ratios:	**2021**	**2020**		**2019**	
(1) **Current Ratio**					
Current Assets:					
Cash	$ 48,917,156	$ 35,184,907		$ 24,952,316	
Taxes Receivable	1,369,981	1,417,368		996,305	
Trade and Other Receivable	3,629,880	4,101,183		3,554,153	
Drainage Receivable	1,389,450	852,828		936,450	
Prepaid Expenses	233,045	158,735		267,631	
Total Current Assets	$ 55,539,512	$ 41,715,021	A	$ 30,706,855	A
Current Liabilities:					
Bank Indebtedness	$ 937,703	$ 937,703		$ 4,728,381	
Less: Construction & Demand Loans	-	-		8,903	
Short Term Indebtedness	937,703	937,703		4,719,478	
Accounts Payable and Accrued Liabilities	8,368,830	5,741,090		5,237,675	
Accrued Interest on Long Term Debt	602,919	646,147		685,809	
Total Current Liabilities	$ 9,909,452	$ 7,324,940	B	$ 10,642,962	B
Current Ratio (A/B)	**5.60**	**5.69**		**2.89**	

(2) **Tax Receivable as a percentage of total taxes**	**2021**	**2020**		**2019**	
Taxes	$ 28,498,282	$ 28,316,472	A	$ 26,157,356	A
Taxes Receivable	$ 1,369,981	$ 1,417,368	B	$ 996,305	B
Percentage of Receivables to taxes(A/B)	**4.81%**	**5.01%**		**3.81%**	

(3) **Total Accounts Receivable as a percentage of total income**

	2021	**2020**		**2019**	
Total Revenue	$ 60,570,104	$ 55,618,865	A	$ 50,954,575	A
Taxes Receivable	1,369,981	1,417,368		996,305	
Trade and other Receivables	3,629,880	4,101,183		3,554,153	
Drainage Receivables	1,389,450	852,828		936,450	
	$ 6,389,311	$ 6,371,379	B	$ 5,486,908	B
Percentage of Receivables to total income (A/B)	**10.55%**	**11.46%**		**10.77%**	

(4) **Accounts Receivable over Accounts Payable (use of cash flow)**

	2021	**2020**		**2019**	
Taxes Receivable	$ 1,369,981	$ 1,417,368		$ 996,305	
Trade and other Receivables	3,629,880	4,101,183		3,554,153	
Drainage Receivables	1,389,450	852,828		936,450	
	$ 6,389,311	$ 6,371,379	A	$ 5,486,908	A
Accounts Payable and accrued liabilities	$ 8,368,830	$ 5,741,090		$ 5,245,246	
Accrued interest on long term debt	602,919	646,147		685,809	
	$ 8,971,749	$ 6,387,237	B	$ 5,931,055	B
Use of cash flow (A-B)	**$ (2,582,438)**	**$ (15,858)**		**$ (444,147)**	

Town of Amherstburg
Ratio Analysis & Important Factors
Year ended December 31, 2021

Financial Leverage Ratios:

(5) **Total Long Term Debt to Long Term Assets Ratio**	**2021**		**2020**		**2019**	
Total Debt						
Municipal debt	$ 30,254,143		$ 32,633,161		$ 34,925,253	
Plus Construction & Demand Loans	-		-		8,903	
Accrued interest	602,919		646,147		685,809	
	$ 30,857,062		$ 33,279,308	A	$ 35,619,965	A
Tangible Capital Assets (NBV)	$ 261,148,325		$ 254,641,943	B	$ 253,631,274	B
Debt as a percentage of Assets (NBV) (A/B)	**11.82%**		**13.07%**		**14.04%**	
Tangible Capital Assets (Cost)	$ 473,401,051		$ 456,878,093	C	$ 445,878,360	C
Debt as a percentage of Assets Cost (A/C)	**6.52%**		**7.28%**		**7.99%**	

(6) **Total Debt to Equity Ratio**	**2021**		**2020**		**2019**	
Total Debt						
Municipal debt	$ 30,254,143		$ 32,633,161		$ 34,925,253	
Plus Construction Loans	-		-		8,903	
Accrued interest	602,919		646,147		685,809	
	$ 30,857,062		$ 33,279,308	A	$ 35,619,965	A
Accumulated Surplus	$ 247,249,721		$ 230,481,665	B	$ 214,975,055	B
Debt as a percentage of Accumulated Surplus (A/B)	**12.48%**		**14.44%**		**16.57%**	

Annual Repayment Limit (ARL) - Estimated	**2021**		**2020**		**2019**	
			43,065,661		39,755,797	
Net Revenue per ARL schedule calculation (estimation)	$ 51,000,000		$ 43,671,327	A	$ 39,748,749	A
25% of Revenue (Annual Debt Repayment Limit Allowed)	$ 12,750,000		$ 10,917,832		$ 9,937,187	
Actual Annual Debt Repayment	3,641,000		3,648,372	B	3,900,830	B
Additional Room	$ 9,109,000		$ 7,269,460		$ 6,036,357	
			$ 7,165,120		$ 6,037,120	
Percentage of Revenue applied to Debt Repayment (B/A)	**7.1%**		**8.4%**		**9.8%**	
					$ 7,048	

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES, RECREATION & CULTURE

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: Anne Ussoletti Rota	**Report Date: August 10, 2022**
Author's Phone: 519 736-0012 ext. 2218	**Date to Council: September 12, 2022**
Author's E-mail: arota@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Tourism and Culture Division Grants Information Report**

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1. RECOMMENDATION:

It is recommended that:

1. The report of August 10, 2022 entitled Tourism and Culture Division Grants Information Report **BE RECEIVED for information.**

2. BACKGROUND:

As a core function of the Amherstburg Tourism and Culture Division, grant proposals and applications are researched and submitted when presented and offered by all levels of government and foundations; Federal, Provincial and Regional. Sourcing private and corporate sponsorships and other funding opportunities are also explored to facilitate and offset expenses for enhancement, operations, or capital projects for the Town of Amherstburg.

3. DISCUSSION:

Applying for relevant grants is an important and valuable function for the team at the Amherstburg Tourism and Culture Division and participating departments. Preparing a proposal for grants or sponsorship is a very competitive process that requires a substantial amount of time, focus and resources.

When the application is successful, receiving funding has many advantages in furthering the goals and objectives of the Community Based Strategic Plan and/or creating new experiences or initiatives for the Town of Amherstburg. Developing a proposal assists the team to identify measurable, realistic, and actionable outcomes of a project.

Recently, two grant submissions were successful and funding has been awarded to the Town of Amherstburg, which include:

1. Ministry of Tourism, Culture, Sport; $35,057 for the 2022 Amherstburg Open Air Weekend. The funds are allocated for additional marketing, entertainment and logistical enhancements.

2. Ontario Southwest Tourism Relief Fund; $100,000 for a Town of Amherstburg Wayfinding Plan (Phase One) that will encompass the design and fabrication of directional way-finding signage providing direction, drive visitation and economic impact leading people to marque, historical and commercial tourist destinations and landmarks for visitors to learn and experience within the municipality. The project will also include Indigenous consultation and creating storyboards at key Amherstburg sites that include information QR codes.

3. Other notable investments to date include:
    - Private and Corporate Investments; $32,500 for various projects and events.
    - In kind support is trending at approximately $30,000 for ongoing community projects.

Currently, additional applications and sponsorship packages have been submitted and are awaiting final decision.

4. RISK ANALYSIS:

While grant and sponsorship awards are never a guarantee, not investigating grant and sponsorship opportunities and submitting applications reduces additional revenue, and in turn, diminishes the advancement and enhancement of experience based tourism product. Keeping initiatives new, fresh and enticing for visitors to return is an economic benefit for the overall community.

5. FINANCIAL MATTERS:

The additional revenue currently totals $197,557 inclusive of in kind donations. The noted grants cover 100% of eligible costs therefore, there is no additional cost incurred to the Town of Amherstburg.

6. CONSULTATIONS:

The following areas have been consulted on the various applications;

Office of the CAO
Development Services
Parks, Facilities, Recreation and Culture
Financial Services
Multiple, relevant Town of Amherstburg Departments
Government of Ontario grant representatives
Government of Canada grant representatives
Corporate/Business/Foundation partners

7. CONCLUSION:

Amherstburg benefits by staying “top of mind” with government, foundations and corporate funders for future opportunities. As demonstrated, the grants and sponsorship process requires a team approach to bring a project to fruition and success! Teamwork makes the dream work. We look forward to favourable outcomes for the remainder of the 2022 fiscal year.

Anne Ussoletti Rota
Manager of Tourism and Culture

Report Approval Details

Document Title:	Tourism and Culture Grants Information Report.docx
Attachments:	
Final Approval Date:	Sep 1, 2022

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

Heidi Baillargeon

Tracy Prince

Valerie Critchley

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT 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: Christopher Aspila	**Report Date: August 26, 2022**
Author's Phone: 519 736-5408 ext. 2124	**Date to Council: September 12, 2022**
Author's E-mail: caspila@amherstburg.ca	**Resolution #:**

To: **Mayor and Members of Town Council**

Subject: **Draft Plan of Subdivision – Woodland Trails: Additional Information**

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1. RECOMMENDATION:

It is recommended that:

1. The report of August 26, 2022 entitled Draft Plan of Subdivision – Woodland Trails: Additional Information **BE RECEIVED for information**.

2. BACKGROUND:

At the July 11th, 2022 meeting of Council a Statutory Public Meeting was held to consider a Draft Plan of Subdivision for the proposed Woodland Trails Subdivision, located in the McGregor Secondary Settlement Area in the Town of Amherstburg. The proposed Phase I of the subdivision would include the creation of 74 single dwelling lots and 2 commercial lots.

At and following the July 11th, 2022 meeting matters related to the parkland, connectivity to the County Wide Active Transportation System (CWATS) and sanitary sewage capacity were raised. This report is intended to provide clarity to these matters.

3. DISCUSSION:

Parkland

Co-Ann Park (see Appendix "A") is a park jointly owned by the Town of Amherstburg and the Town of Essex. Physically, located in the Town of Essex, a short distance from the proposed Woodland Trails Subdivision along County Road 10 (Middle Side Road), east of County Road 11 (Walker Road), the park serves as the primary park for the 712 residents of the McGregor area of Amherstburg (source: 2021 Canada Census). In the

current Phase I of Woodland Trails, the Town of Amherstburg will be collecting a 5% payment in lieu of parkland rather than building a new park within the subdivision as Co-Ann Park contains a diverse range of facilities that can serve the recreational needs of the local residents.

CWATS

A Multi-Use Trail is proposed for County Road 10 between the Cypher Systems Group Greenway and County Road 11. In future phases of the subdivision, there may be opportunities to create an additional connection to the north side of the Greenway towards the east or central part of the development. Paved shoulders on County Road 10 from County Road 11 to Country Road 20 are not in the current CWATS masterplan and are being proposed for inclusion in an updated version.

Sanitary Sewage Capacity

The McGregor sewage lagoon located southerly of the Canard Valley Estates Subdivision is nearing 80% capacity. The lagoon is shared between the Town of Amherstburg and the Town of Essex and is owned and operated by the Town of Amherstburg. At present the Town of Essex has 17 lots remaining of their allotment of lagoon's capacity. Prior to the approval of Woodland Trails Phase I and the pending consideration of Canard Valley Estates Phase II, the lagoon would be approaching 80% capacity with the addition of 133 new dwelling units on the Amherstburg side of McGregor based on theoretical calculations completed in 2018.

As discussed between Council and Administration at the July 11th 2022 meeting, Woodland Estates Phase I and Canard Valley Phase II have a combined total of 143 additional units or 10 more than the 80% theoretical capacity of the sewage lagoon. In consultation with the Manager of Engineering, the addition of 10 units would place us at 82.5% of the lagoon's total capacity based on estimated average household usage. This amount is nominal in the context of the performance of the sewage lagoon and the Town will continue to be able to operate the lagoons within our environmental compliance approval (ECA). The request to allocate the additional 10 units is supported by the Manager of Engineering, noting no further allowance would be recommended for additional units should requests come forward.

Administration is working with our colleagues at the Town of Essex to identify and subsequently design future sanitary capacity for the McGregor area of the municipalities. At this time, cost is unknown pending the outcome of the engineering studies and the timing is at a minimum of 5 to 10 years beyond present.

4. RISK ANALYSIS:

This report for information does not specifically pose any risks for the Town.

5. FINANCIAL MATTERS:

N/A

6. CONSULTATIONS:

Heidi Baillargeon – Director Parks, Recreation, Culture and Tourism
Todd Hewitt – Manager of Engineering

7. CONCLUSION:

This report for information is intended to provide clarity to some matters discussed at and following the July 11th, 2022 Statutory Public Meeting for the Draft Plan of Subdivision for the Woodland Trails Subdivision.

Christopher Aspila
Manager, Planning Services

Report Approval Details

Document Title:	Draft Plan of Subdivision - Woodland Trails - Additional Information.docx
Attachments:	- Appendix A.pdf
Final Approval Date:	Sep 7, 2022

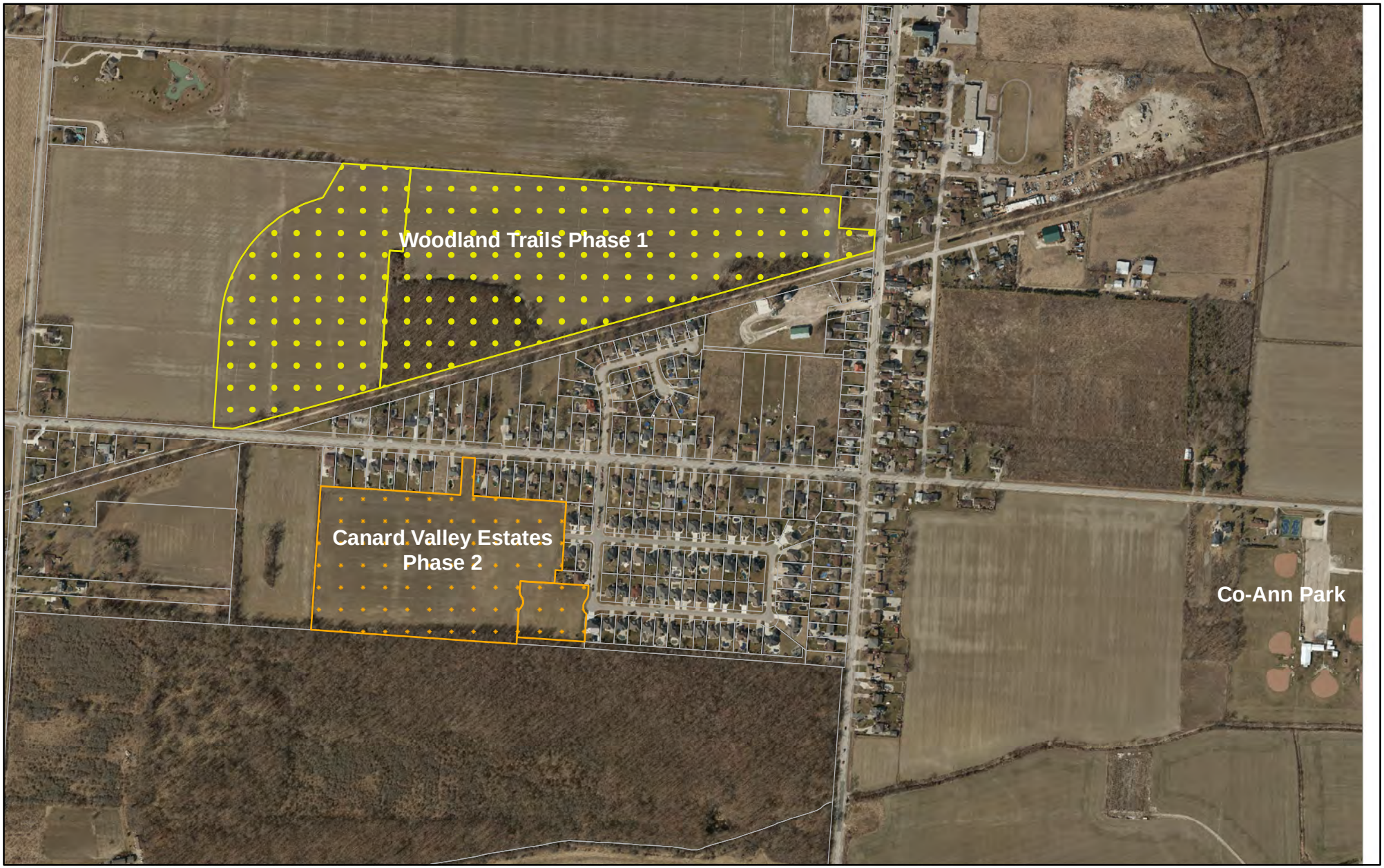
This report and all of its attachments were approved and signed as outlined below:

Melissa Osborne

Tracy Prince

Valerie Critchley

Appendix "A"


Woodland Trails Phase 1
Canard Valley Estates
Phase 2
Co-Ann Park

30 LEWIS STREET
WASAGA BEACH, ONTARIO
CANADA L9Z 1A1
www.wasagabeach.com

August 19, 2022

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street
17th Floor
Toronto ON
M7A 2J3

Dear Minister Clark:

Re: Strong Mayors, Building Homes Act

Please be advised that the Council of the Town of Wasaga Beach, during their August 18, 2022 Council meeting adopted the following resolution:

> "That Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;
>
> And further that a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and other matters, and that the motion be circulated to all Ontario municipalities."

The Town of Wasaga Beach Council does not support the Strong Mayors, Building Housing Act as the proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearances.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at mayor@wasagabeach.com or (705) 429-3844 Ext. 2222.

Yours sincerely,

Nina Bifolchi
Mayor

c. Members of Council
All Ontario Municipalities

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

Ministère des Affaires municipales et du Logement

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000

Ontario

234-2022-3540

August 10, 2022

Dear Head of Council:

As Ontarians face the rising cost of living and a shortage of homes, our government was re-elected with a strong mandate to help more Ontarians find a home that meets their needs.

Our government also made an election promise to build 1.5 million new homes for the people of Ontario over the next 10 years to address the housing supply crisis.

I am pleased to inform you that our government introduced the proposed Strong Mayors, Building Homes Act on August 10, 2022, that, if passed, would make changes to the *Municipal Act, 2001*, *City of Toronto Act, 2006*, and the *Municipal Conflict of Interest Act*. These amendments would empower mayors in the City of Toronto and City of Ottawa to deliver on shared provincial-municipal priorities and get more homes built faster.

If passed, the proposed changes impacting the City of Toronto and City of Ottawa are intended to take effect on November 15, 2022, which is the start of the new municipal council term. Other growing municipalities could follow at a later date.

If you have any comments or feedback regarding these proposed changes, you may submit them to the Ministry of Municipal Affairs and Housing at: StrongMayors@ontario.ca.

Sincerely,

Steve Clark
Minister

The Corporation of the Town of Aylmer
46 Talbot Street West, Aylmer, Ontario N5H 1J7
Office: 519-773-3164 Fax: 519-765-1446
www.aylmer.ca

August 4, 2022

Honourable Sylvia Jones
Minister of Health and Deputy Premier
Sylvia.Jones@pc.ola.org

Re: Warming and Cooling Centre Policy

Dear Honourable Sylvia Jones,

At their meeting of July 13, 2022, Aylmer Town Council adopted the following resolution regarding a request for increased federal and provincial funding for Health Units to develop uniform and comprehensive local responses to extreme heat and cold events:

> That Report CAO 49-22 entitled Warming and Cooling Centre Policy, be received for information; and
>
> That Council approve adoption of the Warming and Cooling Centre Policy; and
>
> That Council request increased federal and provincial funding for Health Units to develop uniform and comprehensive local responses to extreme heat and cold events; and,
>
> That a copy of this resolution be sent to the Minister of Environment and Climate Change, Minister of Health Canada, Minister of Natural Resources and Forestry Ontario, Ontario Minister of Health, Ontario municipalities and the Southwestern Public Health Unit.

Thank you,

Owen Jaggard
Deputy Clerk / Manager of Information Services | Town of Aylmer
46 Talbot Street West, Aylmer, ON N5H 1J7
519-773-3164 Ext. 4913 | Fax 519-765-1446
ojaggard@town.aylmer.on.ca | www.aylmer.ca

Cc:
Honourable Steven Guilbeault, Minister of Environment and Climate Change
Honourable Jean-Yves Duclos, Minister of Health

Honourable Graydon Smith, Minister of Natural Resources and Forestry Ontario, Ontario Municipalities

Delivered by email to: Sylvia.Jones@pc.ola.org; Steven.Guilbeault@parl.gc.ca; hcminister.ministresc@hc-sc.gc.ca, Graydon.Smith@pc.ola.org

The Royal Canadian Legion Fort Malden Branch 157

Proclamation of Legion Week

Ontario Provincial Command of The Royal Canadian Legion represents nine Districts which includes 393 Branches; within these Branches we have over 91,000 members.

Fort Malden Branch 157 is a non-profit organization assuming the responsibility of maintaining the tradition of Remembrance of those who paid the supreme sacrifice by defending our great nation in past and present conflicts, so that we as Canadians can live in the freedom that we enjoy today!

We continue to support and represent our Veterans of past and present with many benefits as a result of the determination of our hundreds of dedicated members and volunteers at all levels of our organization.

Legion Branches across the province work together with their affiliated organization, the Ladies' Auxiliary, to raise funds in support of the many programs within Ontario Command of the Royal Canadian Legion. With money raised from Branch and Ladies' Auxiliary projects, the Legion supports numerous programs benefiting our Veterans, seniors, and youth, within our communities.

Therefore, let it be known throughout the Province of Ontario that September 18-24, 2022 be proclaimed Legion Week within Ontario Command of The Royal Canadian Legion.

PUBLIC PETITION

Town of Amherstburg
271 Sandwich St. S
Amherstburg, ON
N9V 2A5

To: The Council of the Town of Amherstburg

Whereas: *(Please provide a brief description of the issue/problem/request in question below)*

WE Respectfully request that members of council please consider an immediate moratorium on granting any further permits for AIR bnbs for the Edgewater area until such time as the appropriate regulatory by-laws can be established.

Thank you.

I/We the undersigned, petition the Council of the Town of Amherstburg as follows:

Name (print)	Address	Signature
Angelo Fiorito	1114 DOT ST	
Jill Fiorito	1114 DOT ST	
Mary Anne Adam	10 Canal St.	
Larry Kirk	10 Canal St	
JOHN RACINE	1088 UNION.	
Lloyd Beneteau	12 CANAL ST.	
Marilyn Beneteau	12 Canal St.	
Rosalind Stylebins	33 Shangri-LA ST	
CHRIS YOERK	32 SHANGRILA - ST	
Pat Bastien	15 Shangrila	
Kaelyn Dobion	1088 Union St	Kaelyn
Lindsey Morris	7108 Angstrom	Lindsey Morris
Arnold Stylebins	33 SHANGRILA	
Laura Smith	14 Canal St	
David Smith	14 Canal St	
Judy Shepley	1116 Dot St.	Judy Shepley
MIKE HALLICK	31 SILVERSAND DR	
Patti CLARK	1098 Union ST	
Cathy Manhurz	1098 Union St	
KEN WATTS	1094 UNION ST	
SANDRA LYNN DANIEL	8 SHANGRILA ST	
ED DANIEL	8 SHANGRILA ST.	

PAGE 1 OF _____

All submitted petitions will be considered a public document of the Town of Amherstburg and information contained within the petition may be subject to the scrutiny of the municipality and other members of the general public.

All information submitted is collected in accordance with the Municipal Act, 2001, s.8 and 239(1) and may be used in Council deliberations, and disclosed in full, including email, names and addresses to persons requesting access to records. All information submitted to the municipality is subject to the Municipal Freedom of Information Act (MFIPPA).

PUBLIC PETITION

Town of Amherstburg
271 Sandwich St. S
Amherstburg, ON
N9V 2A5

To: The Council of the Town of Amherstburg

Whereas: *(Please provide a brief description of the issue/problem/request in question below)*

(please see page 1)

I/We the undersigned, petition the Council of the Town of Amherstburg as follows:

Name (print)	Address	Signature
Jay E Sandec Hrynyk	1060 Front Rd N	
Roger & Caron Klein	1108 Union	
MATT & SHERI SIEFKER	1170 DOT. ST.	
Samantha Siefker	1170 Dot St	
Kyle amor	1170 DOT St.	
Eugene Viens EUGENE	36 centre	
CHERYL HALLOCK	31 SILVERSAND DR AMBURG	

PAGE 2 OF ____

All submitted petitions will be considered a public document of the Town of Amherstburg and information contained within the petition may be subject to the scrutiny of the municipality and other members of the general public.

All information submitted is collected in accordance with the Municipal Act, 2001, s.8 and 239(1) and may be used in Council deliberations, and disclosed in full, including email, names and addresses to persons requesting access to records. All information submitted to the municipality is subject to the Municipal Freedom of Information Act (MFIPPA).

WINDSOR-ESSEX COUNTY HEALTH unit
Bureau de santé de Windsor-comté d'Essex
519-258-2146 | wechu.org |
1005 Ouellette Avenue, Windsor, ON N9A 4J8 | 33 Princess Street, Leamington, ON N8H 5C5

September 9, 2022

RE: Town of Amherstburg Endorsement of Active School Travel Charter

Mayor Aldo DiCarlo and Members of Amherstburg Council,

On May 4th, 2022, County Council voted unanimously to endorse and adopt an Active School Travel Charter presented by the Windsor-Essex County Health Unit (WECHU), on behalf of the Windsor-Essex County Active School Travel Regional Committee. In addition to this endorsement, the County of Essex has recommended that each of its respective County municipalities also endorse and adopt the charter. As part of this recommendation the Windsor-Essex County Health Unit along with its community partners, are seeking the Town of Amherstburg's endorsement and adoption of the Active School Travel Charter for our region.

This charter, along with many other active school travel initiatives, were part of a successful grant application awarded to our community in December 2020 by Green Communities Canada for the Ontario Active School Travel (OAST) fund. This fund supported the development, promotion, and implementation of active school travel across communities in Ontario. A regional Windsor-Essex County Active School Travel (AST) Committee was formed to lead these various activities, and initiatives . The committee includes The Greater Essex County School Board, The Windsor-Essex Catholic District School Board, Conseil Scolaire Catholique Providence, Windsor Essex Student Transportation Services, County of Essex,The City of Windsor, Windsor Police Service and Bike Windsor Essex.

Active school travel (AST) plays an important role in increasing students' activity levels and is associated with improvements in mental and physical health. Common modes of active school travel include walking, cycling, skateboarding, wheeling/rolling, and scootering to and from school. Using these modes of active transportation can help students accumulate the recommended 60 minutes of daily activity. When more families use active travel, there are also fewer vehicles accessing the school zone, which can lead to improvements in road safety and air quality within the school community.

Adopting an AST Charter will help to further strengthen regional coordination and collaboration between schools, school boards, municipalities, student transportation services, and other community partners, to allow for safer and more accessible active transportation in our local communities. The charter also supports and emphasizes the key princinciples of the County Wide Active Transportation System such as equity, heath and well-being, environmental sustainability, and community safety. Endorsement of the charter by the Town of Amherstburg will be another important step in recognizing the importance of coordinated programs and policies to support active transportation infrastructure for our region. We look forward to your response and commitment through the endorsement and adoption of an Active School Travel initiative in Windsor-Essex County.

Thank you,

Eric Nadalin, Director | Public Health Programs | Windsor-Essex County Health Unit

ACTIVE SCHOOL TRAVEL CHARTER

Active transportation is any human-powered form of transportation such as walking, cycling, wheeling, rolling, and using mobility devices.

School community members who choose active transportation benefit from:

- Lifelong habits of physical activity.
- Improved mental well-being.
- Heightened independence.
- Stronger community connections.

Reducing personal automobile use around schools by prioritizing active transportation modes, school buses, or public transit, improves air quality around schools. Additionally, the reduction of traffic in school zones creates a safer environment for all users. Normalizing and promoting active and sustainable travel as the preferred choice of transportation reflects the principles of Ontario's Foundation for a Healthy School. Furthermore, it creates a culture where active transportation is the norm.

To ensure active modes of transportation are safe, convenient, and widely utilized, the WEC Active School Travel Committee recognizes the following principles:

PHYSICAL & MENTAL WELL-BEING

Utilizing active modes of transportation promotes physical and mental well-being.

EQUITY & ACCESSIBILITY

Active modes of transportation are universally affordable, which promote independence and accessibility for all users. These modes provide the community with direct access to schools.

COMMUNITY SAFETY

Using active modes of transportation for school travel strengthens ones awareness of their surroundings and feelings of safety and comfort in our neighbourhoods.

LEARNING

Daily physical activity, including active school travel, prepares students to learn more effectively.

COMMUNITY COHESION

Using active modes of transportation together creates a supportive environment that builds strong connections in our school communities.

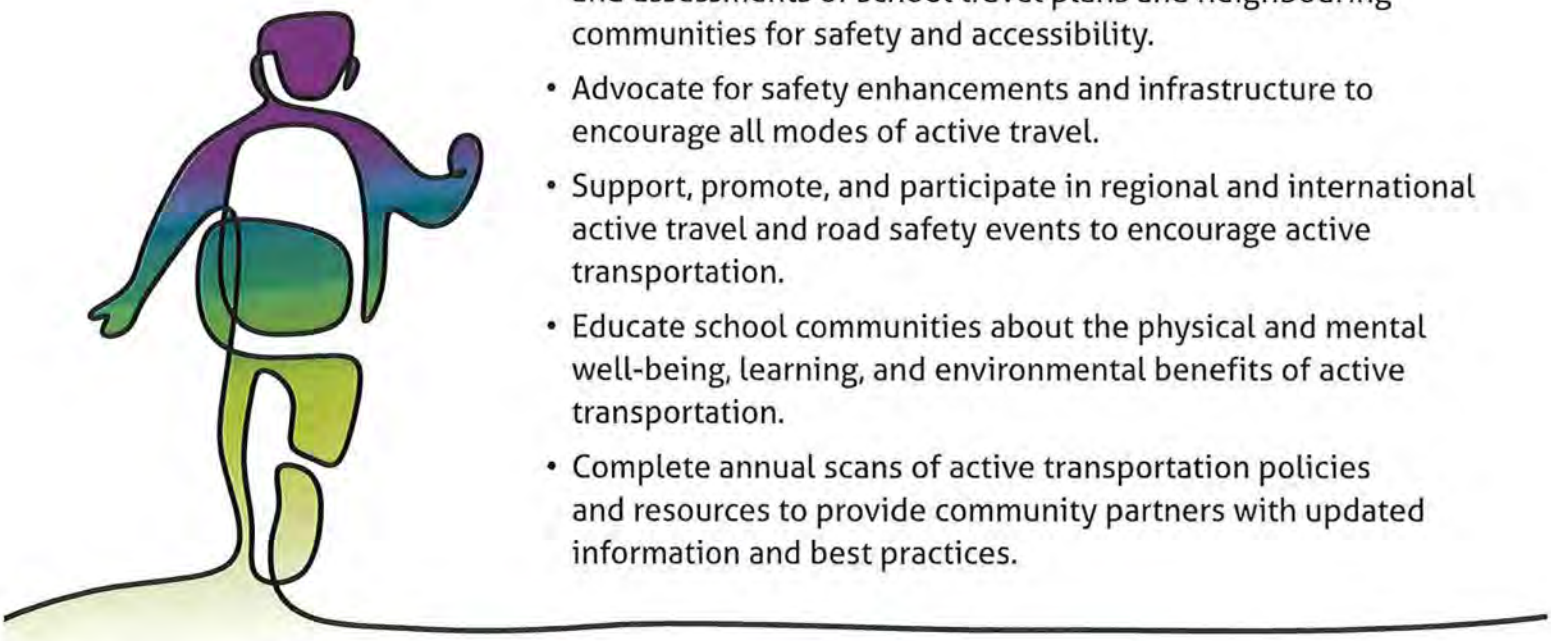
ENVIRONMENTAL SUSTAINABILITY

Active transportation relies on human power, creating less impact on the environment, and can reduce carbon emissions when practiced by a majority of the community.

ACTIVE SCHOOL TRAVEL CHARTER

The WEC Active School Travel Committee recognizes the importance of ensuring our school communities are accessible for active transportation and the promotion of such modes. Utilizing these modes has personal, environmental, and community-wide benefits. This charter reflects the principles of the Ontario Ministry of Education's Foundations for a Healthy School, as well as Windsor-Essex County Health Unit's strategic plan for a healthy community.

This charter serves to inform a long-term commitment to providing support, resources, and education towards active school transportation. We will work together to encourage safe, healthy, and sustainable routes to school through our commitment to the aforementioned principles and the execution of the below actions.



- Develop and support the implementation of school policies that promote active transportation.
- Incorporate active transportation policies when making municipal and school facility planning decisions.
- Conduct multi-stakeholder active transportation audits and assessments of school travel plans and neighbouring communities for safety and accessibility.
- Advocate for safety enhancements and infrastructure to encourage all modes of active travel.
- Support, promote, and participate in regional and international active travel and road safety events to encourage active transportation.
- Educate school communities about the physical and mental well-being, learning, and environmental benefits of active transportation.
- Complete annual scans of active transportation policies and resources to provide community partners with updated information and best practices.

Ontario Active School Travel

Green Communities CANADA

Ontario

WINDSOR-ESSEX COUNTY **HEALTH UNIT** Chronic Disease Injury Prevention Department
33 Princess Street, Leamington, ON N8H 5C5 | 519-258-2146 ext. 3200 | cdipemail@wechu.org | Fax 519-258-6003

AMHERSTBURG COMMITTEE OF ADJUSTMENT

Present: D Cozens, D. Shaw, T. Buchanan, A. Campigotto, J. Mailloux

Also Present: Janine Mastronardi, Acting Secretary-Treasurer, Kevin Fox, Policy and Committee Coordinator, Melissa Osborne, Director, Development Services, Todd Hewitt, Manager of Engineering and Operations, Kevin Miller and Larry Silani, MillerSilani Inc., Planning Consultants on behalf on the Town of Amherstburg

1. Call to Order

The Chair, David Cozens, called the meeting to order at 7:30 a.m. and performed introductions of the Committee members and administration.

2. Roll Call

The Chair completed the roll call for the electronic meeting, all members were present.

3. Land Acknowledgement

The Chair has read the following land acknowledgment;

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron- Wendat, and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

4. Disclosure of Interest

There were no disclosures of interest.

5. Adoption of Agenda

That the agenda be approved for adoption.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

6. Adoption of Minutes

The Chair requested comments on the adoption of minutes of March 1, 2022 Committee of Adjustment meeting.

A motion was put forward to adopt the minutes.

Moved by: Anthony Campigotto
Seconded by: Don Shaw

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

7. Order of Business

7.1 Application A/09/22 – Colleen Bratt – 1715 Erie Ave (Roll No. 3729-550-000-08700)

Public in Attendance: Colleen Bratt

Purpose of Consent Application A/09/22: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(g)(ii) which permits a maximum lot coverage of 30% in an Agricultural (A) Zone for non-agricultural uses. The applicant is also requesting relief from Section 26(3)(j)(vi) which requires a minimum interior side yard or rear yard setback of 3 m for accessory structures on an undersized lot in an Agricultural (A) Zone.

The applicant is proposing the construction of a 1788 sq ft detached garage on a 12,000 sq ft lot. There is an existing 2032 sq ft single detached dwelling, being reconstructed after fire damage, on the property. The total proposed lot coverage is 3820 sq ft or 31.8%. The proposed interior side yard setback and proposed rear yard setback for the proposed detached garage are both 1.5 m.

Therefore, the amount of relief requested is 1.8% (216 sq ft) in total lot coverage and 1.5 m in interior side yard setback and 1.5 m in rear yard setback.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated March 30, 2022, from ERCA.

ii) Email dated March 29, 2022, from Infrastructure Services Department.

iii) Comments from the Building Services department.

iv) Email dated March 26, 2022, from Fire Department.

v) Email dated March 28, 2022 from Windsor Police.

vi) Email dated March 28, 2022, from Essex Powerlines.

vii) Planning Report dated March 28, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine Mastronardi read the purpose of the application. Colleen Bratt explained the concept of the application and confirmed the detached garage was for personal storage. Discussion ensued regarding the Agricultural zone provisions for accessory structures. It was recommended that a site drainage plan be submitted.

The following resolution was put forth:

That application A/09/22 be approved to grant relief of is 1.8% (216 sq ft) in total lot coverage and 1.5 m in interior side yard setback and 1.5 m in rear yard setback to allow for a 1788 sq ft detached garage with a 1.5 m setback from the interior side yard and rear yard subject to the following condition:

(i) That a proper site drainage plan be provided and implemented to the satisfaction of the Building division prior to the building permit being finalized.

Moved by: Anthony Campigotto
Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The requested variances would appear to conform with the intent of the relevant Official Plan policies. The proposed variances would appear to maintain the intent of Comprehensive Zoning By-law 1999-52, as amended. The proposed variances do not appear to change the use of the land for residential purposes and therefore can be considered appropriate. The requested variance would appear to be minor in nature.

7.2 Application A/10/22 – Ryan & Leona Greenham – 9241 County Road 18 (Roll No. 3729-610-000-02200)

Public in Attendance: Ryan & Leona Greenham

Purpose of Consent Application A/10/22: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(1)(b) which permits the total lot coverage of all non-farm accessory use structures to a maximum of 185 square meters (1991 sq. ft).

The applicant is proposing the construction of a 56 ft by 88 ft, 4928 sq ft pole barn. There are three existing legal non-conforming accessory structures on the property totaling 2412 sq ft. This results in a total accessory structure lot coverage of 7340 sq ft on a 1.5 acre lot. Therefore, the amount of relief requested is 5349 sq ft in accessory structure lot coverage.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated March 30, 2022, from ERCA.

ii) Letter dated March 29, 2022 from the County of Essex.

iii) Email dated March 29, 2022, from Infrastructure Services Department.

iv) Comments from the Building Services department.

v) Email dated March 26, 2022, from Fire Department.

vi) Email dated March 28, 2022 from Windsor Police.

vii) Email dated March 28, 2022, from Essex Powerlines.

viii) Planning Report dated March 28, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine Mastronardi read the purpose of the application. The applicant, Ryan and Leona, explained the concept of application. The applicants explained that they own a 47 acre parcel to the west with the access to the farm being on the 9th Concession and the proposed pole barn would be used to store equipment used on the farm. If they were to erect the pole barn at the access on the 9th there would be no hydro available and the security of the building would be compromised being out of sight of their home.

Kevin Miller noted that the request for minor variance was not maintaining the intent of the Official Plan or Zoning By-law and is not minor in nature. Anthony Campigotto noted the amount of relief requested was an increase of 268% of the permitted lot coverage, was not minor in nature and could sent a precedent. Discussion ensued regarding the nature of the proposed structure, whether it was for agricultural use or residential use. The Chair noted that constructing the building on the undersized lot would preserve farm land but that it was contrary to two of the four tests as it was not minor in nature and did not meet the intent of the zoning by-law. Discussion continued regarding the use of the building.

The following resolution was put forth:

That application A/10/22 be approved to grant relief 5049 sq ft in accessory structure lot coverage on an undersized agricultural property to permit the construction of a 56 ft by 88 ft, 4928 sq ft pole barn on a 1.5 acre lot which has existing 2112 sq ft in lot coverage of existing accessory structures resulting in a total accessory structure lot coverage of 7040 sq ft subject to the following condition:

(i) That a proper grade design and drainage plan be provided and implemented to the satisfaction of the Building division prior to the building permit being finalized.

Moved by: Don Shaw
Seconded by: Josh Mailloux

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto		X
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee - In the opinion of the Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

7.3 Application A/12/22 – Lisa O'Brien, c/o Bert Gaspar, Agent – 1136 Front Rd N (Roll No. 3729-460-000-24200)

Public in Attendance: Bert Gaspar, Agent on the application, Theresa D'Aloisio, 40 Canal Street

Purpose of Application A/12/22: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 6(3)(e) which requires a minimum exterior side yard width of 7.5 m in a Residential Type 1A (R1A) Zone.

The applicant is proposing the construction of a 576 sq ft detached garage on a 20,738 sq ft lot with an exterior side yard width of 2.9 m (9.5 ft).

Therefore, the amount of relief requested is 4.6 m (15.1 ft) in exterior side yard setback.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated March 30, 2022, from ERCA.

ii) Letter dated March 29, 2022 from the County of Essex.

iii) Email dated March 29, 2022, from Infrastructure Services Department.

iv) Comments from the Building Services department.

v) Email dated March 26, 2022, from Fire Department.

vi) Email dated March 28, 2022 from Windsor Police.

vii) Email dated March 28, 2022, from Essex Powerlines.

viii) Planning Report dated March 28, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Theresa D'Aloisio, neighbor to the rear at 40 Canal Street, was present. Janine Mastronardi read the purpose of the application. The applicant explained the concept of the proposal. The purpose of the garage is for personal storage. The building will be a post and beam style with piers in the ground so they can use the existing slab. The covered porch area on the back will be open on three sides. Theresa D'Aloisio expressed concern regarding proper grading of the property post construction to ensure her lot does not receive any run off from the proposed structure. Discussion ensued regarding site drainage options. Todd Hewitt confirmed there are storm sewers on Union Street but the subject property does not have access to them.

The following resolution was put forth:

That application A/12/22 be approved to grant relief 4.6 m (15.1 ft) in exterior side yard setback to permit the construction of a 576 sq ft detached garage with a 176 sq ft covered porch area on a 20,738 sq ft lot with an exterior side yard width of 2.9 m (9.5 ft) subject to the following conditions:

(i) That a proper site drainage plan be provided and implemented to the satisfaction of the Building division prior to the building permit being finalized.

(ii) That all downspouts from the new garage must not be connected into lot subdrains but must be constructed to splash onto the adjacent ground.

Moved by: Josh Mailloux
Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee - The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

7.4 Applications B/09/22, B/10/22 & B/11/22 – 2402592 Ontario Inc., c/o Dillon Consulting, Agent – 7751 Howard Avenue (Roll No. 3729-470-000-00400).

Public in Attendance: Melanie Muir, Agent on the application, Jackie Lassaline, Tim Ondejko, Daryl Rocheleau, Lorne Dupuis

Purpose of Consent Application B/09/22: The applicant is proposing to sever a parcel of land being 79.3 m (260.2 ft) frontage by 152 m (498.68 ft) depth with an area of 1.2 ha (2.96 ac) for purposes of creating a new industrial lot. The remaining parcel being 596.9 m (1,958.33 ft) frontage by 152 m (498.68 ft) depth with an area of 9.04 ha (22.3 ac) and is currently used as an aggregate storage area.

Purpose of Consent Application B/10/22: The applicant is proposing to sever a parcel of land being 79.3 m (260.2 ft) frontage by 152 m (498.68 ft) depth with an area of 1.2 ha (2.96 ac) for purposes of creating a new industrial lot. The remaining parcel being 517.6 m (1,698.2 ft) frontage by 152 m (498.68 ft) depth with an area of 7.86 ha (19.4 ac) and is currently used as an aggregate storage area.

Purpose of Consent Application B/11/22: The applicant is proposing to sever a parcel of land being 160.5 m (526.5 ft) frontage by 152 m (498.68 ft) depth with an area of 2.44 ha (6.0 ac) for purposes of creating a new industrial lot. The remaining parcel being 357.1 m (1,171.6 ft) frontage by 152 m (498.68 ft) depth with an area of 5.42 ha (13.39 ac) and is currently used as an aggregate storage area.

The subject property is zoned Special Heavy Industrial (HI-5) in the Town's Zoning By-Law and designated Heavy Industrial in the Town's Official Plan. Attached to this report is a plan (Figure 3) showing the severed and retained lands. Also refer to cover letter prepared by Dillon.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated March 30, 2022, from ERCA.

ii) Letter dated March 29, 2022 from the County of Essex.

iii) Email dated March 23, 2022, from Infrastructure Services Department.

iv) Email dated March 26, 2022, from Fire Department.

v) Planning Report dated March 28, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Jackie Lassaline, Tim Ondejko and Daryl Rocheleau were present as the planning consultant, real estate sales person and potential purchaser of the property to the east along with Lorne Dupuis, real estate sales person representing the current owner of the property to the east. Janine Mastronardi read the purpose of the application. The agent on the application, Melanie Muir, explained the concept of the proposal. She advised that the planning report had been reviewed and that the applicant was in agreement with the proposed conditions.

Discussion ensued regarding specifics of the application. The new mutual drain is to service the severed and retained parcels. There is a mutual drain agreement that is registered. The drain will start on the east end of the original parcel and flow westerly, outletting at Howard. The blasting report shoes no issues with structures on the proposed lots. It was confirmed that all lot areas and frontages will comply with zoning requirements. The existing development agreement for the development at the east end of the property will be amended addressing the changes in grading, drainage, stormwater management etc.

The public in attendance questioned the future use of the property, traffic generated,

extension of waterline and paving of the road. Administration advised that a consent agreement is a condition of consent. Included in the agreement will be servicing items such as the extension of the waterline to the extent of the subject property, the road will be paved 25 ft beyond the mid point of the most easterly parcel, etc.

The conditions for each of the proposed severances were discussed.

The following resolutions were put forth:

That application B/09/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. That the property owner enters into a consent agreement with terms and conditions to the satisfaction of the Town.

5. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds for the severed lot.

6. That the 150mm watermain be extended the full length of the property at the property owner's expense and to the satisfaction of the Town.

7. That North Sideroad be reconstructed to suit truck traffic with an arterial road design from the existing edge of the asphalt to 25ft past the centre of the retained parcel at the property owner's expense and to the satisfaction of the Town.

8. That the Section 65 drainage report that was previously completed to reflect the severances and establish release rates for each property at the property owner's expense and to the satisfaction of the Town.

9. That the property owner complete and implement a storm water management design for the retained lands at the property owner's expense and to the satisfaction of the Town.

10. That the property owner enters into a mutual drain agreement with terms and conditions satisfactory to the Town.

11. That the property owner enters into a site plan agreement for the severed lands if required by the Town.

12. That the terms of the consent agreement include articles incorporating the recommendations of the Blasting Vibration Impact Assessment prepared by Dillon Consulting and dated April 5, 2021 all to the satisfaction of the Town.

13. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Donald Shaw
Seconded by: Josh Mailloux

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/10/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. That the property owner enters into a consent agreement with terms and conditions to the satisfaction of the Town.

5. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds for the severed lot.

6. That the 150mm watermain be extended the full length of the property at the property owner's expense and to the satisfaction of the Town.

7. That North Sideroad be reconstructed to suit truck traffic with an arterial road design from the existing edge of the asphalt to 25ft past the centre of the retained parcel at the property owner's expense and to the satisfaction of the Town.

8. That the Section 65 drainage report that was previously completed to reflect the severances and establish release rates for each property at the property owner's expense and to the satisfaction of the Town.

9. That the property owner complete and implement a storm water management design for the retained lands at the property owner's expense and to the satisfaction of the Town.

10. That the property owner enters into a mutual drain agreement with terms and conditions satisfactory to the Town.

11. That the property owner enters into a site plan agreement for the severed lands if required by the Town.

12. That the terms of the consent agreement include articles incorporating the recommendations of the Blasting Vibration Impact Assessment prepared by Dillon Consulting and dated April 5, 2021 all to the satisfaction of the Town.

13. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/11/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. That the property owner enters into a consent agreement with terms and conditions to the satisfaction of the Town.

5. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds for the severed lot.

6. That the 150mm watermain be extended the full length of the property at the property owner’s expense and to the satisfaction of the Town.

7. That North Sideroad be reconstructed to suit truck traffic with an arterial road design from the existing edge of the asphalt to 25ft past the centre of the retained parcel at the property owner’s expense and to the satisfaction of the Town.

8. That the Section 65 drainage report that was previously completed to reflect the severances and establish release rates for each property at the property owner’s expense and to the satisfaction of the Town.

9. That the property owner complete and implement a storm water management design for the retained lands at the property owner’s expense and to the satisfaction of the Town.

10. That the property owner enters into a mutual drain agreement with terms and conditions satisfactory to the Town.

11. That the property owner enters into a site plan agreement for the severed lands if required by the Town.

12. That the terms of the consent agreement include articles incorporating the recommendations of the Blasting Vibration Impact Assessment prepared by Dillon Consulting and dated April 5, 2021 all to the satisfaction of the Town.

13. That the property owner enter into an amending site plan agreement for the retained land.

14. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Anthony Campigotto
Seconded by: Josh Mailloux

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

8. Next Meeting

The next Committee of Adjustment meeting is scheduled on May 17, 2022 at 7:30 a.m.

9. Adjournment

The meeting was adjourned at 8:52 a.m.

ORIGINAL DOCUMENT SIGNED
_____
Chairman- Dave Cozens

ORIGINAL DOCUMENT SIGNED
_____
Acting Secretary-Treasurer –
Janine Mastronardi

AMHERSTBURG COMMITTEE OF ADJUSTMENT

Present: D Cozens, D. Shaw, T. Buchanan, A. Campigotto, J. Mailloux

Also Present: Janine Mastronardi, Acting Secretary-Treasurer, Kevin Fox, Policy and Committee Coordinator, Chris Aspila, Manager of Planning Services

1. Call to Order

The Chair, David Cozens, called the meeting to order at 7:30 a.m. and performed introductions of the Committee members and administration.

2. Roll Call

The Chair completed the roll call for the electronic meeting, all members were present.

3. Land Acknowledgement

The Chair read the following land acknowledgment;

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron- Wendat, and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

4. Disclosure of Interest

There were no disclosures of interest.

5. Order of Business

5.1 Application A/11/22 – Michael Lafontaine & Manola Salvi, c/o Dan Krutsch, Landmark Engineering - 941-945 Front Rd N (Roll No. 3729-420-000-14500)

Public in Attendance: Manola Salvi, Applicant, Daniel M. Krutsch, Agent representing the application, Peter and Gillian Draper and son, 937 Front Rd N, Peter Valente

Purpose Application: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(1)(d)(i) which permits a building or structure accessory to a single dwelling, anywhere in an interior side yard or a rear yard, provided that such accessory building or structure is not located closer than 1.2 metre to any lot line in a Residential Zone.

The applicant constructed an addition to an existing pool house. A building permit was issued based on the site plan submitted showing a 1.2 m (3.9 ft) interior side yard setback. This site plan was prepared based on old surveys and information provided by the previous owner to the current owners. A recent survey submitted to the Town has been completed indicating an interior side yard setback of 0.79 m (2.6 ft).

Therefore, the amount of relief requested is 0.41 m (1.34 ft) in accessory structure interior

side yard setback.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 2, 2022 from the Essex Region Conservation Authority.

ii) Letter dated May 4, 2022 from the County of Essex.

iii) Email dated May 27, 2022 from Infrastructure Services Department.

iv) Comments from Building division.

v) Report on Pool House Drainage by Landmark Engineers Inc., Daniel M. Krutsch, P.Eng. dated June 2, 2022.

vi) Letter dated June 2, 2022 from Peter & Gillian Draper, 937 Front Rd N.

vii) Letter dated May 31, 2022 from Christina McPherson, 931 Front Rd N.

viii) Planning Report dated June 2, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Peter and Gillian Draper, 937 Front Rd N and son were in attendance along with Peter Valente. Janine Mastronardi read the purpose of the application. Daniel M. Krutsch explained the concept of the application. Mr. Krutsch presented a drainage report to explain the drainage patterns in the area and potential ways to maintain stormwater on the subject property.

The Chair opened the floor to the public. Peter Draper introduced himself and summarized his two main concerns regarding the structure; being drainage issues and the structural integrity of the building. Peter Valente questioned the validity of the drainage report submitted and questioned the structural integrity of the building. The Chair explained the purpose of the drainage report. Mr. Draper commenced with his formal presentation, a recitation of the written submission to the Committee. It was claimed that the basis of the minor variance application is false as it was based on a incorrect survey.

The Chair asked the Chief Building Official to give an update on the status of the building permit application. Angelo Avolio, CBCO, advised that a building permit was issued on September 30, 2020 based on the application, site plan and construction drawings submitted to the Town which were in compliance with the zoning by-law and Ontario Building Code. There has been a footing inspection completed but no framing or final inspections have been conducted. Discussion ensued

Mr. Krutsch explained that his report was to determine the feasibility of managing water on the property. If the minor variance is approved final recommendations on a drainage plan for the site will be designed, provided and implemented to the satisfaction of the municipality. Any changes will be an improvement of status quo.

The Chair summarized an overview of the discussions on the application.

The following resolution was put forth:

That application A/11/22 be approved to grant relief of 0.41 m (1.34 ft) in accessory structure interior side yard setback to allow for a detached accessory structure with a 0.79 m (2.6 ft) interior side yard setback subject to the following conditions:

(i) That the Chief Building Official conduct an inspection prior to construction commencing to ensure work done to date complies with Ontario Building Code.

(ii) That a final drainage report be completed and implemented to the satisfaction of the municipality prior to the building permit being finalized.

Moved by: Terris Buchanan
Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto		X
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

5.2 Application A/16/22 – Frank & Tammy Greco – 8730 South Sideroad (Roll No. 3729-610-000-00400)

Public in Attendance: Frank & Tammy Greco, Applicants, Frank Greco Sr.

Purpose of Application: The applicant is proposing the construction of a new single detached dwelling on a property that has an existing dwelling. The end result of the construction will make the new building the primary dwelling and the existing dwelling a secondary dwelling unit.

The original circulation proposed the location of the primary dwelling to be 121.92 m from the secondary dwelling unit and the secondary dwelling unit be located in the front yard, closer to the front property line than the main dwelling. This request was deferred at the May 17th meeting with the recommendation to amend the proposal.

The applicant is currently requesting relief from Zoning By-law 1999-52, as amended, Section 3.3(f)(f) which permits a maximum distance of 20 m between a primary dwelling and a secondary dwelling unit.

The applicant has decreased the requested relief by relocating the new dwelling to be in-line with the existing dwelling and is proposing the location of the primary dwelling to be 72.67 m from the secondary dwelling unit.

Therefore, the amount of relief requested 52.67 m in setback between a primary dwelling and secondary dwelling unit.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 2, 2022, from the Essex Region Conservation Authority.

ii) Email dated May 27, 2022, from Infrastructure Services Department.

iii) Comments from the Building division.

iv) Email dated May 3, 2022 from Fire Department.

v) Planning Report dated June 1, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine

Mastronardi read the purpose of the application. The applicant, Frank Greco, explained the concept of application and the amendment to the request for minor variance. Discussion ensued. It was confirmed that the two dwellings will have separate septic systems, the secondary dwelling cannot be severed and only one water meter is permitted on the property. Chris Aspila explained the history on secondary dwelling units is not intended for intensification of rural environments.

The following resolution was put forth:

That application A/16/22 be deferred.

Moved by: Terris Buchanan
Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Member Josh Mailloux left the meeting at 8:50am .

5.3 Application B/18/22 – Mathew Simone – 104 Pointe West Drive (Roll No. 3729-420-000-60200)

Public in Attendance: Mathew Simone, Applicant, Rebecca Fabischek, 104 Angstrom, Linda Jurkovic, 100 Angstrom, Derrick Huisman, 102 Pointe West Drive, Darleen Swintak, 101 Pointe West Drive

Purpose of Application: The applicant is proposing to sever a parcel of land being 29.57 m (97 ft) frontage by 30.48 m (100 ft) depth with an area of 901.16 sq m (9700 sq ft) for purpose of creating a new residential building lot. The remaining parcel being 30.48 m (100 ft) frontage by 34.09 m (111.86 ft) depth with an area of 1039.2 sq m (11,186 sq ft) contains one single detached dwelling. The subject lands are designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1A (R1A) Zone in the Zoning By-law 1999-52.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 2, 2022 from the Essex Region Conservation Authority

ii) Email dated May 25, 2022 from Infrastructure Services Department

iii) Comments from the Building division

iv) Email dated May 3, 2022 from Fire Department

v) Email dated May 31, 2022 from Julie Gauthier (Scodeller)

vi) Letter dated May 12, 2022 from Adam and Lizzy Vickery

vii) Email dated May 4, 2022 from Lorene Clayton

viii) Email dated May 11, 2022 from Mike Lucas

ix) Email dated May 14, 2022 from Laraine Munro

x) Letter dated May 1, 2022 from William and Deborah Vlodarchyk

xi) Planning Report dated June 1, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Rebecca Fabischek, 104 Angstrom, Linda Jurkovic, 100 Angstrom, Derrick Huisman, 102 Pointe West Drive, Darleen Swintak, 101 Pointe West Drive were present. Janine Mastronardi read the purpose of the application. The applicant explained the concept of the proposal, confirmed the proposed severed and retained parcels are in conformance with the zoning by-law and that the permitted lot coverage for the severed parcel would permit a footprint for a new house of 2900 sq ft.

Rebecca Fabischek, 104 Angstrom, expressed opposition to the application and submitted a signed petition, attached to form part of the minutes. A presentation was given expressing concern with the lot size not being consistent with the original design of the subdivision. Concerns were expressed regarding loss of privacy, size of house built, construction disrupting the use of the existing residents.

Linda Jurkovic, 100 Angstrom, spoke in opposition of the application and stated it is not incompliance with the Town's Official Plan. Concerns were expressed over drainage, addressing and consistency with neighbourhood.

Derrick Huisman, 102 Pointe West, spoke in opposition of the application. Concerns were expressed over a loss of privacy and loss of habitat for various species.

Discussion ensued. It was confirmed that the application for lot creation conforms to the Provincial Policy Statement, the Town Official Plan and the Town Zoning By-law.

Darleen Swintak, 101 Pointe West Drive, spoke in opposition of the application. Ms. Swintak expressed concern that the new lot would compromise the neighbourhood.

The following resolution was put forth:

That application B/18/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of $1000 for the severed lot.

5. That the applicant must install a curb cut and driveway access to the retained parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.

6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way. All permitting costs will be borne entirely by the applicant.

7. That the applicant install separate water services and sanitary and storm sewer connections to the severed lot in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.

8. That the applicant submit to the municipality lot grading plans and drainage design

for the severed and retained lots to the satisfaction of the municipality.

9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

5.4 Application A/19/22 – Kirsten DeJonge and Eric Werbiski, c/o Wendy DeJonge, Agent – 491 Dalhousie Street (Roll No. 3729-040-000-01100)

Public in Attendance: Wendy DeJonge, Agent on the application, Brian Vincent, 495 Dalhousie Street and Lori Farmer, 499 Dalhousie Street

Purpose Application: The applicant is proposing the construction of a 28 ft x 38 ft, 1064 sq ft, accessory structure with a height of 7.43 m (24.33 ft) to the peak of the roof and a setback of 24.38 m from the primary dwelling on the subject property. The proposed structure will have a garage on the main floor and a secondary dwelling unit (SDU) on the second floor. The 7.43 m (24.33 ft) building height is required to allow for standing room on the second floor.

The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(1)(c) which permits a maximum accessory structure height of 5.5 m (18 ft) measured to the peak of the roof in a Residential Zone.

The applicant is also requesting relief from Zoning By-law 1999-52, as amended, Section 3.3(f)(f) which permits a maximum distance of 20 m between a primary dwelling and a secondary dwelling unit.

Therefore, the amount of relief requested is 1.93 m (6.33 ft) in height for an accessory structure and 4.38 m in setback between a primary dwelling and secondary dwelling unit.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 3, 2022 from the Essex Region Conservation Authority.

ii) Email dated May 27, 2022 from Infrastructure Services Department.

iii) Planning Report dated June 1, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Brian Vincent and Lori Farmer, 495 Dalhousie Street, were present. Janine Mastronardi read the purpose of the application. Wendy DeJonge explained the concept of the application. It was confirmed the existing house is 26 ft to the peak of the roof. There are current renovations to the

front porch and updating being done to the existing house along with a new driveway to be installed. A new survey is being completed for the property. The request for the additional setback between the primary and proposed secondary dwelling is to preserve a large tree on the property and to leave an adequate building envelope in the front for future plan to rebuild a new home at the front of the property. The existing garage is to be demolished. The garage doors are proposed to be on the south side of the building.

Discussion ensued regarding the requests for variances.

Lori Farmer, 499 Dalhousie Street, spoke in opposition of the application. The objection was due to the request not being minor in nature, would result in privacy concerns for the neighbour at 495 Dalhousie Street, not in keeping with the historic neighbourhood, infill should not be permitted.

The Chair confirmed that the proposed use could be accommodated by a lower roof height. The agent requested relief in height was decreased to 21 ft to the peak of the roof. This relief is consistent with the amount of relief granted for the adjacent property to the north. The request for additional setback between the primary and secondary dwelling was not supported by the committee.

The following resolution was put forth:

That application A/19/22 be approved to grant relief of 0.914 m (3 ft) in height to allow for a detached accessory structure with 6.4 m (21 ft) height to the peak of the roof subject to the following conditions:

(i) That a topographical plan of the existing grading of the site be prepared and submitted to the municipality.
(ii) That a grading plan be prepared, approved and implemented to the satisfaction of the municipality.
(iii) That the existing accessory structure be demolished prior to the issuance of a building permit for the new accessory structure.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

5.5 Application A/17/22 – Maurice Veldhuizen & Shirley Eansor – 1529 Goodview (Roll No. 3729-550-000-29200)

Public in Attendance: Maurice Veldhuizen, Applicant

Purpose Application: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 6(3)(g) which permits a maximum lot coverage of 30% in a Residential Type 1A (R1A) Zone and from Section 3(1)(b) which permits a maximum accessory structure to coverage of 10% of the lot area in a Residential Zone.

The applicant is proposing the construction of a 24 ft x 26 ft, 624 sq ft, detached garage on a 4200 sq ft lot. There is an existing 991 sq ft home on the property. The existing lot

coverage is 23.6%. The proposed detached garage will add an additional 624 sq ft or 14.9% resulting in a proposed total lot coverage of 38.5% and an accessory structure lot coverage of 14.9%.

Therefore, the amount of relief requested is 8.5% in total lot coverage and 4.9% in accessory structure lot coverage.

In May, 2021, the applicant had proposed the construction of a 625 sq ft attached garage to the dwelling. The Committee approved a minor variance for 8.5% of relief in total lot coverage. Since then estimates for this project were obtained and found to be cost prohibitive. The applicant has explained the amended request in a letter attached to their application.

The applicant is proposing the same size garage on the property, but due to the building being detached the accessory structure general provisions need to be addressed.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 2, 2022 from the Essex Region Conservation Authority

ii) Email dated May 27, 2022 from Infrastructure Services Department.

iii) Planning Report dated June 2, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine Mastronardi read the purpose of the application. Maurice Veldhuizen explained the concept of the application and explained the small size of the house limited the amount of storage available. Discussion ensued. It was confirmed that the peak of the roof will not exceed the 18 ft maximum.

The following resolution was put forth:

That application A/17/22 be approved to grant relief of 8.5% in total lot coverage and 4.9% in accessory structure lot coverage to permit the construction of a 24 ft x 24 ft, 624 sq ft detached garage subject to the following conditions:

(i) That a drainage plan be approved and implemented to the satisfaction of the municipality.
(ii) That the existing accessory structure be demolished prior to the issuance of a building permit for the new accessory structure.
(iii) That the minor variance decision for A/19/21 be deemed null and void.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

5.6 Applications B/19/22, B/20/22 & A/18/22 – Randy & Beverly Pillon, c/o Jamie Lauzon, Agent – 4403 Concession 4 S (Roll No. 3729-630-000-00810)

Public in Attendance: Jamie Lauzon, Agent on the application

Purpose of Consent Application B/19/22: The applicant is proposing to sever a parcel of land with 53.34 m (175 ft) width by 30.18 m (99 ft) ± depth and an area of 0.16 hectares (0.4 acres) ± for the purpose of a lot addition to merge with 4405 Concession 4 S.

Purpose of Consent Application B/20/22: The applicant is proposing to sever a parcel of land with 53.34 m (175 ft) width by 29.57 m (97 ft) ± depth and an area of 0.158 hectares (0.39 acres) ± for the purpose of a lot addition to merge with 4415 Concession 4 S.

The proposed retained parcel being 140.26 m frontage on Concession 4 S and 213.36 m frontage on Concession 5 S by an irregular depth has an area of 39.25 hectares (96.98 acres) ±, and is designated Agricultural in the Town's Official Plan and Special Provision Agricultural (A-36) in the Town's Zoning By-law.

Purpose of Minor Variance Application A/18/22: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to two severances for lot additions with a combined area of 0.32 hectares (0.79 acres) ± from an existing 39.58 hectares (97.77 acres) parcel the retained farm parcel will have an area of 39.25 hectares (96.98 acres) ±. Therefore, the amount of relief requested is 0.75 hectares (1.85 acres).

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 2, 2022 from the Essex Region Conservation Authority

ii) Email dated May 25, 2022 from Infrastructure Services Department

iii) Planning Report dated June 3, 2022 from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine Mastronardi read the purpose of the application. Jamie Lauzon, agent on the application, explained the concept of the proposal. Discussion ensued.

The following resolutions were put forth:

That application B/19/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcels of land being the subject of the consent.

5. That prior to the stamping of the deeds the owner is to provide satisfactory evidence that the adjacent parcel is under common ownership relative to the parcel which is the subject of the consent.

6. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a) which requires a minimum lot area of 40 ha in an Agricultural (A) Zone regarding the retained parcels.

7. That an assessment apportionment for any and all drains affected by the severance be completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment be paid by the applicant.

8. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Donald Shaw
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Sections 6.1.2 and 6.1.2(6) of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application B/20/22 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.

3. That all property taxes be paid in full.

4. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcels of land being the subject of the consent.

5. That prior to the stamping of the deeds the owner is to provide satisfactory evidence that the adjacent parcel is under common ownership relative to the parcel which is the subject of the consent.

6. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a) which requires a minimum lot area of 40 ha in an Agricultural (A) Zone regarding the retained parcels.

7. That an assessment apportionment for any and all drains affected by the severance be completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment be paid by the applicant.

8. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

NOTE: All conditions are subject to the approval of The Town of the Amherstburg, but at no cost to the municipality.

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The request is in conformity with Sections 6.1.2 and 6.1.2(6) of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

That application A/18/22 be approved to grant relief 0.75 hectares (1.85 acres) in lot area to allow for a retained farm parcel area of 39.25 hectares (96.98 acres) ±.

Moved by: Don Shaw
Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

6. Next Meeting

The next Committee of Adjustment meeting is scheduled on June 14, 2022 at 7:30 a.m.

7. Adjournment

The meeting was adjourned at 10:39 a.m.

Chairman- Dave Cozens

Acting Secretary-Treasurer –
Janine Mastronardi

AMHERSTBURG COMMITTEE OF ADJUSTMENT

Present: D Cozens, D. Shaw, T. Buchanan, A. Campigotto

Absent: J. Mailloux (with notice)

Also Present: Janine Mastronardi, Acting Secretary-Treasurer, Kevin Fox, Policy and Committee Coordinator, Chris Aspila, Manager of Planning Services

1. Call to Order

The Chair, David Cozens, called the meeting to order at 7:30 a.m. and performed introductions of the Committee members and administration.

2. Roll Call

The Chair completed the roll call for the meeting.

3. Land Acknowledgement

The Chair has read the following land acknowledgment;

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron- Wendat, and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

4. Disclosure of Interest

There were no disclosures of interest.

5. Adoption of Minutes

The Chair requested comments on the adoption of minutes of April 5, 2022 Committee of Adjustment meeting.

A motion was put forward to adopt the minutes as presented.

Moved by: Anthony Campigotto
Seconded by: Don Shaw

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

6. Order of Business

6.1 Application A/20/22 – Hugo & Madonna Ferrone, c/o Coulson Design Build Inc. – 540 Front Rd N (Roll No. 3729-420-000-09300)

Public in Attendance: Drew Coulson, Agent on the application and Lee Durocher, 543 Front Rd N

Purpose of Consent Application A/20/22: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(26)(a) which requires no part of any building or structure erected shall be closer than twenty-six (26) metres (85.3 ft) to the centerline of a County Road. The applicant is proposing the construction of a house addition with a new attached garage with a 18.14 m (59.5 ft) setback from the centerline of the County Road. Therefore, the amount of relief requested is 7.86 m (25.8 ft) in setback from the centerline of a County ROW.

The following correspondence was received from the various agencies and residents circulated:

i) Letter dated June 8, 2022 from the County of Essex

ii) Letter dated June 10, 2022, from Essex Region Conservation Authority

iii) Email dated June 6, 2022 from Infrastructure Services Department

iv) Email dated June 6, 2022 from the Building Services division.

v) Email dated June 6, 2022 from the Fire Department

vi) Planning Report dated June 8, 2022, from Janine Mastronardi, Acting Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. Lee Durocher, 543 Front Rd N, was present. Janine Mastronardi read the purpose of the application. Drew Coulson explained the concept of the application and verified permission has been obtained from the County of Essex. The Chair confirmed the existing driveway entrance will remain unchanged. Lee Durocher noted a building permit was issued in error without the minor variance. Mr. Durocher expressed concern with his view being blocked by the new addition. It was explained that the minor variance was for relief in County Road setback to enable the construction of the attached garage, the second story addition does not require any relief. Discussion ensued regarding the history and reasons for the County Road setback.

The following resolution was put forth:

That application A/20/22 be approved to grant relief of is 7.86 m (25.8 ft)) in setback from the centerline of a County ROW to permit the construction of a house addition with a new attached garage with a 18.14 m (59.5 ft) setback from the centerline of the County Road subject to the following condition:

(i) That the applicant obtain a County Road setback permit prior to the issuance of a building permit.

Moved by: Terris Buchanan
Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee- The requested variance would appear to conform with the intent of the relevant Official Plan policies. The proposed variance would appear to maintain the intent of Comprehensive Zoning By-law 1999-52, as amended. The proposed variance does not appear to change the use of the land for residential purposes and therefore can be considered appropriate. The requested variance would appear to be minor in nature.

7. Next Meeting

The next Committee of Adjustment meeting is scheduled on July 5, 2022 at 7:30 a.m.

8. Adjournment

The meeting was adjourned at 7:52 a.m.

ORIGINAL DOCUMENT SIGNED
_____
Chairman- Dave Cozens

ORIGINAL DOCUMENT SIGNED
_____
Acting Secretary-Treasurer –
Janine Mastronardi

TOWN OF AMHERSTBURG
DRAINAGE BOARD
Tuesday, September 6, 2022
6:00 PM

MINUTES

PRESENT

Bob Bezaire, Chair
Allan Major, Vice-Chair
Anthony Campigotto
Brad Laramie
Shane McVitty, Drainage Superintendent & Engineering Coordinator
Nicole Humber, Recording Secretary
Kevin Fox, Policy and Committee Coordinator

ABSENT

Bob Pillon

CALL TO ORDER

The Vice-Chair called the meeting to order at 6:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were none.

4. The Chair read the following land acknowledgement:

"We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron- Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island."

5. MINUTES OF PREVIOUS MEETING

Allan Major moved, Anthony Campigotto seconded;

That:

The minutes of the previous meeting BE ADOPTED:

1. Drainage Board Meeting Minutes – July 5, 2022

Motion Carried

6. OPEN COURT OF REVISION

The Chair opened the Court at 6:01 p.m. Brad stepped aside.

6.1 Appeals – New Access Bridge over the Dufour Drain for MGV Development (McGregor) Inc. & New Maintenance Schedule of Assessment (Dufour Drain and Branch A)

Oliver Moir, P.Eng from Dillon Consulting Ltd. presented an overview of the Dufour Drain report. Mr. Moir advised he was presenting on behalf of Tim Oliver, P.Eng who was the author of the report, and could not be in attendance. Mr. Moir explained that the purpose of the report was to address a request for a culvert for a new development. He added that due to the development and

associated land use changes, the maintenance schedule and working corridor on the Dufour Drain requires revisions from the 2016 engineer's report.

Mr. Moir stated that the access bridge (Bridge #6) would be 100% assessed to the developer at an estimated cost of $87,600.00. He added that once the Town assumes ownership of the new development roadway, any future maintenance on the access culvert would be entirely assessed to the Road Authority (Town of Amherstburg).

Mr. Moir further explained that due to the development, assessments in the maintenance schedule have been slightly reduced for the Main Drain and Branch A. He indicated that there would be more assessments within the new "Block A" development. Mr. Moir advised that the working corridor in the report was revised due to the development lands being built up. This will require that spoils from future drain cleanout work will then have to be hauled away rather than spread on the adjacent lands. Mr. Moir stated that the costs of hauling the spoils away would be assessed 33% to parcel 66 (within Block A), and 67% to parcel #67 as a special benefit.

Board Chair Bob Bezaire indicated that there were no appeals received, and there were no landowners participating online.

Board Chair Bob Bezaire asked if there was anyone in the audience that would like to speak.

There were none.

Board Chair Bob Bezaire asked if there were any questions from the Board.

The Board heard from:

Board Member Anthony Campigotto requested clarification on the assessment to the developer and the Town.

Mr. Moir advised that the developer has been assessed 100% of the construction costs for the development. He clarified that the Road Authority would be assessed 100% of the costs of future maintenance on the new access after the Town takes over the access culvert in accordance with Section 26 of the Drainage Act.

Anthony Campigotto moved, Allan Major seconded;

That:

1. **The appeals submitted written or verbally to the Court of Revision for the New Access Bridge over the Dufour Drain for MGV Development (McGregor) Inc. & New Maintenance Schedule of Assessment (Dufour Drain and Branch A) BE RECEIVED; and**

2. **The schedule of assessment as presented by Dillon Consulting Ltd. for the New Access Bridge over the Dufour Drain for MGV Development (McGregor) Inc. & New Maintenance Schedule of Assessment (Dufour Drain and Branch A) BE APPROVED.**

Motion Carried

7. CLOSE COURT OF REVISION

Allan Major moved, Anthony Campigotto seconded;

That:

1. **The Court of Revision be ADJOURNED.**

Motion Carried

The Court of Revision was closed at 6:08 p.m.

8. CONSIDERATION OF FINAL DRAINAGE REPORT

8.1 Jeths Drain Improvements – Reconsidered Report

Mike Gerrits, P.Eng from M. Gerrits Consulting Inc. provided the Board with an overview of the Jeths Drain. He indicated that he was originally appointed by the Town per Section 4 and Section 78 of the Drainage Act as a result of a request from an affected landowner. Mr. Gerrits further advised that in accordance with the instructions received at the July 5, 2022 Drainage Board meeting, M. Gerrits Consulting Inc. has revised the May 23, 2022 report for reconsideration by the Drainage Board.

Mr. Gerrits explained to the Board members and audience the following:

- The Jeths Drain report has been revised to address the original request for drainage. All other works originally proposed under the May 23, 2022 report have been revised to include the necessary provisions for future works to be completed under maintenance.

- The Reconsidered Report recommends that all work upstream of the lands owned by the landowner having Landowner ID 25, and all work downstream of Station 0+965, shall be considered future work. The existing channel will remain overgrown and the outlet of the enclosure at Station 0+117, will not be maintained or improved to have better flows. In the future, when a landowner requests a culvert or channel maintenance, the Drainage Superintendent will be able to complete the work in accordance with the reconsidered report.

- Landowners were made aware that drain access will become increasingly difficult, as the remaining vacant lots that abut the drain become developed. Maintenance equipment will be required to access the drain and may be required to traverse along residential property limits.

Mr. Gerrits spoke about the existing condition of the drain and noted the following:

- The drain commences in just west of Knob Hill Road and extends to the Detroit River. The drain is enclosed from Station 0+000 to Station 0+117. At Station 0+117 the drain transitions to an open channel. The open channel extends 927m west where it outlets to a closed drain at Station 1+044. The closed drain extends 118m west where the drain outlets to the Detroit River. The open channel portion of the drain has a significant amount of sediment, brush and mature trees which are currently restricting the flows and capacity of the open drain.

- Station 0+000 to Station 0+117

  The closed drain appears to have been designed with a minimal amount of freeboard at the outlet. The drain outlet invert is below the channel's sediment level. The enclosure was installed with bell and gasketed storm sewer pipe and appears to be in good condition.

- Station 0+117 to Station 0+735

The existing open channel is overgrown and is in need of brushing and removal of sediment. In many areas there are mature trees within the channels wetted perimeter. There are two obstructions on this drain, one being an earth obstruction and the other and electrical line obstruction.

The access culverts within this section of the drain were not installed under a drainage report, and are considered private crossings. The culverts on this section of drain do not follow the grade line, and some culverts are perched. There is a culvert extension on the lands owned by S. Reaume (Landowner ID 14). This culvert extension was not completed as part of a drainage report, and is considered a private extension. The culvert extension consists of 400mm diameter corrugated steel pipe and is undersized. The remaining access culverts convey a minimum of the 2-Year design storm.

Access to this section of drain from Texas Road will be difficult, due to the number of residential homes along Texas Road. When the drain was originally constructed, the majority of these homes did not exist.

- Station 0+735 to Station 1+044

  Sections of the existing channel were recently maintained by the landowner (Landowner ID 26). The maintenance included the removal of some of the sediment by hand; however, maintenance did not include the removal of larger trees, brush or all of the sediment. In many areas, there are mature trees within the channels wetted perimeter. Bank failures are isolated and do not appear to be a significant problem.

  The section of drain between 0+960 and 1+044 has better grades and there is less sediment in this section of drain. This section of drain has 5 private bridges and 1 access culvert, as shown on the Profile Drawing 3. The access culvert has the capacity to convey a minimum 2-year design storm. The access culvert and bridges were not installed under a drainage report, and are considered private crossings. The private bridges do not appear to restrict the conveyance of flows in the Jeths Drain.

- Station 1+044 to Station 1+092

  The drain is enclosed with a 600mm CSP pipe. The enclosure was not completed under a report, and is considered a private enclosure. The enclosure has a significant grade and appears to be able to convey the 5-year design storm. The enclosure will be difficult to maintain due to pipe depths, property lines and landscaping.

- Station 1+092 to Station 1+120

  The drain is enclosed with a 750mm concrete pipe within the Front Road North, road allowance. The enclosure was completed under the 1983 drain report. The enclosure appears to be able to convey the 10-year design storm. The enclosure was installed by bore which helped avoid a road closure and disturbance of the numerous utilities within the road allowance. Maintaining the drain using open cut methods would be difficult due to utilities, tile depth and traffic volumes.

- Station 1+120 to Station 1+160 (Detroit River)

  The drain is enclosed with a 750mm concrete pipe between the Front Road North road allowance and the Detroit River. The enclosure was completed under the 1983 drainage report. The enclosure appears to be able to convey the 5-year design storm. At some point in time, the last section of concrete tile was replaced with HDPE pipe. Maintaining the deeper sections of the drain using open cut methods, would be very difficult due to the drain's working corridor width.

Mr. Gerrits stated that there was a meeting held on April 30, 2021 with landowner (ID #26) regarding the proposed Jeths Branch Drain location. A virtual onsite meeting was held May 7, 2021 to discuss the project. In addition, a meeting with landowners was held on March 3, 2022 for those landowners who presently have an access culvert on their lands.

Mr Gerrits indicated that the report recommendations were revised as part of the reconsidered report to address changes such as future work and access requirements. He added that his Reconsidered Report for the Jeths Drain and Jeths Branch Drain provides drainage improvements to satisfy the petition from a landowner (Landowner ID 25) for a new Branch Drain to service their lands. The Reconsidered Report includes:

- Creation of the new the Jeths Branch Drain in accordance with Section 4 of the Drainage Act.

- A revised grade line for the open channel of the Jeths Drain between Station 0+480 and Station 0+965.

- A revised grade line for the future maintenance of the open channel of the Jeths Drain between Station 0+117 and Station 0+480 and between Station 0+960 and Station 1+044.

- Culvert sizing and specifications for future culvert replacements.

- Removal of culverts no longer required.

- Ditch cleanout c/w clearing, brushing, removal of sediment and grade adjustments between Station 0+695 and Station 0+480 of the Jeths Drain, to accommodate the Jeths Branch Drain.

- Provisions for the future removal or replacement of all culverts between Station 0+117, and Station 0+480, when future drain maintenance is completed in this section of drain. These culverts are undersized and off grade. Any future drain clean out will be unsuccessful without addressing the culverts.

- Recommendations that the Town require that any landowner that owns a property that abuts the drain and requests a severance, site plan or plan of subdivision, be required to provide unfettered access and/or a Municipality controlled easement as part of their application. The report also recommends that any lots that are planned to directly abut the drain should be required to have building and development limitations in areas adjacent to the drain including, but not necessarily limited to, permanent fencing.

- Incorporating the private enclosures.

- Updated access routes and working areas.

- Updated maintenance schedules.

- Constructing the Jeths Branch Drain to service the proposed development on the lands owned by Landowner ID 25.

- Installing a permanent fence on the lands owned by Landowner 25. The fence shall be offset 5m south of the top of channel bank between Station 0+480 and Station 0+785 to ensure unobstructed access to the south side of the drain in the future once the land is developed.

Mr. Gerrits explained the proposed open channel drain shall be designed to accommodate a minimum 150mm of freeboard at the closed drain outlet (Station 0+117). Channel back slopes will be increased from 1.25H to 1V to a minimum of 1.5H to 1V to improve bank stability and revegetation. When possible, the design utilized the existing top of bank to achieve these slopes; however, there are areas

where the top of the bank has to be widened to accommodate the 1.5H:1V channel back slope. Channel cross sections are included in the report drawings.

Mr. Gerrits stated that the estimated cost of the project including engineering is $157,720. Mr. Gerrits further stated that a detailed breakdown of assessments, allowances, and maintenance description was all included his Reconsidered Report.

Board Chair Bob Bezaire invited landowners to address the Board.

The Board heard from:

- **Frank Simone – 21 Marsh Court – Parcel 9**

  Mr. Simone asked whether engineering has already been completed for future culverts on the drain. Mr. Simone also asked if he could enclose his portion of the drain while the work was being done on the drain.

  Mr. Gerrits advised that the report was written for future culverts, however it was not written to address future drain enclosures. Mr. Gerrits further advised that the area in question was not engineered for an enclosure and if one was requested, another engineering report would be required. Mr. Gerrits stated that the costs would be born to the landowner requesting the enclosure.

  Mr. Simone indicated he understood, and that the costs for the enclosure would be his to pay.

- **Adam Thompson – On Behalf of Ashley Thompson – 533 Front Rd N**

  Mr. Thompson requested clarification on the logic behind the controlled flow of water from the proposed new subdivision. He opined that since the flow would be controlled to a pre-developed rate, then there should be no effects on the drain and therefore no work on the drain should be required.

  Board Chair Bob Bezaire advised that the engineer is required to ensure that the development is provided a sufficient outlet.

  Mr. Gerrits stated that once the developer requested an outlet, he has to provide him with that outlet, and he is obligated to ensure that the outlet is sufficient under the Drainage Act. Mr. Gerrits noted that the developer also required a lowered elevation at the Branch outlet, which he was provided in the report. Mr. Gerrits further noted that there was significant sediment, trees and build up in the drain and he is obligated to provide the developer with a proper

outlet. He noted that the Jeths Drain, in its present condition, does not provide suitable drainage conveyance or a proper outlet.

Mr. Thompson asked if the drain was functioning for those lands upstream where no works are presently being recommended.

Mr. Gerrits explained that the section of drain where maintenance would not be completed would function the way it does currently. He added that this will continue to be the case until someone requests maintenance. Mr. Gerrits indicated that the drain is managing flow, however it does not manage the design flow of the drain in its current state.

There was discussion regarding the lands downstream and upstream of the developer's land.

Mr. Thompson questioned whether the existing Texas Road storm sewer could handle the storm water from the new development. He also questioned the capacity of this storm drain.

Mr. McVitty explained that he was unsure of the exact capacity of the Texas Road storm drain, but understood that it was not designed to take any flows from the development lands. He added that the Jeths Drain has historically served these lands as its drainage outlet. Mr. McVitty indicated that the development would have to drastically augment its storm water management and storm sewer system in order to drain to the Texas Road storm drain. Further, since the Texas Road storm sewer was never designed to handle flows from this land, revisions to the stormwater management system would not be practical and likely infeasible. Mr. McVitty advised that there really is no need for this when the Jeths Drain presently provides legal drainage outlet to the property. He also added that watershed adjustments can be costly, and may result in a reduction in service levels for other landowners that presently use the Texas Road storm sewer for drainage.

- **John Hindi – 176 Texas Rd**

Mr. Hindi asked about the maintenance costs and the payment schedule of the work, and requested clarification on the assessments.

Mr. Gerrits advised that the maintenance schedule will be used to prorate future costs of maintenance work. He added that the construction schedule of assessment would be used for the final billing of the works proposed under his report.

Mr. McVitty explained that there were two schedules, one for construction and one for maintenance. Mr. McVitty explained to the landowners how the schedules are used by the Town and how the costs would be calculated once the project is complete and the project has been finalized.

- **Joe DeThomasis – On behalf of Anna DeThomasis - 238 Texas Rd**

  Mr. DeThomasis explained that his mom's property shows as having a larger drainage area than it should and that it seems inaccurate. Mr. DeThomasis further explained that during the Knobb Hill development per Don Joudrey's report, his mother and her neighbours properties all had catchbasins installed in the rear of the properties. Mr. DeThomasis indicated that his mother's property was never graded to utilize the catchbasin and most of the water in the back yard is soaked into the ground. Mr. DeThomasis questioned the amount of property assessed into the Jeths Drain when only a small amount of rainwater utilitizes the catchbasin and the rain water from the front of the property flows south to the Texas Road storm sewer.

  Mr. Gerrits stated that the front of the properties drain to the storm sewer along Texas Road, and this is why the front portion of his property is not included in the watershed. He explained that the back of the properties, regardless of the catchbasin, drains northerly towards the Jeths Drain. Mr. Gerrits indicated he used Swoop/GIS imaging, and based on his onsite surveys and examinations, the DeThomasis water is still is within the watershed whether it uses the catchbasin or percolates into the ground. Mr. Gerrits noted it was up to the landowner to take advantage of the catchbasin, and should he wish to do so, he could regrade or tile his land to the catchbasin in the back of the lot.

Board Chair Bob Bezaire asked any other landowners wished to address the Board.

There were none.

Board Chair Bob Bezaire asked if any Board Members wished to speak.

There were none.

Brad Laramie moved, Anthony Campigotto seconded;

DRAFT

That:

1. **The reconsidered engineer's report, prepared by M. Gerrits Consulting Inc. on August 12, 2022 for the Jeths Drain Improvements BE RECEIVED;**

2. **The reconsidered engineer's report for the Jeths Drain Improvements BE CONSIDERED;**

3. **The PROVISIONAL ADOPTION of By-law 2022-059 of the engineer's report for the Jeths Drain Improvements BE BROUGHT to the next Regular Council meeting for Council's consideration; and,**

4. **Administration BE DIRECTED to schedule the Court of Revision for the Jeths Drain Improvements.**

Motion Carried

9. New Business

9.1 Engineering Appointment – Smale Drain & Smale Drain Extension

Shane McVitty addressed the Board and explained that the Town had received a request from a landowner to have the Smale Drain and Smale Drain Extension brushed and cleaned out. Mr. McVitty stated that the last reports on these drains were completed in 1966 and 1969, and added that the associated assessment schedules were out of date and not equitable to the affected lands. Mr. McVitty noted that during an onsite meeting to discuss the project, the shortcomings of the schedules was discussed with the landowners in attendance, along with the need to appoint an engineer and update the maintenance schedule. Mr. McVitty stated that he is recommending the Board appoint N.J. Peralta Engineering Ltd. to complete the report.

Board Chair Bob Bezaire asked if any Board Members had any questions.

Board Member Anthony Campigotto noted that the GIS mapping it appear to show some channels were cut to divert water at the north end of the drain. He questioned whether this would be addressed by the engineer.

Mr. McVitty indicated that the engineer will review and investigate the watersheds of the Smale Drain and Smale Drain Extension as part of his work. He will also have discussions with the landowners to verify the extend to which their lands drain into the affected drains. Mr. McVitty added that the engineer will also review the old reports and neighbouring drainage watersheds in order to ensure that the watersheds are captured appropriately.

Brad Laramie moved, Anthony Campigotto seconded;

That:

1. **The report from the Drainage Superintendent and Engineering Coordinator dated July 28, 2022, regarding the Smale Drain and Smale Drain Extension – New Maintenance Schedule of Assessment – Engineering Appointment BE RECEIVED;**

2. **The Drainage Board recommend that the appointment of the firm of N.J. Peralta Engineering Ltd. to complete an engineering report for the Smale Drain and Smale Drain Extension – New Maintenance Schedule of Assessment BE APPROVED by Council.**

Motion Carried

10. NEXT MEETING DATE

Tuesday, October 18, 2022 @ 6:00 p.m.

11. ADJOURNMENT

Allan Major moved, Brad Laramie seconded;

That:

The Board rise and adjourn at 6:47 p.m.

Motion Carried

DRAFT

_____
Chair – Bob Bezaire

_____
Staff Liaison – Shane McVitty

DRAFT

M. GERRITS
CONSULTING INC.

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519 845-0969
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The Mayor and Council
Town of Amherstburg
271 Sandwich Street South
Amherstburg, Ontario
N9V 2A5

August 12, 2022

Re: Jeths Drain Improvements – Reconsidered Report

July 5, 2020 Drainage Board Instructions to Reconsider the Report

In accordance with the instructions received at the July 5, 2022 Drainage Board, M. Gerrits Consulting Inc. has revised the May 23, 2022 report for reconsideration by the Drainage Board. The Jeths Drain report has been revised to address the original request for drainage, and all other proposed works under the May 23, 2022 report will be revised for future works to be completed under maintenance.

The Drainage Board and present landowners were informed that referring the report back for the changes would result in all work upstream of the lands owned by the landowner with the Landowner ID 25, and all work downstream of Station 0+965, as being considered future work. The existing channel will remain overgrown and the outlet of the enclosure at Station 0+117, will not be maintained or improved to have better flows. In the future, when a landowner requests a culvert or channel maintenance, the Drainage Superintendent will be able to complete the work in accordance with the reconsidered report.

Landowners were made aware that drain access will become increasingly difficult, as the remaining vacant lots that abut the drain become developed. Maintenance equipment will be required to access the drain and may be required to traverse along residential property limits.

Introduction

As instructed through letter correspondence from Shane McVitty, Town of Amherstburg Drainage Superintendent and Engineering Coordinator, dated March 31, 2021, M. Gerrits Consulting Inc. has undertaken an examination of the Jeths Drain on part of Lot 10, Concession 1, with regards to providing an outlet for a proposed residential development on the lands owned by 1109152 Ont. Ltd. The proposed development includes 18 residential lots and a storm water retention pond, that controls the post development flows generated on the lands that are scheduled to be developed to the pre-development levels. The work will be completed in the Town of Amherstburg (former geographic Township of Anderdon).

Authorization under the Drainage Act

As per the request of an affected landowner, this Engineer's report has been prepared under Section 4 and section 78 of the Drainage Act by M. Gerrits Consulting Inc.

Under Section 4 of the Drainage Act, a landowner may request drainage by means of a petition for drainage works, for an area requiring drainage as described in the petition. A petition may be filed with the Clerk of the local Municipality in which the area is situated by,

(a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;

(b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 percent of the hectarage in the area;

(c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61(5);

(d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director. R.S.O. 1990, c.D.17, s.4(1).

The petition, signed by 1109152 Ontario Ltd., requesting a branch drain, was determined to be valid based on Section 4 (1) (b).

Section 78 of the Drainage Act states that, where, for the better use, maintenance or repair of any drainage works constructed under a bylaw passed under this Act, or of lands or roads, it is considered expedient to change the course of the drainage works, or to make a new outlet for the whole or any part of the drainage works, or to construct a tile drain under the bed of the whole or any part of the drainage works as ancillary thereto, or to construct, reconstruct or extend embankments, walls, dykes, dams, reservoirs, bridges, pumping stations, or other protective works as ancillary to the drainage works, or to otherwise improve, extend to an outlet or alter the drainage works or to cover the whole or any part of it, or to consolidate two or more drainage works, the Council whose duty it is to maintain and repair the drainage works or any part thereof may, without a petition required under Section 4 but on the report of an Engineer appointed by it, undertake and complete the drainage works as set forth in such report.

Existing Drainage

The drain commences in the south part of the lot with the Landowner Identification Number (Landowner ID 2), and the drain extends 1,160m west through Lot 10, Concession 1 to an outlet in the Detroit River. The drain is closed from Station 0+000 to Station 0+117. At Station 0+117 the drain outlets to an open channel. The open channel extends 927m west where it outlets to a closed drain at Station 1+044. The closed drain extends 118m west

where the drain outlets to the Detroit River. The open channel portion of the drain has a significant amount of sediment, brush and mature trees which are currently restricting the flows and capacity of the open drain.

J. Newman, C.E., prepared a drain report for the Jeths Drain dated July 2, 1932. The drain report included improving 754m of an existing channel. The drain commenced approximately 7.5m west of the west limit of what is now, the Knob Hill Drive road allowance. The drain was an open channel with a 0.76m bottom width and 1.25H:1V channel back slopes. The report specified that where the drain was located on the south side of the fence, the excavated material shall be cast to the south, and where the drain was located on the north side of the fence, the excavated material shall be cast to the north. Where the drain was located on the north side of the fence, the top of the channel bank to the south shall be 0.76m from the fence. The report included access culverts, but did not state the width of the working area. The drain paid allowances for land and crops on all lands that the drain was located on.

J. Newman, C.E., prepared a second drain report for the Jeths Drain dated October 28, 1944. The drain report included maintaining and improving the existing drain constructed in 1932 and extending the drain 274m west. The drain extension and improvements maintained the open channel, channel bottom width, channel back slopes and the alignment as described in the 1932 drain report. The report did include an additional specification, that allowed the excavated material to be cast on either or both sides of the drain when the drain passed through a field. The report did not state the width of the working area. The drain paid allowances for lands on which the drain extension works were located and for crops on all lands that the drain was located on.

C. Armstrong, P. Eng., prepared a drain report for the Jeths Drain dated July 16, 1958. The drain report included maintaining and improving the existing drain constructed in 1943, and extending the drain 194m west to the Detroit River. The drain extension and improvements maintained the open channel, the channel back slopes and the drain alignment as described in the 1943 drain report, but increased the channel bottom width to 0.91m. The report included access culverts. The drain paid allowances for lands on which the drain extension works were located, and for crops on all lands that the drain was located on.

E. Lafontaine, P. Eng., prepared a drain report for the Jeths Drain dated January 25, 1983. The drain report included outlet improvements for a widening of Front Road North (County Road 20). The report included relocating the section of drain between Front Road North and the Detroit River, north, as the existing drain was located adjacent to a residential home. The agricultural portion of the drain was designed to convey the 2-year flow. The highway right of way portion of the drain, was designed to convey the 10-year flow. The closed section of the drain between the highway right of way and the Detroit River was

designed to convey the 5-year flow. The report specified that the improvements be maintained in proportion to the amounts shown in the Schedule of Assessment prepared by C. Armstrong, dated July 16, 1958.

D. Joudrey, P. Eng., prepared a drain report for the Jeths Drain dated December 13, 1993. The drain report included a drain enclosure and relocation between Station 0+000 and Station 0+117 to allow for the development of the lands that front onto the south side of Marsh Court. The improvements were completed at the cost of the developer. The report specified that maintenance of this section of drain shall be assessed in accordance with the 1993 Schedule of Assessment.

Upon review of the existing reports, it was determined that the section of drain that is located on the lands owned by D. & P. Kellam (Landowner ID 28) was enclosed without a drain report and is considered a private enclosure under the Drainage Act.

Drain Classification

The Jeths Drain is currently classified as a class "F" drain throughout its length on the Ontario Ministry of Agriculture, Food and Rural Affairs' Agricultural Mapping. The Jeths Drain outlets to the Detroit River.

Class "F" drains are intermittent or ephemeral (dry for more than two consecutive months). All construction will be completed in accordance with the Best Management Practices prepared by the Department of Fisheries and Oceans Canada (DFO), for completing maintenance and repair of class F drains.

A preliminary report was submitted to the DFO on October 4, 2021, and a revised report was submitted on March 18, 2022 for review and approval. DFO approval was received on October 26, 2021 and March 21, 2022 approving the proposed works. All Department of Fisheries and Oceans Canada requirements have been included in Appendix A of this report.

Essex Region Conservation Authority (ERCA) was contacted via an email dated January 27, 2021 to inform them of the project. A preliminary report was submitted to the ERCA on October 4, 2021, and a revised report was submitted on March 18, 2022. Correspondence from ERCA was received on October 8, 2021 and April 4, 2022. All ERCA requirements have been included in Appendix A of this report.

Onsite Meetings

A virtual onsite meeting was held on May 7, 2021 to discuss the project. The following were in attendance:

Shane McVitty – Drainage Superintendent, Town of Amherstburg
Nicole Humber – Drainage Clerk, Town of Amherstburg
Michael Gerrits – Engineer, M. Gerrits Consulting Inc.
N. Bolger (1109152 Ont. Ltd.), Landowner ID 25
L. Durocher, Landowner ID 33
G. Fawcett, Landowner ID 22
J. & J. Farmer, Landowner ID 32 (Represented by A. Thompson)
C. Jubenville, 1109152 Ont. Ltd.'s Engineer
P. Harvey, Landowner ID 4
D. Kellam, Landowner ID 28
J. R., Landowner ID 31 (Represented by A. Thompson)
S. Reaume, Landowner ID 14
A. Thompson, Landowner ID 26

The following was discussed at the site meeting:

- S. McVitty provided a background on the Jeths Drain and meeting format.
- M. Gerrits summarized the Drainage Act and assessments. M. Gerrits provided landowners with an OMAFRA Factsheet on the Drainage Act.
- M. Gerrits informed landowners that he walked the drain and that the drain was overgrown, had localized areas of bank failure, had sediment buildup in the drain, had areas where landowners brushed their own sections of the drain, and there were two obstructions in the drain, one earth obstruction and one electrical line obstruction.
- M. Gerrits informed landowners that there was a petition for a branch drain to service a development. The petition was determined to be valid in accordance with Section 4 (1) (b) of the Drainage Act.
- M. Gerrits provided landowners with a general timeline for reports prepared under the Drainage Act.
- D. Kellam (Landowner ID 28) asked if downstream assessments account for upstream development. M. Gerrits informed the landowner that the proposed work is not expected to go to their property line. M. Gerrits informed the landowner that there is an enclosure on their lands which can be more expensive to maintain in the future if the enclosure fails and needs to be replaced. The enclosure benefits the abutting lands and not the landowners upstream, and as such, the additional costs of an enclosure versus an open channel are considered a special benefit to the landowner.

- S. Reaume (Landowner ID 14) mentioned that their lands receive a yearly $200 drain maintenance costs on their taxes. S. McVitty can only recall one recent maintenance project on the drain. The project was for outlet repairs at the Detroit River.
- C. Jubenville informed M. Gerrits that he can contact him for any development information. He requested a timeline for the drain report. M. Gerrits informed all landowners that drain reports take time to prepare and get through the meeting process. It is anticipated a report will be authored late in the year.
- A. Thompson (Landowner ID 26) asked if the Town always responds to requests for maintenance. S. McVitty stated that the Town must respond to a request to determine if it is valid. S. McVitty informed landowners of the Town's procedures when they receive a request.
- A. Thompson (Landowner ID 26) asked for clarification on the D + W Fred Brown Drain. S. McVitty informed landowners that the D + W Fred Brown Drain was created under the Ditches and Watercourse Act, and is considered an award drain maintained by the affected landowners.
- L. Durocher (Landowner ID 33) asked if landowners get a report even if their lands were not assessed. S. McVitty informed that landowners will likely receive a report as the Schedule of Maintenance will change.
- N. Bolger (Landowner ID 25) stated the drain would require maintenance regardless of the development. M. Gerrits confirmed that the drain is in need of maintenance.

<u>Additional Meetings</u>

Two additional informal meetings were held on the Jeths Drain. The first meeting was held on April 30, 2021 and the second meeting was held March 3, 2022.

April 30, 2021 Site Meeting

The meeting was held with the landowner (Landowner ID 26), the owner of the lands upon which the proposed Jeths Branch Drain will be located. The following were in attendance:

Shane McVitty – Drainage Superintendent, Town of Amherstburg
Michael Gerrits – Engineer, M. Gerrits Consulting Inc.
A. Thompson, Landowner ID 26

The following was discussed at the site meeting:

- The landowner was informed that the purpose of the meeting was to discuss the project, gather background information on the lands, and answer any questions the landowner may have, since a significant amount of work would be completed on his lands. A survey of the drain was completed after the meeting.

- A. Thompson (Landowner ID 26) was concerned about the removal of the trees/buffer on his lands, and requested the engineer consider completing all proposed construction work from the south side of the drain on the lands owned by the landowner, with the Landowner ID 25, between Station 0+507 and Station 0+802. He also requested the engineer specify that all work between Station 0+802 and Station 0+960 be completed from the north side of the channel. The landowner is aware that once the project is complete, the working corridor for the drain for future maintenance will be from the north side of the drain, for the entire length of his lands.

March 3, 2022 Site Meeting
The meeting was held with the landowners who have an access culvert on their lands. The following were in attendance:

Shane McVitty – Drainage Superintendent, Town of Amherstburg
Michael Gerrits – Engineer, M. Gerrits Consulting Inc.
G. Bezaire, Landowner ID 13
S. Bezaire, Landowner ID 13
L. Durocher, Landowner ID 33
J. Hindi, Landowner ID 15 & 16
C. Martin, Landowner ID 18 & 19
S. Reaume, Landowner ID 14
F. Simone, Landowner ID 9
A. Thompson, Landowner ID 26
1109152 Ont. Ltd., Landowner ID 25 (Representative by B. Thompson)

The following was discussed at the site meeting:

M. Gerrits summarized the Drainage Act and assessments. M. Gerrits provided landowners with an OMAFRA Factsheet on the Drainage Act.

- M. Gerrits provided landowners with an overview of the Jeths Drain. The overview informed landowners that:
  - The drain has a legal working area on it for access and drain maintenance. Allowances for the working area were paid to the landowner under a previous report.
  - The original drain was constructed when the majority of the lands within the drain's watershed were agricultural. The watershed has been developed but the rights to drainage remain, regardless of the change in land use.
  - Drains stay with the property until the drain is abandoned. If there is a drain on your lands, it means that at some point in time, a legal landowner of your lands accepted the drain, and the drain is passed on to subsequent landowners.

- Historically, landowners have installed culverts within the Jeths Drain privately, without a report.

- M. Gerrits Informed landowners that he walked the drain and noted the following:
  - The majority of the drain is overgrown with very large trees in the channel banks and bottom.
  - The drain needs a cleanout.
  - The 1993 drain realignment prepared by D. Joudrey, P. Eng., did not include any freeboard at the outlet of the closed drain and as such, the closed drain outlet is at the same elevation as the bottom of the open channel. The capacity of the closed drain is restricted by any accumulation of sediment in the open drain.
  - One landowner (Landowner ID 15 & 16) has taken it upon themselves to clean and brush the section of drain located on their lands; however, the work will not improve the conveyance of flows in the channel, since the channel immediately downstream of the work is unmaintained.
  - The corrugated steel culverts are in poor shape. The concrete culverts appear to be in good condition, but the headwalls are in disrepair and the culverts were not installed on grade.
  - There were minor bank failures.
  - There was 1 electrical obstruction and 1 earth obstruction.
- Once the report is complete, a report will be mailed out to all landowners. Landowners can contact M. Gerrits if they have any questions about the report.
- The Town of Amherstburg will hold a Meeting to Consider the report. At this meeting, the report will be presented and the Engineer will answer technical questions related to the design.
- A Court of Revision will be held approximately 30 days following the Meeting to Consider the report. At this meeting, landowners, who feel their lands are improperly or unfairly assessed, can appeal their property's assessment. If the Court of Revision denies their appeal, landowners have the right to appeal to the Agriculture, Food and Rural Affairs Appeal Tribunal. Landowners were informed that costs associated with an appeal to the Tribunal are distributed as per a Tribunal order, and may be assessed back to the drain.
- The intention of this meeting, is to address access culverts. Landowners with an access culvert will be given one culvert per property. The cost of the culvert will be shared with upstream lands, with 50% of the costs of the culvert assessed to the lands on which the culvert is located, and the remainder assessed to upstream landowners. The standard culvert is 10m in length and is based on a 6m traveled portion, plus rounding and end protection. Costs associated with extensions/enclosures are paid by the requesting landowner. Costs associated with electrical obstructions are paid by the landowner.

- M. Gerrits requested any landowners who do not want the standard culvert to inform him of the length they would like. J. Hindi J. Hindi, (Landowner ID 15 & 16) and C. Martin C. Martin, (Landowner ID 18 & 19) requested a 3m top width for their culvert. S. Reaume (Landowner ID 14) will get back to M. Gerrits with respect to the length of culvert on her lands. S. Reaume (Landowner ID 14) confirmed she would like the replacement culvert to have the same length. A. Thompson (Landowner ID 26) requested his culvert be removed and not replaced.
- S. Reaume (Landowner ID 14) requested a timeline. M. Gerrits anticipated this work would not be completed in the next 6 months. S. Reaume (Landowner ID 14) has a function in October, and would prefer the work not be completed on her lands at that time.
- L. Durocher (Landowner ID 33) and F. Simone (Landowner ID 9) inquired why they were not invited to the meeting, since they have lands on the drain. M. Gerrits informed them that the intention of the meeting was to address culvert replacements and as such, only landowners with culverts were invited to the meeting. The next public meeting for all landowners will be the Meeting to Consider the report, where questions related to the design can be brought forward.
- F. Simone (Landowner ID 9) met with S. McVitty and M. Gerrits after the meeting to review the open channel on his lands. F. Simone (Landowner ID 9) acknowledged the drain was in need of maintenance. F. Simone (Landowner ID 9) offered to allow the Contractor to use his land to access the drain from Easy Street and stockpile materials during construction.

Written Submissions

- A landowner voiced concerns over costs, limits of work, lack of notice for workers on private properties, increased flows and destruction of habitat. M. Gerrits informed the landowner, that normally a site meeting is held before a drain is surveyed and at this meeting, landowners would be informed of the upcoming survey/site investigation; however, with the current in person meeting restrictions due to the COVID pandemic, the survey was completed before the site meeting to allow the survey of the drain to be completed before the trees came into leaf. The landowner was informed that access will be via the existing working corridor. The landowner was informed that there will be no increase in flows due to the development; in addition, the development will be required to have a storm water management plan. The landowner was informed the project will require approval from ERCA.
- A. Hilton (Landowner ID 1) does not feel she should have a benefit, since her lands do not have a direct connection to the drain. M. Gerrits informed the landowner that he would be onsite to survey the lands to determine surface flow patterns on her lands.

June 7, 2022 Meeting to Consider the Report

- The Meeting to Consider the Report was held on June 7, 2022. M. Gerrits presented his report dated May 23, 2022, and answered questions from the Drainage Board and the landowners. With the exception of the requesting landowner (Landowner ID 25), all other landowners who made presentations to the Drainage Board were opposed to the project. Landowners stated the cost of the project was expensive and that the work was being requested due to a developer's request for drain improvements. Landowners acknowledged the drain was overgrown, but stated their lands are not experiencing water problems and do not want the drain maintained or their culverts replaced. Landowners stated that the Town of Amherstburg should have historically completed maintenance on the drain, despite never having received a maintenance request from a landowner. Landowners felt the lack of maintenance resulted in additional work being recommended under this report. M. Gerrits informed the landowners that the costs of the project are significant and reflect the amount of work required to maintain a drain with a significant amount of sediment, large diameter trees (>300mm Dia.) in the channel bottom, culverts that were installed privately without consideration for flows or grade, and a closed drain that has no freeboard at the outlet. Landowners were also informed that the requesting landowner has the same right to drainage as all other landowners in the watershed. Following the Meeting to Consider the Report, the Town of Amherstburg Council provisionally passed the bylaw for the Jeths Drain at the recommendation of the Drainage Board.

July 5, 2022 Court of Revision

- The Court of Revision was held on July 5, 2022. M. Gerrits presented his assessment and answered questions from the Drainage Board and the landowners. The landowners' concerns were similar to the concerns raised at the Meeting to Consider the Report. The Drainage Board felt that since the only landowner in favour of the works was the requesting landowner (Landowner ID 25), the report should be referred back to the engineer for revisions. The report should be revised to address the petitioning landowner's request for drainage and include future maintenance clauses for all other work proposed in the report. It was noted that in accordance with section 57 of the Drainage Act the Engineer's report can be referred back to the Engineer for reconsideration at any time before passing the by-law.

- M. Gerrits informed the Drainage Board and all landowners present:
  - That referring the report back for the changes would result in all work upstream of the Station 0+480 (Landowner ID 25) and all work downstream of Station 0+965 (Landowner ID 33) as being considered future work.
  - That the existing channel will remain overgrown and the outlet of the enclosure at Station 0+117 will not be maintained or improved to have better flows. In the future, when a landowner requests a culvert or channel maintenance, the Drainage Superintendent would be able to complete the work in accordance with this report.
  - That the report will include future culvert replacement specifications to ensure any future landowner will have the ability to install a culvert across the Jeths Drain without a new drain report.
  - That the current report specifies a temporary access via the requesting landowner's lands (landowner ID 25). This allows for construction equipment to access the drain's working corridor between Station 0+480 and Station 0+117 from the developer's lands, and not from the private lands along Texas Road. Once the development is completed, this temporary access will no longer be available. Access for future drain maintenance will be from the lands which the drain maintenance is located on or from any landowners who have lands that abut the drain.
  - Any affected landowner has the right to request maintenance at any time. Upon receipt of a request for maintenance by the Municipality, drain maintenance will proceed in accordance with the report. If the requesting landowner is located in the upper portion of the drain, then landowners will be responsible for maintenance costs similar to those identified in the May 23, 2022 report, less the assessments presented in this report.

- At the conclusion of the Court of Revision, the Drainage Board passed the following motions:
  - The Engineer's Report prepared by M. Gerrits Consulting Inc. dated May 23, 2022 for the Jeths Drain Improvements be reconsidered; and
  - Council direct M. Gerrits Consulting Inc. to modify the Engineer's Report dated May 23, 2022, for the Jeths Dain Improvements, and reduce the scope of work in order to provide the developer with an outlet, and to include the necessary provisions for future maintenance on the drain.

Following the Court of Revision, M. Gerrits Consulting Inc. completed a site visit with the Town of Amherstburg Drainage Superintendent /Engineering Coordinator Shane McVitty, to review the drain access locations from Texas Road. In order to complete maintenance works, access to the drain will be required through lots that abut the drain. As the vacant lots along Texas Road are developed, these access points may become reduced and heavy

equipment will be required to use any available property that abuts the drain to access the drain, even if the maintenance will not be completed on the lands used for access. Spoils generated during future maintenance operations will need to be spread out in the working allowance, and there will be no possibility of hauling spoils off site, unless the landowner on which the spoils are located provides access. Under the current report, the brush was to be stockpiled on agricultural lands and burned. In the future the vacant lands or agricultural lands may not be available for burning. If brushing debris cannot be burned on the lands which they were generated on, the brush will need to be chipped with larger logs and stumps being stockpiled on the lands from which they were generated on, or if possible, hauled offsite via residential lots.

In addition to this, the future drain cleaning and maintenance between Station 0+117, and Station 0+480, will be ineffective without addressing each of the culverts within this length of drain. Any future maintenance works in this section of drain should include replacement of the culverts, in accordance with this drainage report.

Investigation

M. Gerrits Consulting Inc. completed a site visit and surveyed the drain.

Station 0+000 to Station 0+117

This section of the drain was closed under a 1993 report prepared by D. Joudrey. The closed drain appears to have been designed with a minimal amount of freeboard at the outlet. The drain outlet invert is below the channel's sediment level. The enclosure is located in the rear lots that front onto Marsh Court and will be difficult to maintain due to fences, trees, structures etc. The enclosure was installed with bell and gasketed storm sewer pipe and appears to be in good condition. The lands in the south east corner of the watershed owned by J. & A. Hilton (Landowner ID 1), do not currently have a direct connection but have been assessed for a future connection in the 1993 report. The 1993 drain report included a Schedule of Assessment for maintenance, which remains valid.

Station 0+117 to Station 0+735

The existing open channel is overgrown and is in need of brushing and removal of sediment. In many areas there are mature trees within the channels wetted perimeter. There are two obstructions on this drain, one being an earth obstruction and the other and electrical line obstruction.

The access culverts on this section of the drain were not installed under a drain report, and are considered private crossings. The culverts on this section of drain do not follow the grade line, and some culverts are perched. Sediment levels restricted culvert inspections. There is a culvert extension on the lands owned by S. Reaume (Landowner ID 14). This culvert extension was not completed as part of a drain report, and is considered a private

extension. The culvert extension consists of 400mm dia. corrugated steel pipe and is undersized. The remaining access culverts convey a minimum of the 2-Year design storm. Access to this section of drain from Texas Road will be difficult, due to the number of residential homes along Texas Road. When the drain was originally constructed, the majority of these homes did not exist.

Station 0+735 to Station 1+044
Sections of the existing channel were recently maintained by the landowner (Landowner ID 26). The maintenance included the removal of some of the sediment by hand; however, maintenance did not include the removal of larger trees, brush or all of the sediment. In many areas, there are mature trees within the channels wetted perimeter. Bank failures are isolated and do not appear to be a significant problem. The section of drain between 0+960 and 1+044 has better grades and there is less sediment in this section of drain.

This section of drain has 5 private bridges and 1 access culvert (refer to Profile Drawing 3 for the locations). The access culvert has the capacity to convey a minimum 2-year design storm. The access culvert and bridges were not installed under a drain report, and are considered private crossings. The private bridges do not appear to restrict the conveyance of flows in the Jeths Drain.

Station 1+044 to Station 1+092
The drain is enclosed with a 600mm CSP pipe. The enclosure was not completed under a report, and is considered a private enclosure. The enclosure has a significant grade and appears to be able to convey the 5-year design storm. The enclosure will be difficult to maintain due to pipe depths, property lines and landscaping.

Station 1+092 to Station 1+120
The drain is enclosed with a 750mm concrete pipe within the Front Road North, road allowance. The enclosure was completed under the 1983 drain report. The enclosure appears to be able to convey the 10-year design storm. The enclosure was installed by bore which helped avoid a road closure and disturbance of the numerous utilities within the road allowance. Maintaining the drain using open cut methods would be difficult due to utilities, tile depth and traffic volumes.

Station 1+120 to Station 1+160 (Detroit River)
The drain is enclosed with a 750mm concrete pipe between the Front Road North, road allowance and the Detroit River. The enclosure was completed under the 1983 drain report. The enclosure appears to be able to convey the 5-year design storm. At some point in time, the last section of concrete tile was replaced with HDPE pipe. Maintaining the deeper sections of the drain using open cut methods, would be very difficult due to the drain's working corridor width.

The Town of Amherstburg received a request for a severance on the lands west of Front Road North at the drain's outlet to the Detroit River (Landowner ID 35). The Town of Amherstburg required the landowner retain a drainage engineer to complete an investigation on the effects the severance would have on the Jeths Drain. M. Gerrits Consulting Inc. completed a detailed investigation on the effects the severance would have on the drain and the upstream rate payers. The investigation concluded that a 7.3m (24') clear working corridor be registered on title, that a CCTV inspection of the existing drain be completed to verify the condition of the drain, and that all costs to maintain the drain beyond the standard tile drain maintenance costs be born by the benefiting landowner, on which the drain is located. The report specifications were to be updated to reflect the proposed working corridor, construction requirements and assessments. The cost of the investigation and report specifications were billed directly to the benefiting landowner, and are not included in this report.

Recommendations

It is therefore recommended that the following work be carried out:

- Prepare a report for the Jeths Drain improvements satisfy the petition from a landowner (Landowner ID 25) for a branch drain to service their lands. The report includes the following:
- Adoption of the Jeths Branch Drain in accordance with Section 4 of the Drainage Act.
- A revised grade line for the open channel of the Jeths Drain between Station 0+480 and Station 0+965.
- A revised grade line for the future maintenance of the open channel of the Jeths Drain between Station 0+117 and Station 0+480 and between Station 0+960 and Station 1+044.
- Culvert sizing and specifications for future culvert replacements.
- Removal of culverts no longer required.
- Ditch cleanout c/w clearing, brushing, removal of sediment and grade adjustments between Station 0+695 and Station 0+480 of the Jeths Drain, to accommodate the Jeths Branch Drain.
- Remove or replace all culverts between Station 0+117, and Station 0+480, when future drain maintenance is completed in this section of drain. The culverts are undersized and off grade. Any future drain clean out will be unsuccessful without addressing the culverts.

- The Town should require that when any landowners who own a property that abut the drain request a severance, site plan or plan of subdivision, the requesting landowner be require to provide unfettered access and or a Municipality controlled easement as part of their application. Any lots that are planned to directly abut the drain should be required to have building and development limitations in areas adjacent to the drain including, but not necessarily limited to, permanent fencing.
- Incorporating the private enclosures.
- Updated access routes and working areas.
- Updated maintenance schedules.
- Constructing the Jeths Branch Drain to service the proposed development on the lands owned by 1109152 Ontario Ltd. (Landowner ID 25).
- Installing a permanent fence on the lands owned by 1109152 Ontario Ltd. (Landowner 25). The fence shall be offset 5m south of the top of channel bank between Station 0+480 and Station 0+785 to ensure unobstructed access to the south side of the drain in the future once the land is developed.

Design

The proposed open channel drain shall be designed to accommodate a minimum 150mm of freeboard at the closed drain outlet (Station 0+117). Channel back slopes will be increased from 1.25H to 1V to a minimum of 1.5H to 1V to improve bank stability and revegetation. When possible, the design utilized the existing top of bank to achieve these slopes; however, there are areas where the top of the bank has to be widened to accommodate the 1.5H:1V channel back slope. Channel cross sections are included in the report drawings.

Access culverts and enclosures shall be designed to convey a minimum 2-year design storm. The culverts will be embedded 10% to ensure they are not perched. The standard culvert is 10m in length and is based on a 6m traveled portion, plus rounding and end protection.

The Jeths Branch Drain is located on the lands owned by A. Thompson (Landowner ID 26) and extends 5.5m south from the Jeths Drain at Station 0+770 to the property limit between A. Thompson (Landowner ID 26) and 1109152 Ont. Ltd (Landowner ID 25). All work south of the property line is not part of the drain and is considered a private connection, and forms part of the subdivision approval process. The Jeths Branch Drain is a 300mm dia. HDPE smooth walled tile. The Jeths Branch Drain is the outlet for the proposed development's stormwater management facility. In order to ensure the proposed development on the lands owned by 1109152 Ont. Ltd (Landowner ID 25) will not negatively affect the Jeths Drain, the development will be required to control post development flows to pre-development levels.

The stormwater management facility will be permitted to discharge 65L/s into the Jeths[O1] Drain. 1109152 Ont. Ltd.'s Engineer requested the Jeths Branch Drain outlet elevation be 180.90m, and the grade of the Jeths Branch Drain be 0.36%. The Engineer's request resulted in the drain being lowered by 0.3m at Station 0+770. The request for additional depth was determined to be within the standard tile design depth of drains.

Allowances

Under Section 29 of the Drainage Act, the Engineer in his report shall estimate and allow in money to the landowner of any land that it is necessary to use for the construction or improvement of a drainage works, or for the disposal of material removed from drainage works. This shall be considered an allowance for right-of-way. Section 29 allowances have been provided for the Jeths Branch Drain.

Under Section 30 of the Drainage Act, the Engineer shall determine the amount to be paid to persons entitled thereto for damage, if any, to ornamental trees, lawns, fences, land and crops occasioned by the disposal of material removed from a drainage works. This shall be considered an allowance for damages. Section 30 allowances have been provided for the areas which are affected by the proposed work on both the Jeths Drain and the Jeths Branch Drain.

Conc.	Lot	Owner ID	Landowner	Section 29 ($)	Section 30 ($)	Total ($)
Main Drain						
1	Pt. 10	19	C. & A. Martin		146	146
	Pt. 10	25	1109152 Ontario Limited		1,593	1,593
	Pt. 10	26	A. Thompson		1,026	1,026
	Pt. 10	33	L. Durocher & J. Gagnon		27	27
		Subtotal Jeths Main Drain			2,792	2,792
Branch Drain B						
1	Pt. 10	26	A. Thompson	247	27	274
		Subtotal Jeths Branch Drain		247	27	274

Estimate of Cost

It is recommended that the work be carried out in accordance with the accompanying Specification of Work and the Profile, which form part of this report. There has been prepared an Estimate of Cost for the Jeths Drain and the Jeths Branch Drain in the amount of $157,720.

The following is a summary of the total estimated cost for the Jeths Drain:

Construction	$	63,975
Construction Contingency Allowance	$	7,026
Allowances	$	2,792
Engineering	$	42,700
Tendering Allowance	$	1,605
Conservation Fees (ERCA)	$	400
Inspection (Provisional based on 5 days)	$	9,000
Non-Recoverable H.S.T.	$	2,195
Total	$	129,693

The following is a summary of the total estimated cost for the Jeths Branch Drain:

Construction	$	18,000
Construction Contingency Allowance	$	1,000
Allowances	$	274
Engineering	$	4,483
Tendering Allowance	$	1,600
Conservation Fees (ERCA)	$	400
Inspection (Provisional based on 1 day))	$	1,790
Non-Recoverable H.S.T.	$	480
Total	$	28,027

A detailed breakdown of the Estimate of Cost for each drain is provided within this report.

Assessment

As per Section 21 of the Drainage Act, the Engineer in his report shall assess for benefit and outlet, for each parcel of land and road liable for assessment. Lands, roads, buildings, utilities, or other structures that are increased in value or are more easily maintained as a result of the construction, improvement, maintenance, or repair of a drainage works, may be assessed for benefit (Section 22).

Lands and roads that use a drainage works as an outlet, or for which, when the drainage works is constructed or improved, an improved outlet is provided either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse may be assessed for outlet. The assessment for outlet shall be based on the

volume and rate of flow of the water artificially caused to flow into the drainage works from the lands and roads liable for such assessments (Section 23). Outlet assessments shall be based on equivalent hectares, which represents the amount of water generated on properties. The equivalent hectare area considers the properties impervious surfaces, such as buildings, paved areas, etc.

The following are the equivalent hectare conversions rates utilized in this report.

Description	**Area (ha)**	**Factor**	**Equivalent Area (ha)**
Agricultural	1	1	1
Roads	1	4	4
Residential Lots	1	1.5-2	1.5-2

The Engineer may assess for special benefit any lands for which special benefits have been provided by the drainage works (Section 24). Private lawn enclosures are considered a special benefit and all costs associated with the construction, repair and maintenance of the enclosure, less any maintenance and access credits, shall be assessed as special benefit to the lands benefiting from the enclosure.

A Schedule of Assessment for lands and roads affected by the work, and therefore liable for the cost thereof, has been prepared as per the Drainage Act. Any affected public utility or road authority shall be assessed, as per Section 26 of the Drainage Act, any increased costs for the removal or relocation of any of its facilities and plant that may be necessitated by construction or future maintenance and repair work. Items to be assessed under Section 26 shall be tendered separately with the actual cost plus a portion of the engineering (25% of the cost).

The cost of any fees for permits or approvals or any extra work required by any affected utility or road authority, shall be assessed to that organization requiring the permit, approval, or extra work.

The estimated cost of the drainage works has been assessed in the following manner:

- The open channel between Station 0+480 and Station 0+965 has generally been assessed with 50% of the cost applied as a benefit assessment to the adjacent landowners, and the remainder of the cost assessed as an outlet assessment to upstream lands and roads based on equivalent hectares.
- Private tile outlet protection has been assessed with 100% of the cost applied as a benefit assessment to the lands which the outlet is located on (Station 0+630, 0+960 and 0+963).

- The removal of the private culvert at Station 0+802 has been assessed with 100% of the cost applied as a special benefit assessment to the lands on which the culvert is located.
- The costs to engineer the future access culverts, including future bridge replacements, has been assessed with 50% of the engineering cost applied as a benefit assessment to the landowner, and the remainder assessed as an outlet assessment on upstream lands, based on equivalent hectares.
- The costs to engineer the enclosures has been assessed with 50% of the engineering cost of a tile installation and structures, including any additional costs due to construction in areas where the drain abuts building structures, applied as a special benefit assessment to the landowner, and the remainder assessed as an outlet assessment to upstream lands based on equivalent hectares. The following is a summary of engineering costs for the future enclosure assessment.

Description	Location	Owner ID	Owner	Special Benefit	Benefit	Outlet
Enclosure 1	1+044 - 1+087	28	D. & P. Kellam	15%	50%	35%
Enclosure 2	1+087 - 1+100	27	A. Kojok & A. Ahmed Road Authority		15% 35%	50%
Road Crossing	1+100 - 1+120		Road Authority		99%	1%
Enclosure 3	1+120 - 1+160	36	A. Valente	20%	50%	30%

Note - Enclosure 1 and 3 assessments reflect the increased costs to maintain the drain due to the drain location, landscaping, building etc.
- If the land owned by Landowner ID 35 is severed into two parcels, Landowner ID 35 (retained parcel) and Landowner ID 36 (severed parcel on which the drain is located), the land owned by Landowner ID 35 will no longer require the drain and the land owned by Landowner ID 35 will not be assessed. If the land is not severed, all costs assessed to Landowner ID 36 are to be assessed to Landowner ID 35.

- The Jeths Branch Drain collects water from the land owned by 1109152 Ont. Ltd. The cost includes allowances paid to A. Thompson (Landowner ID 26) for land taken. The Jeths Branch Drain has been assessed with 100% of the costs, including allowances, assessed to the petitioning landowner, 1109152 Ont. Ltd.
- The Schedule of Maintenance and report specifications update has been assessed as an outlet assessment to all lands and roads within the watershed, based on equivalent hectares.
- If the land owned by Landowner ID 35 is severed into two parcels, Landowner ID 35 (retained parcel) and Landowner ID 36 (severed parcel on which the drain is located), the land owned by Landowner ID 35 will no longer require the drain and the land owned by Landowner ID 35 will not be assessed. If the land is not severed, all costs assessed to Landowner ID 36 are to be assessed to Landowner ID 35.

Agricultural Grant

Under the current Section 85 of the current Agricultural Drainage Infrastructure Program (ADIP) policy of the OMAFRA, a grant may be available for assessments against privately owned parcels of land which are used for agricultural purposes and eligible for the Farm Property Class Tax Rate. Section 88 of the Drainage Act directs the Municipality to make application for this grant upon certification of this drain. The Municipality will then deduct the grant from the assessments, prior to collecting the final assessments.

Landowners will not be eligible for grants, since there are no landowners within the watershed which are eligible for the Farm Property Class Tax Rate.

Access and Working Area

Access to the drain shall be gained from road allowances, when possible, along existing private lanes, along the fence lines, along property lines, and along the drain. Access to the working area along the private lanes, property lines and fence lines, shall be restricted to a width of 6m; in addition to this, additional access and working areas for sections of the drain have been summarized below:

Station 0+117 to Station 0+960

In addition to the access from Front Road North (County Road 20) where the drain crosses Front Road North, an access to the drain will be via the proposed development stormwater retention block, and lands (residential and vacant) that abut the drain. In the future, any land that abuts the drain may be used for access and that large equipment may be required to traverse across residential lands regardless of the location of the drainage works. In addition to the forementioned accesses, a landowner (Landowner ID 9) has indicated that he would be willing to allow access to the drain via a portion of the undeveloped lot that can be accessed via Easy Street. Permission from the landowner (Landowner ID 9) to access the drain via Easy Street, will be required before it is used as an access point for any future maintenance works.

The working area for construction of the proposed works between Station 0+480 and Station 0+802 shall be on the south side of the channel, and will be 20m in width for the entire length. The working area for the proposed works between Station 0+802 and Station 0+960, shall be from the north side of the channel and shall be 20m in width. Once the proposed work is completed, the working corridor for future works of maintenance between Station 0+117, and Station 0+960, shall be on the north side of the entire channel, and is 20m in width.

Station 0+960 to Station 1+044
Access for this section of drain will be within the drain's working area.

The working area for the drain between Station 0+960 and Station 1+044 for future works of maintenance, shall be from the north and east sides of the channel, and shall be 20m in width.

Station 1+044 to Station 1+100
Access for this section of drain will be within the working area from the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be 7.3m from the centre of the enclosure to the south limit, and 12.7m from the centre of the enclosure to the north limit.

Station 1+100 to Station 1+120
Access for this section of drain will be within the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be restricted to 40m, centred on the drain.

Station 1+120 to Station 1+160
Access for this section of drain will be within the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be 7.3m from the centre of the enclosure to the north limit, and 5m from the centre of the enclosure to the south limit.

<u>Restrictions</u>
No trees and shrubs shall be planted, nor shall permanent structures or hard surfaces be permitted in the working corridor. Any planted trees, structures or hard surfaces that interfere with access for future maintenance of the drainage works shall be removed at the expense of the landowner.

Attention is also drawn to Sections 80 and 82 of the Drainage Act that refers to the obstruction of a drainage works. Private bridges that affect the conveyance of flows in the Jeths Drain will be removed by the Town of Amherstburg at the expense of the landowner, on which the private bridge is located on.

Maintenance

Upon completion of the work, the drainage works including the bridges, access culverts and enclosures constructed under the previous reports/bylaws shall be maintained as per the applicable Schedules of Maintenance enclosed with this report, unless otherwise altered under provisions of the Drainage Act, or as outlined below. The maintenance schedules are used to prorate the actual maintenance costs when maintenance occurs. The costs illustrated on the Schedules of Maintenance are not part of the proposed improvements.

- Each parcel of land that abuts the drain is permitted one culvert; therefore, any additional culverts are considered a secondary access, and would be assessed with 100% of the cost to the requesting landowner.
- The cost to repair, maintain or install a standard access culvert with a 6m maximum top width and rip rap end protection, will be assessed with 50% of the costs applied as a benefit assessment to the adjacent landowner, and the remainder assessed as an outlet assessment to upstream lands, based on equivalent hectares. Landowners who request an extra length of culvert beyond the standard length specified in this report, shall be assessed 100% of the cost of the extra length of culvert, as a benefit assessment. Currently, Culvert 2 (Station 0+256) is the only culvert on the drain which has extensions. If the landowner, (landowner ID 14), requested the culvert be replaced with the same length of culvert, the extra length of culvert beyond the standard length specified in this report is 16m. The extra length would result in 78% of the total culvert costs being assessed as a benefit assessment to the requesting landowner, and the remainder assessed as an outlet assessment to upstream lands, based on equivalent hectares.
- The cost to replace or maintain the drain enclosures shall be assessed for special benefit, benefit and outlet. The special benefit reflects the increased costs to maintain the enclosure due to the proximity to buildings, landscaping and hard surfaces, and for the removal of any excess material generated during the replacement to a location offsite. The special benefit and benefit assessments shall be assessed to the lands on which the enclosure is located, and the remainder assessed as an outlet assessment to upstream lands, based on equivalent hectares as follows:

Description	Location	Owner ID	Owner	Special Benefit	Benefit	Outlet
Enclosure 1	1+042 - 1+087	28	D. & P. Kellam	20%	40%	40%
Enclosure 2	1+087 - 1+100	27	A. Kojok & A. Ahmed Road Authority		10% 40%	50%
Road Crossing	1+100 - 1+120		Road Authority		98%	2%
Enclosure 3	1+120 - 1+160	36	A. Valente	20%	40%	40%

Note - Enclosure 3 Includes MH 4 and CB 4 c/w the 300mm Dia Lead

- If the land owned by Landowner ID 35 is severed into two parcels, Landowner ID 35 (retained parcel) and Landowner ID 36 (severed parcel on which the drain is located), the land owned by Landowner ID 35 will no longer require the drain and the land owned by Landowner ID 35 will not be assessed. If the land is not severed, all costs assessed to Landowner ID 36 are to be assessed to Landowner ID 35.

- If a private bridge fails or if it restricts the conveyance of flows in the Jeths Drain, the cost to remove the private bridge will be assessed with 100% of the costs to the landowner, on which the bridge is located.
- If a private culvert is replaced with a new culvert, the cost to remove the private culvert will be assessed with 100% of the costs to the landowner, on whose lands the culvert is located.
- The cost to repair or maintain the fence between Station 0+480 and Station 0+802, will be assessed with 100% of the costs applied as a benefit assessment to the abutting landowner on the south side of the drain.
- Accessing the drain via residential lots may require access across concrete drives, asphalt drives and landscaped areas. All damages to the existing access will be restored with the restoration costs forming part of the maintenance costs.
- Maintenance of the enclosure between Station 0+000 and Station 0+117 shall be as per the 1993 drain report specifications, prepared by D. Jourey, and assessed in accordance with the Schedule of Maintenance Section 1 of this report.

All of the above is submitted for your consideration.

Yours truly,

Michael Gerrits, P. Eng
M. Gerrits Consulting Inc.

Jeths Drain
Town of Amherstburg
August 12, 2022

ESTIMATE OF COST - JETHS MAIN DRAIN

	Quantity	Unit	Unit Price ($)	Total ($)
Allowances:				2,792
Brush Drain and Working Area (Station 0+480 to Station 0+965)	1	ha	17,500	17,500
Strip Channel (Statin 0+480 - Station 0+965) and Working Area (Station 0+802 - Station 0+965) and Stockpile Topsoil	3900	sq.m.	2.50	9,750
Channel Excavation	485	m	14	6,790
Channel Excavation - Extra Depth (Station 0+690 to Station 0+800)	110	m	25	2,750
Level Spoils in Working Corridor	485	m	6.50	3,153
Remove Culvert 5 (Station 0+802)				
Remove and Dispose of Existing Culvert	1	LS	2,000	2,000
Channel Bank Hand Seeding	2183	sq.m.	4	8,732
Working Area Hand Seeding (Station 0+770 to Station 0+965)	2925	sq.m.	4	11,700
Channel Bank Protection (Station 0+955 - Station 0+965)	5	sq.m.	150	750
Tile Outlet Protection (1 sq.m./Location)	3	ea.	100	300
Heavy Duty Silt Fencing (Station 0+967)	1	m	550	550
			Sub Total	$ 63,975

Miscellaneous	$	7,026
Allowances	$	2,792
Survey, Design, Report and Meeting	$	41,700
Schedule of Maintenance Update	$	1,000
Tendering c/w Onsite Meeting (Provisional)	$	1,605
5 Day Part Time Inspection Allowance (Provisional)	$	9,000
ERCA Fee	$	400
Total Estimate Excluding HST	$	127,498
Non-Recoverable HST (1.76%)	$	2,195
Total Estimate	$	129,693

Jeths Drain
Town of Amherstburg
August 12, 2022

ESTIMATE OF COST - JETHS BRANCH DRAIN

	Quantity	Unit	Unit Price ($)	Total ($)
Allowances:				274
Install 375mm Dia. HDPE Smooth Walled Storm Sewer (5.5m Length) c/w Bedding, Backfill, Rodent Grate, Cap for Future Private Storm Connection and Marker Post	5.5	m	400	2,200
Restoration (Hand Seeding)	100	sq.m.	5	500
Rip Rap c/w Geotextile	3	sq.m.	100	300
1.2m (4') Chain Link Fence	300	m	50	15,000
			Sub Total	$ 18,000
			Miscellaneous	$ 1,000
			Allowances	$ 274
			Survey, Design, Report and Meeting	$ 4,483
			Tendering c/w Onsite Meeting (Provisional)	$ 1,600
			1 Day Part Time Inspection Allowance (Provisional)	$ 1,790
			ERCA Fee	$ 400
			Total Estimate Excluding HST	$ 27,547
			Non-Recoverable HST (1.76%)	$ 480
			Total Estimate	$ 28,027

Jeths Drain
Town of Amherstburg
August 12, 2022

SCHEDULE OF ASSESSMENT
JETHS MAIN DRAIN

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Culverts/Enclosure Special Benefit ($)	Culverts/Enclosure Benefit ($)	Culverts/Enclosure Outlet ($)	Channel Works Special Benefit ($)	Channel Works Benefit ($)	Channel Works Outlet ($)	Maint. Schedule ($)	Total ($)	Eq. Ha.
3. Municipal Lands													
Front Road N.	(CR 20)	0.45		County of Essex	-	1,340	16	-	-	120	109	1,585	1.82
					$ -	$ 1,340	$ 16	$ -	$ -	$ 120	$ 109	$ 1,585	

Total Special Benefit	-
Total Benefit	1,340
Total Outlet	245
Total - Municipal Lands	$ 1,585

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Culverts/Enclosure Special Benefit ($)	Culverts/Enclosure Benefit ($)	Culverts/Enclosure Outlet ($)	Channel Works Special Benefit ($)	Channel Works Benefit ($)	Channel Works Outlet ($)	Maint. Schedule ($)	Total ($)	Eq. Ha.
4. Privately-Owned Non-Agricultural Lands													
1	Pt. 10	0.21	1	J. & A. Hilton	-	-	108	-	-	879	19	1,006	0.32
	Pt. 10	0.11	2	J. Brown & D. Landry	-	-	66	-	-	614	13	693	0.22
	Pt. 10	0.22	3	J. & K. Kearley	-	-	113	-	-	920	20	1,053	0.33
	Pt. 10	0.11	4	P. & S. Harvey	-	-	75	-	-	614	13	702	0.22
	Pt. 10	0.29	5	G. & A. Dethomasis	-	-	149	-	-	1,213	26	1,388	0.44
	Pt. 10	0.13	6	K. Desormeaux	-	-	89	-	-	727	16	832	0.26
	Pt. 10	0.29	7	R. & S. Meloche	-	-	149	-	-	1,213	26	1,388	0.44
	Pt. 10	0.31	8	R. Lackovic	-	-	159	-	-	1,298	28	1,485	0.47
	Pt. 10	1.15	9	F. & A. Simone	-	-	590	-	574	4,548	104	5,816	1.73
	Pt. 10	0.13	10	J. Litalien	-	-	89	-	-	725	16	830	0.26
	Pt. 10	0.47	11	T. LaPorte	-	-	241	-	139	1,796	42	2,218	0.71
	Pt. 10	0.27	12	D. & M. Donato	-	-	139	-	147	1,010	24	1,320	0.41
	Pt. 10	1.91	13	G. & S. Bezaire	-	500	488	-	989	4,601	115	6,693	1.91
	Pt. 10	0.75	14	S. Reaume	-	500	214	-	381	2,623	68	3,786	1.13

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Culverts/Enclosure Special Benefit ($)	Culverts/Enclosure Benefit ($)	Culverts/Enclosure Outlet ($)	Channel Works Special Benefit ($)	Channel Works Benefit ($)	Channel Works Outlet ($)	Maint. Schedule ($)	Total ($)	Eq. Ha.
	Pt. 10	1.08	15	J. & K. Hindi	-	500	217	-	466	3,692	98	4,973	1.62
	Pt. 10	0.23	16	J. & K. Hindi	-	-	46	-	-	786	21	853	0.35
	Pt. 10	0.09	17	J. Muresan & M. Campbell	-	-	24	-	-	410	11	445	0.18
	Pt. 10	0.06	18	C. & A. Martin	-	-	16	-	-	275	7	298	0.12
	Pt. 10	3.33	19	C. & A. Martin	-	500	352	-	2,390	8,007	200	11,449	3.33
	Pt. 10	0.37	20	C. & C. Blunt	-	-	50	-	198	1,192	33	1,473	0.56
	Pt. 10	0.36	21	L. Bortolin	-	-	49	-	198	1,145	33	1,425	0.54
	Pt. 10	0.32	22	G. Fawcett & K. Sullivan	-	-	43	-	198	1,003	29	1,273	0.48
	Pt. 10	0.28	23	B. & P. Pare	-	-	38	-	198	868	25	1,129	0.42
	Pt. 10	0.04	24	M. Conte & A. Calamita	-	-	5	-	-	123	4	132	0.06
	Pt. 10	3.36	25	1109152 Ontario Limited	-	-	609	13,590	15,169	7,719	405	37,492	6.73
	Pt. 10	3.69	26	A. Thompson	2,707	500	295	92	25,457	2,377	222	31,650	3.69
	Pt. 10	1.93	27	A. Kojok & A. Ahmed	-	650	86	-	-	2,056	116	2,908	1.93
	Pt. 10	0.77	28	D. & P. Kellam	150	500	20	-	-	204	-	874	0.77
	Pt. 10	0.32	33	L. Durocher & J. Gagnon	-	500	35	-	707	42	39	1,323	0.64
	Pt. 10	0.31	29	D. & J. Hay	-	-	34	-	-	107	37	178	0.62
	Pt. 10	0.09	30	B. Girard	-	-	10	-	-	31	11	52	0.18
	Pt. 10	0.20	31	J. & D. Rawlins	-	-	22	-	-	70	24	116	0.41
	Pt. 10	0.17	32	J. & J. Farmer	-	-	18	-	-	58	20	96	0.34
	Pt. 10	0.11	34	P. & K. Tough	-	-	6	-	-	15	13	34	0.22
	Pt. 10	0.10	*35	A. Valente	-	-	-	-	-	-	-	-	0.00
	Pt. 10	0.10	*36	A. Valente	200	500	-	-	-	13	12	725	0.20
					$ 3,057	$ 4,650	$ 4,644	$ 13,682	$ 47,211	$ 52,974	$ 1,890	$ 128,108	

Total Special Benefit	16,739
Total Benefit	51,861
Total Outlet	59,508
Total - Privately-Owned Non-Agricultural Lands	$ 128,108
Total - Privately-Owned Non-Agricultural Lands	128,108
Total - Municipal Lands	1,585
Total Assessment	$ 129,693

Note If the land owned by Landowner ID 35 is severed into two parcels, Landowner ID 35 (retained parcel) and Landowner ID 36 (severed parcel on which the drain is located), the land owned by Landowner ID 35 will no longer require the drain and the land owned by Landowner ID 35 will not be assessed. If the land is not severed, all costs assessed to Landowner ID 36 are to be assessed to Landowner ID 35.

Jeths Drain
Town of Amherstburg
August 12, 2022

SCHEDULE OF ASSESSMENT
JETHS BRANCH DRAIN

Conc.	Lot	Affected Hect.	Owner ID	Landowner	Special Benefit ($)	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
4. Privately-Owned Non-Agricultural Lands									
1	Pt. 10	3.36	25	1109152 Ontario Limited	22,725	5,302	-	28,027	3.4
					$ 22,725	$ 5,302	$ -	$ 28,027	

Total Special Benefit	22,725
Total Benefit	5,302
Total Outlet	-
Total - Privately-Owned Non-Agricultural Lands	$ 28,027

Jeths Drain
Town of Amherstburg
August 12, 2022

Schedule of Maintenance
Section 1 - Station 0+000 to Station 0+117

For assessing maintenance costs for the Jeths Drain between Station 0+000 and Station 0+117
The section of drain is to be maintained as per the 1993 drain report specifications, prepared by D. Jourey

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
4. Privately-Owned Non-Agricultural Lands								
1	Pt. 10	0.21	1	J. & A. Hilton	25	227	252	0.3
	Pt. 10	0.11	2	J. Brown & D. Landry	105	103	208	0.2
	Pt. 10	0.22	3	J. & K. Kearley	105	153	258	0.3
	Pt. 10	0.11	4	P. & S. Harvey	105	103	208	0.2
	Pt. 10	0.29	5	G. & A. Dethomasis	56	157	213	0.4
	Pt. 10	0.13	6	K. Desormeaux	56	94	150	0.3
	Pt. 10	0.29	7	R. & S. Meloche	86	94	180	0.4
	Pt. 10	0.31	8	R. Lackovic	41	48	89	0.5
	Pt. 10	1.15	9	F. & A. Simone	154	34	188	1.7
	Pt. 10	0.13	10	J. Litalien	-	9	9	0.3
		Total Maintenance Assessment - Section 1			$ 733	$ 1,022	$ 1,755	

Jeths Drain
Town of Amherstburg
August 12, 2022

Schedule of Maintenance
Section 2 - Station 0+117 to Station 0+480

For maintaining the Jeths Drain between Station 0+117 and Station 0+480.
Access culverts/bridges to be maintained in accordance with the maintenance section of the report.

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
4. Privately-Owned Non-Agricultural Lands								
1	Pt. 10	0.21	1	J. & A. Hilton	-	1,976	1,976	0.3
	Pt. 10	0.11	2	J. Brown & D. Landry	-	1,380	1,380	0.2
	Pt. 10	0.22	3	J. & K. Kearley	-	2,071	2,071	0.3
	Pt. 10	0.11	4	P. & S. Harvey	-	1,380	1,380	0.2
	Pt. 10	0.29	5	G. & A. Dethomasis	-	2,730	2,730	0.4
	Pt. 10	0.13	6	K. Desormeaux	-	1,630	1,630	0.3
	Pt. 10	0.29	7	R. & S. Meloche	-	2,730	2,730	0.4
	Pt. 10	0.31	8	R. Lackovic	-	2,917	2,917	0.5
	Pt. 10	1.15	9	F. & A. Simone	5,009	8,692	13,701	1.7
	Pt. 10	0.13	10	J. Litalien	-	1,630	1,630	0.3
	Pt. 10	0.47	11	T. LaPorte	1,215	2,976	4,191	0.7
	Pt. 10	0.27	12	D. & M. Donato	1,286	1,521	2,807	0.4
	Pt. 10	1.91	13	G. & S. Bezaire	8,638	5,712	14,350	1.9
	Pt. 10	0.75	14	S. Reaume	3,324	2,617	5,941	1.1
	Pt. 10	1.08	15	J. & K. Hindi	4,062	3,019	7,081	1.6
	Pt. 10	0.23	16	J. & K. Hindi	-	644	644	0.3
	Pt. 10	0.09	17	J. Muresan & M. Campbell	-	336	336	0.2
	Pt. 10	0.06	18	C. & A. Martin	-	224	224	0.1
	Pt. 10	3.33	19	C. & A. Martin	16,887	2,335	19,222	3.3
	Pt. 10	0.37	20	C. & C. Blunt	1,726	392	2,118	0.6
	Pt. 10	0.36	21	L. Bortolin	1,726	244	1,970	0.5
	Pt. 10	0.32	22	G. Fawcett & K. Sullivan	1,726	103	1,829	0.5
	Pt. 10	0.28	23	B. & P. Pare	1,662	-	1,662	0.4
				Total Maintenance Assessment - Section 2	$ 47,261	$ 47,259	$ 94,520	

Jeths Drain
Town of Amherstburg
August 12, 2022

Schedule of Maintenance
Section 3 - Station 0+480 to Station 1+044

For maintaining the Jeths Drain between Station 0+480 and Station 1+044.
Access culverts/bridges to be maintained in accordance with the maintenance section of the report.

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
4. Privately-Owned Non-Agricultural Lands								
1	Pt. 10	0.21	1	J. & A. Hilton	-	65	65	0.3
	Pt. 10	0.11	2	J. Brown & D. Landry	-	45	45	0.2
	Pt. 10	0.22	3	J. & K. Kearley	-	69	69	0.3
	Pt. 10	0.11	4	P. & S. Harvey	-	45	45	0.2
	Pt. 10	0.29	5	G. & A. Dethomasis	-	91	91	0.4
	Pt. 10	0.13	6	K. Desormeaux	-	56	56	0.3
	Pt. 10	0.29	7	R. & S. Meloche	-	91	91	0.4
	Pt. 10	0.31	8	R. Lackovic	-	97	97	0.5
	Pt. 10	1.15	9	F. & A. Simone	-	361	361	1.7
	Pt. 10	0.13	10	J. Litalien	-	56	56	0.3
	Pt. 10	0.47	11	T. LaPorte	-	147	147	0.7
	Pt. 10	0.27	12	D. & M. Donato	-	85	85	0.4
	Pt. 10	1.91	13	G. & S. Bezaire	-	398	398	1.9
	Pt. 10	0.75	14	S. Reaume	-	235	235	1.1
	Pt. 10	1.08	15	J. & K. Hindi	-	337	337	1.6
	Pt. 10	0.23	16	J. & K. Hindi	-	72	72	0.3
	Pt. 10	0.09	17	J. Muresan & M. Campbell	-	38	38	0.2
	Pt. 10	0.06	18	C. & A. Martin	-	26	26	0.1
	Pt. 10	3.33	19	C. & A. Martin	481	751	1,232	3.3
	Pt. 10	0.37	20	C. & C. Blunt	-	117	117	0.6
	Pt. 10	0.36	21	L. Bortolin	-	111	111	0.5
	Pt. 10	0.32	22	G. Fawcett & K. Sullivan	-	100	100	0.5
	Pt. 10	0.28	23	B. & P. Pare	-	87	87	0.4
	Pt. 10	0.04	24	M. Conte & A. Calamita	-	12	12	0.1

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
	Pt. 10	0.19	FL-1	1109152 Ont Ltd - Severed Lot 1	78	19	97	0.4
	Pt. 10	0.12	FL-2	1109152 Ont Ltd - Severed Lot 2	78	11	89	0.2
	Pt. 10	0.09	FL-3	1109152 Ont Ltd - Severed Lot 3	78	9	87	0.2
	Pt. 10	0.11	FL-4	1109152 Ont Ltd - Severed Lot 4	78	10	88	0.2
	Pt. 10	0.11	FL-5	1109152 Ont Ltd - Severed Lot 5	78	10	88	0.2
	Pt. 10	0.11	FL-6	1109152 Ont Ltd - Severed Lot 6	78	10	88	0.2
	Pt. 10	0.11	FL-7	1109152 Ont Ltd - Severed Lot 7	78	10	88	0.2
	Pt. 10	0.11	FL-8	1109152 Ont Ltd - Severed Lot 8	78	10	88	0.2
	Pt. 10	0.11	FL-9	1109152 Ont Ltd - Severed Lot 9	78	10	88	0.2
	Pt. 10	0.11	FL-10	1109152 Ont Ltd - Severed Lot 10	78	10	88	0.2
	Pt. 10	0.11	FL-11	1109152 Ont Ltd - Severed Lot 11	78	10	88	0.2
	Pt. 10	0.11	FL-12	1109152 Ont Ltd - Severed Lot 12	78	10	88	0.2
	Pt. 10	0.11	FL-13	1109152 Ont Ltd - Severed Lot 13	78	10	88	0.2
	Pt. 10	0.11	FL-14	1109152 Ont Ltd - Severed Lot 14	78	10	88	0.2
	Pt. 10	0.09	FL-15	1109152 Ont Ltd - Severed Lot 15	78	9	87	0.2
	Pt. 10	0.12	FL-16	1109152 Ont Ltd - Severed Lot 16	78	11	89	0.2
	Pt. 10	0.18	FL-17	1109152 Ont Ltd - Severed Lot 17	481	44	525	0.4
	Pt. 10	0.17	FL-18	1109152 Ont Ltd - Severed Lot 18	481	40	521	0.3
	Pt. 10	3.69	26	A. Thompson	1,012	124	1,136	3.7
	Pt. 10	1.93	27	A. Kojok & A. Ahmed	225	111	336	1.9
	Pt. 10	0.77	28	D. & P. Kellam	-	10	10	0.8
	Pt. 10	0.32	33	L. Durocher & J. Gagnon	59	4	63	0.6
	Pt. 10	0.31	29	D. & J. Hay	-	10	10	0.6
	Pt. 10	0.09	30	B. Girard	-	3	3	0.2
	Pt. 10	0.20	31	J. & D. Rawlins	-	7	7	0.4
	Pt. 10	0.17	32	J. & J. Farmer	-	5	5	0.3
	Pt. 10	0.11	34	P. & K. Tough	-	1	1	0.2
3. Municipal Lands								
1	Pt. 10	1.20	FL-19	1109152 Ont Ltd - Road Allowance	-	246	246	4.8
				Total Maintenance Assessment - Section 2	$ 3,987	$ 4,266	$ 8,253	

Jeths Drain
Town of Amherstburg
August 12, 2022

Schedule of Maintenance
Section 4 - Station 1+044 to Station 1+160

For maintaining the Jeths Drain between Station 1+044 and Station 1+160.
The road crossing between Station 1+100 and Station 1+120 will be maintained in accordance with the maintenance section of the report.

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
3. Municipal Lands								
1	Pt. 10	1.20	FL-19	1109152 Ont Ltd - Road Allowance	-	376	376	4.8
Front Road N. (CR 20)		0.45		County of Essex	1,617	82	1,699	1.8
4. Privately-Owned Non-Agricultural Lands								
1	Pt. 10	0.21	1	J. & A. Hilton	-	24	24	0.3
	Pt. 10	0.11	2	J. Brown & D. Landry	-	18	18	0.2
	Pt. 10	0.22	3	J. & K. Kearley	-	26	26	0.3
	Pt. 10	0.11	4	P. & S. Harvey	-	18	18	0.2
	Pt. 10	0.29	5	G. & A. Dethomasis	-	33	33	0.4
	Pt. 10	0.13	6	K. Desormeaux	-	19	19	0.3
	Pt. 10	0.29	7	R. & S. Meloche	-	33	33	0.4
	Pt. 10	0.31	8	R. Lackovic	-	36	36	0.5
	Pt. 10	1.15	9	F. & A. Simone	-	135	135	1.7
	Pt. 10	0.13	10	J. Litalien	-	20	20	0.3
	Pt. 10	0.47	11	T. LaPorte	-	56	56	0.7
	Pt. 10	0.27	12	D. & M. Donato	-	31	31	0.4
	Pt. 10	1.91	13	G. & S. Bezaire	-	149	149	1.9
	Pt. 10	0.75	14	S. Reaume	-	87	87	1.1
	Pt. 10	1.08	15	J. & K. Hindi	-	127	127	1.6
	Pt. 10	0.23	16	J. & K. Hindi	-	27	27	0.3
	Pt. 10	0.09	17	J. Muresan & M. Campbell	-	15	15	0.2

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
	Pt. 10	0.06	18	C. & A. Martin	-	11	11	0.1
	Pt. 10	3.33	19	C. & A. Martin	-	261	261	3.3
	Pt. 10	0.37	20	C. & C. Blunt	-	44	44	0.6
	Pt. 10	0.36	21	L. Bortolin	-	42	42	0.5
	Pt. 10	0.32	22	G. Fawcett & K. Sullivan	-	37	37	0.5
	Pt. 10	0.28	23	B. & P. Pare	-	32	32	0.4
	Pt. 10	0.04	24	M. Conte & A. Calamita	-	6	6	0.1
	Pt. 10	0.19	FL-1	1109152 Ont Ltd - Severed Lot 1	-	29	29	0.4
	Pt. 10	0.12	FL-2	1109152 Ont Ltd - Severed Lot 2	-	19	19	0.2
	Pt. 10	0.09	FL-3	1109152 Ont Ltd - Severed Lot 3	-	15	15	0.2
	Pt. 10	0.11	FL-4	1109152 Ont Ltd - Severed Lot 4	-	17	17	0.2
	Pt. 10	0.11	FL-5	1109152 Ont Ltd - Severed Lot 5	-	17	17	0.2
	Pt. 10	0.11	FL-6	1109152 Ont Ltd - Severed Lot 6	-	17	17	0.2
	Pt. 10	0.11	FL-7	1109152 Ont Ltd - Severed Lot 7	-	17	17	0.2
	Pt. 10	0.11	FL-8	1109152 Ont Ltd - Severed Lot 8	-	17	17	0.2
	Pt. 10	0.11	FL-9	1109152 Ont Ltd - Severed Lot 9	-	17	17	0.2
	Pt. 10	0.11	FL-10	1109152 Ont Ltd - Severed Lot 10	-	17	17	0.2
	Pt. 10	0.11	FL-11	1109152 Ont Ltd - Severed Lot 11	-	17	17	0.2
	Pt. 10	0.11	FL-12	1109152 Ont Ltd - Severed Lot 12	-	17	17	0.2
	Pt. 10	0.11	FL-13	1109152 Ont Ltd - Severed Lot 13	-	17	17	0.2
	Pt. 10	0.11	FL-14	1109152 Ont Ltd - Severed Lot 14	-	17	17	0.2
	Pt. 10	0.09	FL-15	1109152 Ont Ltd - Severed Lot 15	-	15	15	0.2
	Pt. 10	0.12	FL-16	1109152 Ont Ltd - Severed Lot 16	-	18	18	0.2
	Pt. 10	0.18	FL-17	1109152 Ont Ltd - Severed Lot 17	-	28	28	0.4
	Pt. 10	0.17	FL-18	1109152 Ont Ltd - Severed Lot 18	-	26	26	0.3
	Pt. 10	3.69	26	A. Thompson	-	289	289	3.7
	Pt. 10	1.93	27	A. Kojok & A. Ahmed	1,075	148	1,223	1.9
	Pt. 10	0.77	28	D. & P. Kellam	-	0	-	0.8
	Pt. 10	0.32	33	L. Durocher & J. Gagnon	-	51	51	0.6

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
	Pt. 10	0.31	29	D. & J. Hay	-	48	48	0.6
	Pt. 10	0.09	30	B. Girard	-	14	14	0.2
	Pt. 10	0.20	31	J. & D. Rawlins	-	32	32	0.4
	Pt. 10	0.17	32	J. & J. Farmer	-	26	26	0.3
	Pt. 10	0.11	34	P. & K. Tough	-	18	18	0.2
	Pt. 10	0.10	*35	A. Valente	200	-	200	0.0
	Pt. 10	0.10	*36	A. Valente	200	-	200	0.2
				Total Maintenance Assessment - Section 3	$ 3,092	$ 2,708	$ 5,800	

Note * If the land owned by Landowner ID 35 is severed into two parcels, Landowner ID 35 (retained parcel) and Landowner ID 36 (severed parcel on which the drain is located), the land owned by Landowner ID 35 will no longer require the drain and the land owned by Landowner ID 35 will not be assessed. If the land is not severed, all costs assessed to Landowner ID 36 are to be assessed to Landowner ID 35.

Jeths Drain
Town of Amherstburg
August 12, 2022

Schedule of Maintenance
Jeths Branch Drain

For maintaining the Jeths Branch Drain between Station 3+000 to Station 3+006.

Conc.	Lot	Aff. Hect.	Owner ID	Landowner	Benefit ($)	Outlet ($)	Total ($)	Eq. Ha.
3. Municipal Lands								
1	Pt. 10	1.20	FL-19	1109152 Ont Ltd - Road Allowance	-	158	158	4.8
4. Privately-Owned Non-Agricultural Lands								
1	Pt. 10	0.19	FL-1	1109152 Ont Ltd - Severed Lot 1	-	12	12	0.4
	Pt. 10	0.12	FL-2	1109152 Ont Ltd - Severed Lot 2	-	9	9	0.2
	Pt. 10	0.09	FL-3	1109152 Ont Ltd - Severed Lot 3	-	6	6	0.2
	Pt. 10	0.11	FL-4	1109152 Ont Ltd - Severed Lot 4	-	7	7	0.2
	Pt. 10	0.11	FL-5	1109152 Ont Ltd - Severed Lot 5	-	7	7	0.2
	Pt. 10	0.11	FL-6	1109152 Ont Ltd - Severed Lot 6	-	7	7	0.2
	Pt. 10	0.11	FL-7	1109152 Ont Ltd - Severed Lot 7	-	7	7	0.2
	Pt. 10	0.11	FL-8	1109152 Ont Ltd - Severed Lot 8	-	7	7	0.2
	Pt. 10	0.11	FL-9	1109152 Ont Ltd - Severed Lot 9	-	7	7	0.2
	Pt. 10	0.11	FL-10	1109152 Ont Ltd - Severed Lot 10	-	7	7	0.2
	Pt. 10	0.11	FL-11	1109152 Ont Ltd - Severed Lot 11	-	7	7	0.2
	Pt. 10	0.11	FL-12	1109152 Ont Ltd - Severed Lot 12	-	7	7	0.2
	Pt. 10	0.11	FL-13	1109152 Ont Ltd - Severed Lot 13	-	7	7	0.2
	Pt. 10	0.11	FL-14	1109152 Ont Ltd - Severed Lot 14	-	7	7	0.2
	Pt. 10	0.09	FL-15	1109152 Ont Ltd - Severed Lot 15	-	6	6	0.2
	Pt. 10	0.12	FL-16	1109152 Ont Ltd - Severed Lot 16	-	9	9	0.2
	Pt. 10	0.18	FL-17	1109152 Ont Ltd - Severed Lot 17	-	12	12	0.4
	Pt. 10	0.17	FL-18	1109152 Ont Ltd - Severed Lot 18	-	11	11	0.3
				Total Maintenance Assessment - Jeths Branch Drain	$ -	$ 300	$ 300	

Jeths Drain and
Jeths Branch Drain
Town of Amherstburg
August 12, 2022

SPECIFICATION OF WORK

1. Scope of Work

The work to be included in this specification includes the open channel improvements, culvert replacements and drain enclosures in Part of Lot 10, Concession 1 in the Town of Amherstburg. Specifications for the maintenance and repair of the closed drain between Station 0+000 and Station 0+117 are to be in accordance with the D. Joudrey drain report dated 1993. Specifications for the maintenance and repair of the closed drain between Station 1+087 and Station 1+160 are to be in accordance with the E. Lafontaine, P. Eng., drain report dated January 25, 1983.

2. General

Each Contractor must inspect the site to satisfy themselves by personal examination as to the local conditions that may be encountered during this project. Quantities or any information supplied by the Engineer is not guaranteed and is for reference only**.**

All work and materials shall be to the satisfaction of the Drainage Superintendent who may vary these specifications as to minor details but in no way decrease the proposed capacity of the drain.

The Contractor shall be responsible for the notification of all utilities prior to the start of construction.

All work must be completed in accordance with the attached Fisheries and Oceans Canada email dated October 26, 2019 and the Essex Region Conservation Authority permit.

3. Plans and Specifications

These specifications shall apply and be part of the Contract. This Specification of Work shall take precedence over all plans and general conditions pertaining to the Contract. The Contractor shall provide all labour, equipment, materials, and supervision necessary to complete the work as shown in the Plans and described in these specifications. Any work not described in these specifications shall be completed according to the Ontario Provincial Standard Specifications and Standard Drawings.

Any reference to the Owner contained in these Contract Documents shall refer to the Town of Amherstburg or the Engineer authorized by the Town of Amherstburg, to act on its behalf.

4. Health and Safety

The Contractor, at all times, shall be responsible for health and safety on the worksite, including ensuring that all employees wear suitable personal protective equipment, including safety boots and hard hats.

The Contractor shall be responsible for traffic control as per the Ontario Traffic Manual Book 7 – Temporary Conditions (latest revision) when working on public road allowances. A copy of a traffic control plan shall be kept on site at all times. The Contractor shall maintain suitable barricades, warning lights, and temporary traffic notices, at his expense, in their proper position, to protect the public both day and night. Flagmen are the responsibility of the Contractor when working on the road allowance and when entering or exiting a worksite onto a roadway.

The Contractor shall be responsible to ensure that all procedures are followed under the Occupational Health and Safety Act, to ensure that work sites are safe, and that accidents are prevented. In the event of a serious or recurring problem, a notice of noncompliance will be issued. The Contractor will be responsible for reacting immediately to any deficiency, and correcting any potential health and safety risk. Continuous disregard for any requirement of the Occupational Health and Safety Act could be cause for the issuance of a stop work order, or even termination of the contract.

The Contractor shall also ensure that only competent workmen are employed onsite and that appropriate training and certification is supplied to all employees.

5. Workplace Safety and Insurance Board

Upon award of the contract and prior to commencement of work, the Contractor shall furnish the Town of Amherstburg with a satisfactory Certificate of Insurance (COI) containing the information below, for the period of the execution of the work:

A Commercial General Liability (CGL) policy that shall be not less than 5 million dollars per occurrence.

i. The CGL policy shall include bodily injury including death, personal injury, property damage, tenants legal liability, non-owned automobile and contain a cross liability/severability of interest clause. The certificate must also include acknowledgement that coverage under the policy specifically extends to the works in question. The COI shall name the Town of Amherstburg as additional insured to the policy.

ii. The CGL policy shall not contain any exclusion or limitation in respect to shoring, underpinning, raising or demolition of any building or structure, pile driving, caisson work, collapse of any structure or subsidence of any property, structure or land from any cause.

iii. The Contractor shall note that where construction works are performed within lands owned by the County of Essex or Ministry of Transportation the CGL policy shall also name the County of Essex and/or the Ministry of Transportation as additional insured to the policy.

iv. The liability insurance shall be endorsed to provide that the policy shall not be altered, cancelled or allowed to lapse without 30 days prior written notice to the Town of Amherstburg.

6. MNRF Drain Registration

The Contractor is advised that the Town of Amherstburg has conducted an "Endangered Species Act Review" and has registered its drainage activities with the Ministry of Natural Resources and Forestry.

The Town of Amherstburg, in pursuant to the Endangered Species Act Municipal Agreement, has identified the potential presence of certain species within the project area. It is the responsibility of the Contractor to make certain that necessary provisions are undertaken to ensure the protection of all species at risk and their habitats throughout the course of construction. It is also the responsibility of the Contractor to become familiar with the following documents:

1. Town of Amherstburg – Complete Mitigation Documents
2. Town of Amherstburg - Additional Mitigation Measures for Snakes Species
3. Town of Amherstburg - Additional Mitigation Measures for Turtle Species
4. Snakes of Ontario Identifier Guide
5. Turtles of Ontario Identifier Guide

These documents will be provided to the successful bidder.

The Contractor will be responsible for providing the necessary equipment and materials required by the mitigation plans and shall contact the Town of Amherstburg Drainage Superintendent immediately if any endangered species are encountered during construction.

7. Benchmarks

The benchmark locations are identified on the profile drawing. The Contractor is required to complete a benchmark loop prior to construction to verify the benchmarks. If discrepancies exist, the Contractor must notify the Drainage Superintendent and Engineer prior to completing any work.

8. Access and Working Area

Access to the drain shall be gained from road allowances, when possible, along existing private lanes, along the fence lines, along property lines, and along the drain. Access to the working area along the private lanes, property lines and fence lines, shall be restricted to a width of 6m; in addition to this, additional access and working areas for sections of the drain have been summarized below:

Station 0+117 to Station 0+960

In addition to the access from Front Road North (County Road 20) where the drain crosses Front Road North, an access to the drain will be via the proposed development stormwater retention block, and lands (residential and vacant) that abut the drain. In the future, any land that abuts the drain may be used for access and that large equipment may be required to traverse across residential lands regardless of the location of the drainage works. In addition to the forementioned accesses, a landowner (Landowner ID 9) has indicated that he would be willing to allow access to the drain via a portion of the undeveloped lot that can be accessed via Easy Street. Permission from the landowner (Landowner ID 9) to access the drain via Easy Street, will be required before it is used as an access point for any future maintenance works.

The working area for construction of the proposed works between Station 0+480 and Station 0+802 shall be on the south side of the channel, and will be 20m in width for the entire length. The working area for the proposed works between Station 0+802 and Station 0+960, shall be from the north side of the channel and shall be 20m in width. Once the proposed work is completed, the working corridor for future works of maintenance between Station 0+117, and Station 0+960, shall be on the north side of the entire channel, and is 20m in width.

Station 0+960 to Station 1+044

Access for this section of drain will be within the drain's working area.

The working area for the drain between Station 0+960 and Station 1+044 for future works of maintenance, shall be from the north and east sides of the channel, and shall be 20m in width.

Station 1+044 to Station 1+100

Access for this section of drain will be within the working area from the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be 7.3m from the centre of the enclosure to the south limit, and 12.7m from the centre of the enclosure to the north limit.

Station 1+100 to Station 1+120
Access for this section of drain will be within the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be restricted to 40m, centred on the drain.

Station 1+120 to Station 1+160
Access for this section of drain will be within the Front Road North, road allowance, where the drain crosses Front Road North.

The working area for the closed drain for future works of maintenance, shall be 7.3m from the centre of the enclosure to the north limit, and 5m from the centre of the enclosure to the south limit.

9. Removals

When applicable, the existing tile mains, drain structures, access culverts, headwalls and end protection (rip rap) shall be removed in their entirety from the drain. The tile mains, enclosures, drain structures, access culvert, headwall and rip rap shall be disposed offsite at the expense of the Contractor. Suitable backfill shall be stockpiled adjacent to the site for reuse during installation of the proposed culvert or tile mains. Any material not suitable for use shall be disposed offsite by the Contractor.

When the open channel is maintained between Station 0+305 and Station 0+373, the private culvert at Station 0+311 shall be removed in its entirety from the open channel and not replaced. All areas of the channel affected by the culvert removal shall be restored with 100mm of topsoil and seed, in accordance with the restoration specification.

When the enclosure between Station 1+044 and Station 1+160 fails and needs to be removed, it shall be removed in its entirety from the open channel. The enclosure and rip rap, shall be disposed offsite at the expense of the Contractor.

Future removal and disposal of private bridges and culverts are the responsibility of the owner of the lands which the structure is located on.

Removals are to be in accordance with OPSS 510.

10. Brushing and Tree Removal

Proposed Work (Station 0+480 to Station 0+960)

All brush, trees, woody vegetation, etc. shall be removed from the side slopes of the existing channel and working area using a mechanical grinder mounted on an excavator. The proposed brushing and tree removal shall be from the south side of the channel between Station 0+480 and Station 0+802. Once the initial brushing is complete, all future brushing will be from the north side of the channel. Larger trees, brush and stumps that cannot be ground, shall be hauled and stockpiled on the lands owned by the landowner with the Landowner ID 25, and burned onsite subject to municipal bylaws and Ministry of the Environment, Conservation and Parks (MECP) guidelines.

Future Maintenance

All brush, trees, woody vegetation, etc. shall be removed from the side slopes of the existing channel and working area using a mechanical grinder mounted on an excavator. Brushing and tree removal shall be from the north side of the channel. Larger trees, brush and stumps that cannot be ground, shall be hauled offsite. The Contractor may contact other landowners within the drain's watershed, to determine if they would permit stockpiling and burning of brush and stumps on their lands, otherwise the brush and stumps are to be disposed of off site (providing the landowner on which the brush and stumps are located, provides access through their property). If no access can be provided the brush and stumps are to be stockpiled in one location on the lands which the brush and stumps were located on. All burning onsite is subject to municipal bylaws and Ministry of the Environment, Conservation and Parks (MECP) guidelines. The Contractor shall be responsible for obtaining all necessary burning permits.

Certain trees may be left in place at the direction of the Drainage Superintendent.

Brushing and clearing are to be in accordance with OPSS MUNI 201.

11. Strip Existing Channel

The existing channel and the working area on lands not scheduled to be developed shall be stripped in accordance with OPSS 206. Topsoil shall be placed at the edge of the working area for restoration once leveling of the subsoils is complete. Stripping of the working area topsoil on the lands owned by 1109152 Ontario Ltd., will not be required.

12. Excavation of Channel

The open channel shall be excavated and maintained to the depths and grades as per the profile and drawings as contained in this Engineers report. The channel shall be excavated to the proper depth using a laser or similar approved device with a labourer onsite to ensure correctness of grade and to confirm location of tile ends. The Contractor will be required to work around existing pedestrian bridges.

All spoils shall be levelled within the working area. Spoils shall be placed a minimum of 1.5m back from the top of the bank. The excavated material shall be placed and levelled to a maximum depth of two hundred millimetres (200mm) and shall not impede overland drainage. If the spoils have sub-soil in them, the topsoil shall be windrowed along the edge of the working corridor prior to placing the sub-soil. After the excavated material has been levelled, the topsoil shall be spread to its original depth and restored with seed.

When a building structure or driveway is located in the working area the excess excavated material shall be hauled away at the landowners' expense or as directed by the Drainage Superintendent provided the landowner provides access.

Restoration is to be in accordance with the Restoration Specification.

Excavation is to be in accordance with OPSS 206.

13. Installation of Tile Drain

The Jeths Branch Drain shall be high density polyethylene (HDPE) pipe, or an approved equivalent.

When the enclosure between Station 1+044 and Station 1+092, (Enclosure 1), needs to be replaced it will be under the direction and to the satisfaction of the Town Drainage Superintendent. The existing 600mm dia. Corrugated Steel Pipe Culvert shall be replaced using HDPE pipe or an approved equivalent.

When the enclosure between Station 1+092 and Station 1+160, (Enclosure 2 and Road Crossing), needs to be replaced it will be under the direction and to the satisfaction of the Town Drainage Superintendent. The existing 750mm dia. Concrete Pipe and HDPE Outlet Pipe shall be replaced using Concrete Pipe.

All pipe material must meet the maximum cover requirement specified by the pipe manufacturer.

The Contractor shall supply, install, and backfill the specified sizes of tile and pipe to the depths and grades as shown on the drawings. Construction may require trench boxes due to the location of the adjacent structures and landscaping. HDPE pipe shall be smooth wall gasketed pipe with bell and spigot joints (320 kPa). Concrete pipe shall be reinforced concrete gasketed pipe with bell and spigot joints. The pipe class shall be in accordance with OPSD 807.010.

It is intended that the proposed tile drain be located in the same general alignment as the original tile providing the tile bedding can be founded on native substrate. If the tile bedding cannot be founded on native substrate, the Contractor must notify the Drainage Superintendent or Engineer.

The tile shall be constructed to the depths and grades as shown on the drawing with any over excavation backfilled with granular material or clear stone. When the tile has been installed to the proper grade and depth, the excavation shall be backfilled with Granular "A" or clear stone from the bottom of the excavation to the springline of the pipe. Care shall be taken to ensure that the backfill on either side of the culvert does not differ by more than 300mm so that the pipe is not displaced. The remainder of the backfill can be suitable native materials generated onsite during the removal of the existing enclosure.

All granular bedding and free draining backfill material shall be mechanically compacted to 95% standard proctor maximum dry density. Any backfill material that appears to be contaminated material must not be used for backfill and will be disposed off offsite by the Contractor.

The enclosure between Station 1+120 and Station 1+160 is located adjacent to existing homes and future homes. The drain is deep and will require special construction practices when the drain is replaced. Due to the proximity of residential homes, the Contractor may be required to hire an approved third-party vibration consultant, to ensure adjacent homes are not affected by the construction/maintenance works. The Contractor may be required to use stacked trench boxes to maintain the drain, and the Contractor may be required to stockpile materials and spoils off site.

Restoration shall be in accordance with the restoration specification.

14. Installation of Culverts

The Contractor shall supply, install, and backfill pipe culverts. Pipe material can be Corrugated Steel Pipe (CSP) or High density polyethelyne (HDPE) pipe. HDPE pipe shall be smooth wall pipe (320 kPa) with bell and spigot joints. CSP culverts shall be aluminized corrugated steel pipe with a minimum wall thickness of 2.8mm in all cases. All corrugation profiles shall be of helical lockseam manufacture using 68mm x 13mm corrugations for 1600mm dia. pipe and smaller and 125mm x 25mm corrugations for 1800mm dia. pipe and larger. Pipe with 125mm x 25mm corrugations shall be used if 68mm x 13mm corrugations are not available. Future culvert replacements shall be to the same specifications.

The culvert lengths are based on using rip rap end protection (1.5H:1V). If concrete block walls are to be utilized in the future, the culvert length shall be reduced to accommodate the standard 6.0m top width plus the width of the concrete block headwalls.

Culverts shall be installed with the invert 10% below the grade line. The location of the culvert shall be in the same general location as the existing culvert.

Pipe culverts shall be constructed to the depths and grades as shown on the drawing. The bottom of the excavation shall be excavated to the required depth with any over excavation backfilled with granular material or clear stone. When the pipe has been installed to the proper grade and depth, the excavation shall be backfilled with Granular "A" or clear stone from the bottom of the excavation to the springline of the pipe. Care shall be taken to ensure that the backfill on either side of the culvert does not differ by more than 300mm so that the pipe is not displaced.

All granular bedding and free draining backfill material shall be mechanically compacted to 95% standard proctor maximum dry density. The Contractor shall supply any extra backfill material required above the springline.

Agricultural access pipe culverts shall be backfilled with native material free of stones or Granular "B" from the top of the bedding to within 150mm of finished grade for the width of the existing gravel plus 1m on each side. The top 150mm of lane shall be restored with Granular "A" for a sufficient distance to match the existing access road width. The Granular "A" material shall be mechanically compacted to 98% standard proctor maximum dry density. The location of agricultural access culverts may be moved a short distance upstream or downstream as necessary to avoid existing tile outlets to the approval of the Drainage Superintendent or the Engineer authorized by the Town of Amherstburg to act on its behalf. If a tile outlet cannot be avoided, the tile outlet shall be extended upstream or downstream to an outlet. Any tile outlets extended as a result of extra length requested by a landowner, shall be extended at the landowner's expense. If a landowner requests a longer culvert than that specified above, then the extra cost shall be assessed to the landowner making the request.

End protection shall consist of rip rap ends with a minimum 1.5:1 sideslopes. The rip rap shall consist of 100mm x 200mm quarry stone or approved equal. The area to receive the rip rap shall be graded to a depth of 400mm below finished grade. Filter fabric (Terrafix 270R or approved equal) shall then be placed with any joints overlapped a minimum 600mm. The quarry stone shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance.

When concrete blocks endwalls are used, the endwalls shall consist of concrete blocks with dimensions of approx. 600mm x 600mm x 1200mm, 600mm x 600mm x 2400mm or 300mm x 600mm x 1200mm as required. The top of the culvert shall govern block elevation. The correct block shall be set with the top of the block equal to the top of the culvert. The blocks shall be set at each end of the culvert so that each row of blocks will be offset approx. 100mm from the row below. The bottom row shall consist of one block placed parallel to the culvert. The blocks shall be embedded a minimum of 300mm

into each bank and shall extend into the drain bottom to match the pipe invert or below.

The blocks shall be placed over a layer of filter fabric (Terrafix 270R or approved equal). The culvert shall be backfilled in conjunction with the placement of the blocks. The gaps between the culvert and the blocks shall be filled with concrete cinder blocks/bricks and mortar to give the endwall a finished appearance.

The Contractor shall maintain a dry working area during construction. The Contractor shall install a silt fence downstream of the work area (at bottom end of channel improvement if all work is completed at the same time). The silt fence shall consist of filter fabric or manufactured silt fence supported with posts (OPSD 219.190). For access culverts that are to be constructed, a temporary dam may be necessary.

After completion of the construction, the temporary dams and any collected sediment shall be removed. The final removal shall be the silt fence.

CULVERTS TO BE REPLACED IN THE FUTURE:

Culvert No.1, Part Lot 10, Concession 1 (Lands owned by Landowner ID 13) – The existing culvert consists of 7m of 600mm dia. concrete pipe. The pipe culvert is to be replaced in the future, with 10m of 600mm dia. HDPE smooth walled culvert with rip rap end protection. The culvert will have a 6m top travel width.

Culvert No.2, Part Lot 10, Concession 1 (Lands owned by Landowner ID 14) – The existing culvert consists of 28m of 400mm dia. CSP culvert. The pipe culvert is to be replaced in the future, with 28m of 600mm dia. HDPE smooth walled culvert with rip rap end protection. The culvert will have a 6m top travel width.

Culvert No.3, Part Lot 10, Concession 1 (Lands owned by Landowner ID 15) – The existing culvert consists of 7m of 600mm dia. concrete pipe. The pipe culvert is to be replaced in the future, with 10m of 600mm dia. HDPE smooth walled culvert with rip rap end protection. The culvert will have a 6m top travel width.

Culvert No.4, Part Lot 10, Concession 1 (Lands owned by Landowner ID 19) – The existing culvert consists of 6m of 400mm dia. CSP culvert. The pipe culvert is to be replaced in the future, with 10m of 600mm dia. HDPE smooth walled culvert with rip rap end protection. The culvert will have a 6m top travel width.

Culvert No.5, Part Lot 10, Concession 1 (Lands owned by Landowner ID 26) − The existing culvert will be removed and the lands will be serviced by existing private bridges. If a bridge is to be replaced, it shall be replaced with 10m of 750mm HDPE dia. smooth walled culvert with rip rap end protection, or an approved equivalent. The culvert will have a 6m top travel width.

Culvert No.6, Part Lot 10, Concession 1 (Lands owned by Landowner ID 33) – The lands are currently serviced by a private bridge. If the bridge is to be replaced, it shall be replaced with 10m of 750mm dia. HDPE smooth walled culvert with rip rap end protection, or an approved equivalent. The culvert will have a 6m top travel width.

Culvert No.7, Part Lot 10, Concession 1 (Lands owned by ID 27) – The lands are currently serviced by a private bridge. If the bridge is to be replaced, it shall be replaced with 10m of 750mm dia. HDPE smooth walled culvert with rip rap end protection, or an approved equivalent. The culvert will have a 6m top travel width.

Compaction is to be in accordance with OPSS 501. Granular material is to be in accordance with OPSS 1010.

Restoration is to be in accordance with the Restoration Specification.

15. Outlet Works

The Jeths Branch Drain outlet works consists of rip rap and filter fabric and shall be installed on the Jeths Drain channel side slope, from the bottom of the channel to the top of the bank, and for a distance of 1m on either side of the outlet pipe. Rip rap shall be made up of 200mm nominal quarry stone or approved equal. The area to receive the rip rap shall first be graded to allow the placement of the rip rap to a depth of 300mm above the obvert of the tile. After grading, a layer of filter fabric (Terrafix 270R or approved equal) is to be placed with any joints overlapping a minimum of 600mm. Rip rap shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance.

16. Silt Fence

Light duty silt fencing shall be installed immediately downstream of any channel works for the duration of construction. The silt fence shall consist of filter fabric or manufactured silt fence supported with posts.

The light duty silt fencing shall be in accordance with OPSS 577 and OPSD 219.110. The light duty silt fencing and any accumulated sediment, shall be removed once the disturbed area has been revegetated.

17. Chain Link Fence

Chain link fence shall be installed as shown on the report drawings (5m south of the proposed developments property line) between Station 0+480 and Station 0+802. The chain link fence shall be 1.2m (4') in height and will not have any gates.

The chain link fence shall be in accordance with OPSS PROV 772 and OPSD 972.130

18. Restoration

Restoration of the affected lands shall be in accordance with the following:

- Disturbed areas not being farmed shall be restored in accordance with native topsoil and hand seed. Native topsoil is to match existing depths. Topsoil is to be placed in accordance with OPSS 802. Seed is to be supplied and placed in accordance with OPSS 804. A prairie seed mix is to be used on the Thompson lands (Landowner ID 26), unless the landowner requests the standard seed mix.
- Application rates are as follows:
  a. Primary seed (85 kg/ha.) consisting of 50% red fescue, 40% perennial ryegrass and 5% white clover.
  b. Nurse crop consisting of Italian (annual) ryegrass at 25% of total weight.
  c. Fertilizer (300 kg/ha.) consisting of 8-32-16.
- Hand seeding shall be spread on the affected areas on a daily basis with the seed mixture, fertilizer and application rate as shown above.
- All accesses shall be restored to the existing conditions or better. This includes grassed laneways, sidewalks, and all driveable surfaces including concrete, asphalt, gravel, brick pavers, etc.

19. Environmental Considerations

The Contractor shall take care to adhere to the following considerations.

- All excavated and stockpiled material shall be placed a minimum of 1.5m from the top of the bank. Material shall not be placed in surface water runs or open inlets that enter the channel.
- All granular and erosion control materials shall be stockpiled a minimum of 1.5m from the top of the bank. Material shall not be placed in surface water runs or open inlets that enter the channel.
- All activities, including maintenance procedures, shall be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicle and equipment refuelling and maintenance shall be conducted away from the channel, any surface water runs, or open inlets. All waste materials shall be stockpiled well back from the top of the bank and all surface water runs and open inlets that enter the drain.

- All construction in the channel shall be carried out during periods of low flow. When possible, the Contractor shall schedule work to avoid periods of high winds and rain. The Contractor shall maintain a dry working area during construction. Prior to construction the Contractor shall install a silt fence downstream of the work area. The silt fence shall consist of filter fabric or manufactured silt fence supported with posts. After completion of the construction, the silt fence and any collected sediment shall be removed.
- Operate machinery in a manner that minimizes disturbance to the banks of the watercourse.
- The Contractor shall take care to adhere to the following Best Management Practices prepared by the Department of Fisheries and Ocean.
  a) Culvert Replacements in Municipal Drains (Appendix A)
- The Contractor shall take care to familiarize them with the Town of Amherstburg's mitigation documents and species identification guidelines, which will be provided to the successful bidder.
- The timing window for this project is March 15 to June 30 of any calendar year. If the drain is dry, the work can proceed anytime of the year.

By following the above procedure, the work should have little or no impact on the existing channel.

20. Miscellaneous

Any subsurface drains encountered upstream of the culvert that conflict with the proposed culvert shall be extended to an outlet to the open channel to the approval of the Drainage Superintendent.

Any fences that must be removed to allow construction or maintenance shall be reinstalled by the Contractor, using the existing materials.

The contractor will be required to work around private bridges.

It will be the Landowner's responsibility to mark all tile and tile mains prior to maintenance being carried out.

APPENDIX A

- Department of Fisheries and Oceans Canada Correspondence
- Essex Region Conservation Authority Correspondence.
- Department of Fisheries and Oceans Canada Best Management Practices – Culvert Replacements in Municipal Drains

Subject: RE: 21-HCAA-02089 - Emailing: Jeths Drain, 21-006 Jeth Drain (October 4 2021), 21-006 Jeth Drain Signed (October 4 2021)

Subject: [Drain Maintenance, Jeths Drain, Class F, Amherstburg] (21-HCAA-02089)

Dear Mike:

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada received your drain maintenance proposal which has been reviewed under the *Fisheries Act* and the *Species at Risk Act*. Our review consisted of: Notification of Drain Maintenance or Repair for the Jeths Drain in the Township of Amherstburg, the Agriculture Information Atlas (Drain Maps) and Species at Risk Distribution of Fish and Mussel Maps. We understand that you propose to: complete maintenance work on approximately 480 metres of an F drain which includes*: bottom cleanout (removal of sediment to lower the elevation of the bed of the drain, as per the most recent Engineer's Report - Municipal Bylaw), bank stabilization, access culvert installation and install a new drain branch.*

Based on the information provided, your proposal has been identified as a project where a *Fisheries Act* Authorization is not required given that harmful alteration, disruption and destruction to fish and fish habitat can be avoided by following standard measures, and a Permit under the *Species at Risk Act* is not required. Your project, as proposed, is not considered to need an authorization from the Program under the *Fisheries Act* in order to proceed. In order to comply with the *Fisheries Act*, it is recommended that you incorporate the following measures into your project proposal:

Timing

- If you are conducting in stream work during periods of low flow to further reduce the risk to fish and their habitat no in-stream work or construction activity should occur from March 15th to June 30th.
- If the drain is dry, work can proceed at any time of the year.

Erosion and Sediment Control

- Install effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
- Conduct regular inspections and maintain erosion and sediment control measures and structures during the course of construction.
- Repair erosion and sediment control measures and structures if damage occurs.
- Remove non-biodegradable erosion and sediment control materials once site is stabilized.

Shoreline Re-vegetation and Stabilization

- Clearing of riparian vegetation should be kept to a minimum.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.

- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

Operation of Machinery

- Operate machinery in a manner that minimizes disturbance to the banks of the watercourse.

It remains your responsibility to meet the requirements of other federal, provincial and municipal agencies.

Should your plans change or if you have omitted some information in your proposal such that your proposal meets the criteria for a site specific review, as described on our website (www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html), you should complete and submit the request for review form that is also available on the website.

Should you have any questions or concerns about the compliance of your proposal with the *Fisheries Act*, and/or those prohibitions of the *Species at Risk Act* that apply to listed aquatic species, you may wish to engage an environmental professional familiar with measures to avoid impacts to fish and fish habitat.

Yours sincerely,

Lucas Coletti
Biologist | Biologiste
Fisheries and Oceans Canada| Pêches et Océans Canada
Fish and Fish Habitat Protection Program | Programme de Protection du Poisson et de Son Habitat
867 Lakeshore Road, Burlington, ON, L7S 1A1 | 867, ch. Lakeshore, Burlington, ON, L7S 1A1
Email/Courriel: Lucas.Coletti@dfo-mpo.gc.ca

From: mike@mgerritsconsulting.ca <mike@mgerritsconsulting.ca>
Sent: Monday, October 4, 2021 12:25 PM
To: FPP.CA / PPP.CA (DFO/MPO) <fisheriesprotection@dfo-mpo.gc.ca>
Subject: 21-HCAA-02089 - Emailing: Jeths Drain, 21-006 Jeth Drain (October 4 2021), 21-006 Jeth Drain Signed (October 4 2021)

Please find attached the Jeths Drain for you review and approval. The KMX file does not have a direction as the camera's internal compass was not turned on but the location is correct.

Thanks

Mike

From: Ashley Gyori
To: mike@mgerritsconsulting.ca
Subject: RE: Jeths Drain
Date: Friday, October 8, 2021 8:39:19 AM
Attachments: 21-006 Jeth Drain (October 4 2021).pdf

Good morning Mike,

I've had the opportunity to review the preliminary plans for the proposed works and have the following comments to provide.

- I noted that there is an existing private 300mm CSP at Station 0+310. Is there any plan to legalize this culvert under the Drainage Act so that it can be upgraded, as the surrounding culverts are proposed to be larger? If not, would this smaller private culvert restrict flows through the Jeth's Drain?
- With respect to the works located on the adjacent lands owned by A. Thompson, often times when a landowner undertakes stewardship work with a Conservation Authority, a stewardship agreement is entered into; however, it is my understanding from discussions with our Forester that this will not prevent removal of any planted vegetation. Any drainage works permitted under Section 28 of the Conservation Authorities Act are reviewed as they relate to the flooding and erosion impacts of the natural hazard (the drain) specifically. We do not review any proposed works with respect to the removal of vegetation or the Endangered Species Act. It is our expectation that any vegetation removal is isolated to the maintenance corridor in relation to the drainage works. Any inquiries with respect to the Endangered Species Act should be directed towards the Ministry of Environment, Conservation and Parks. It is the proponent's responsibility to ensure that all provincial and federal authorizations have been obtained.
- Can you confirm whether the pond located on the parcel north of the drain owned by A. Thompson is hydraulically connected to the drain and currently acts as storage for the system?
- Additionally, it is my understanding that these works were requested as a result of a developer wishing to develop the lands on ARN: 372942000020000. In the final report, can you please specify what release rate has been accounted for in this drain for the future development in litres per second per hectare, as this will form the basis of the stormwater management report for the development.

If you have any questions, please do not hesitate to contact me.

Thank you,

ASHLEY GYORI
Regulations Analyst
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 Ÿ Essex, Ontario Ÿ N8M 1Y6
agyori@erca.org Ÿ essexregionconservation.ca

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From: Ashley Gyori
To: mike@mgerritsconsulting.ca
Subject: RE: Jeths Drain
Date: Monday, April 4, 2022 12:57:08 PM
Attachments: 21-006 Jeth Drain Draft Report (March 21, 2021).pdf

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Good afternoon Mike,

I've had the opportunity to review the draft report and plans for the proposed works and I appreciate your patience as it has been a very busy spring.

In my initial comments below, I had noted that there is an existing private 300mm CSP at Station 0+310 and inquired whether there was any plan to legalize this culvert under the Drainage Act so that it can be upgraded, as the surrounding culverts are proposed to be larger (see correspondence on October 8th, 2021). You had identified on December 9th, 2021, that it would be proposed as a 600mm HDPE; however, the attached plans do not show this private crossing as being upgraded or removed. As such, can you please confirm whether this smaller private culvert is being upgraded and/or removed and if it would restrict flows through the Jeth's Drain?

Additionally, you are correct that the Application for Permit fee will be $800.00 and will be invoiced to the Town of Amherstburg.

Thank you and have a great afternoon,

ASHLEY GYORI
Regulations Analyst
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311 Ÿ Essex, Ontario Ÿ N8M 1Y6
agyori@erca.org Ÿ essexregionconservation.ca

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**** Please note that the ERCA office is closed to the public; however, staff are continuing to respond to inquiries and review applications in a modified capacity. We appreciate your understanding and patience at this time.****

From: mike@mgerritsconsulting.ca <mike@mgerritsconsulting.ca>
Sent: Friday, March 18, 2022 11:08 AM
To: Ashley Gyori <AGyori@erca.org>
Subject: RE: Jeths Drain

Hello Ashely,

The project is a little longer than originally discusses but is of the same type of work. Attached is a draft report for your review and comment. Once I get though the meetings we will apply for a

Best Management Practices – Culvert Replacements in Municipal Drains

This document describes the conditions on which one may proceed with a culvert replacement in a municipal drain without DFO approval/notification. All municipal, provincial, or federal legislation that applies to the work being proposed must be respected. If the conditions/requirements below cannot be met, please complete the drain notification form and submit it to the Fisheries Protection Program form review at: FisheriesProtection@dfo-mpo.gc.ca.

Potential Impacts to Fish Habitat

- Infilling fish habitat by encroachment of the water crossing footprint or channel realignment to accommodate culvert
- Harmful substrate alteration of fish habitat (e.g. blockage of groundwater upwellings, critical SAR habitat, spawning areas)
- Removal of riparian vegetation and cover along the banks of the municipal drain
- Removal of edge habitat (e.g. undercut bank, shallower areas with lower velocity, aquatic vegetation) creation of barriers to fish movement (e.g. perched crossings, velocity barriers, alteration of the natural stream gradient)
- Alteration of channel flow velocity and/or depth (e.g. oversized culvert resulting in insufficient depth for fish passage at low flow or undersized culvert resulting in a flow velocity barrier at high flow)
- Alteration of channel morphology and sediment transport processes caused by the physical structure of the crossing resulting in upstream and downstream sediment aggradation/erosion
- Re-entry of sediment that was removed/stockpiled into the watercourse
- Erosion downstream from sudden release of water due to the failure of site isolation
- Stranding of fish in isolated ponds following de-watering of the site
- Impingement or entrainment of fish when de-watering pumps are used
- Short term or chronic transport of deleterious substances, including sediment, into fish habitat from construction or road drainage

Requirements

The following requirements must be met:

- There are no aquatic Species at Risk present in the work zone or impact zone. To confirm there are no aquatic Species at Risk present, refer to the document, A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario which can be found at: http://www.dfo-mpo.gc.ca/Library/356763.pdf. Links for Ontario Conservation Area specific fish and mussel maps that include critical habitat extents and a list of aquatic Species at Risk found within the conversation authority boundary can be found on Page 5 of A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario.
- The culvert is embedded into the streambed and must allow for the free passage of fish.
- The work involves like-for-like replacements of existing road or private access culverts on all drain types without SAR.
- On C and F Drains only, this can also include replacements with extensions and end walls for the purposes of providing the property or road with safe access, but the project permanent footprint will not increase more than 250 m^2 below the high water mark.
- The project does not involve replacing a bridge or arch with one or more culverts installed in parallel or a larger-diameter culvert with more than one culvert installed in parallel.

- The project does not involve building more than one culvert installed in parallel on a single watercourse crossing site (e.g. twin culvert).
- The project does not involve temporarily narrowing the watercourse to an extent or for a duration that is likely to cause erosion, structural instability or fish passage problems.
- The municipal drain has no flow/low flow or is frozen to the bottom at the time of the replacement.
- In-water work is scheduled to respect timing windows (Tables 1 and 2) to protect fish, including their eggs, juveniles, spawning adults, and/or the organisms upon which they feed.
- The work can be conducted using the Culvert Removal Method described below and Standard Measures to Avoid Causing *Serious Harm to Fish* will be implemented when required.

Note: If your project must be conducted without delay in response to an emergency (e.g. the project is required to address an emergency that poses a risk to public health or safety or to the environment or property), you may apply for an Emergency Authorization (http://www.dfo-mpo.gc.ca/asp/forceDownload.asp?FilePath=/pnw-ppe/reviews-revues/Emergency-Authorizations-Autorisations-Urgences-eng.pdf).

Culvert Removal Methodology

- Plan/manage the work site in a manner that prevents sediment from entering the municipal drain by installing sediment and erosion control materials where required. Ensure that a sediment and erosion control plan is developed and modified as necessary for the site.
- Where required, install effective erosion and sediment control measures before starting work to prevent sediment from entering the municipal drain.
- Implement site isolation measures when in-water work is required.
    - Install an impervious barrier upstream of the work area (Figure 1). If possible, install a secondary barrier upstream of the work area for added protection.
    - Attempt to drive out the fish from the work area and then install the impervious barrier downstream of the work area. This may reduce or eliminate the need for a fish salvage.
    - When the drain is flowing, maintain downstream flows (e.g. bypass water around the work site using pumps or flume pipes; Figure 2). Provide temporary energy dissipation measures (e.g. rip-rap) at discharge point of the hose or temporary outlet pipe when required. Routinely inspect bypass pump and hose or pipe to ensure proper operation. Inspect discharge point for erosion and reposition hose/pipe or install additional temporary energy dissipation material as needed.
    - Dewater the isolated work area. The hose for a pump may discharge along the top of the bank into existing vegetation; however, the area should be monitored for signs of erosion. Reposition the hose or install additional temporary energy dissipation material as needed.
    - A fish screen with openings no larger than 2.54 mm (0.10 inches) should be equipped on any pump used during the operation. Note: Additional information regarding fish screens can be found in the DFO Freshwater Intake End-of-Pipe Fish Screen Guideline document (http://www.dfo-mpo.gc.ca/Library/223669.pdf).
    - Collect any fish present in the isolated work area and relocate them downstream.
    - Fish salvage operations must be conducted under a license issued by the Ontario Ministry of Natural Resources and Forestry (MNRF). The MNRF should be contacted well in advance of any work to obtain the required fish collection license.
- Install the culvert so that it is embedded into the streambed; ensure the culvert remains passable (e.g. does not become perched) by fish and wildlife.

- Decommission the site isolation in a manner that minimizes the introduction of sediment. The downstream isolation barrier shall gradually be removed first, to equalize water levels inside and outside of the isolated area and to allow suspended sediments to settle.
- Stabilize and remove waste from the site.
- Where required, maintain effective erosion and sediment control measures until complete re-vegetation of disturbed areas is achieved.

Figure 2. Isolation of Site

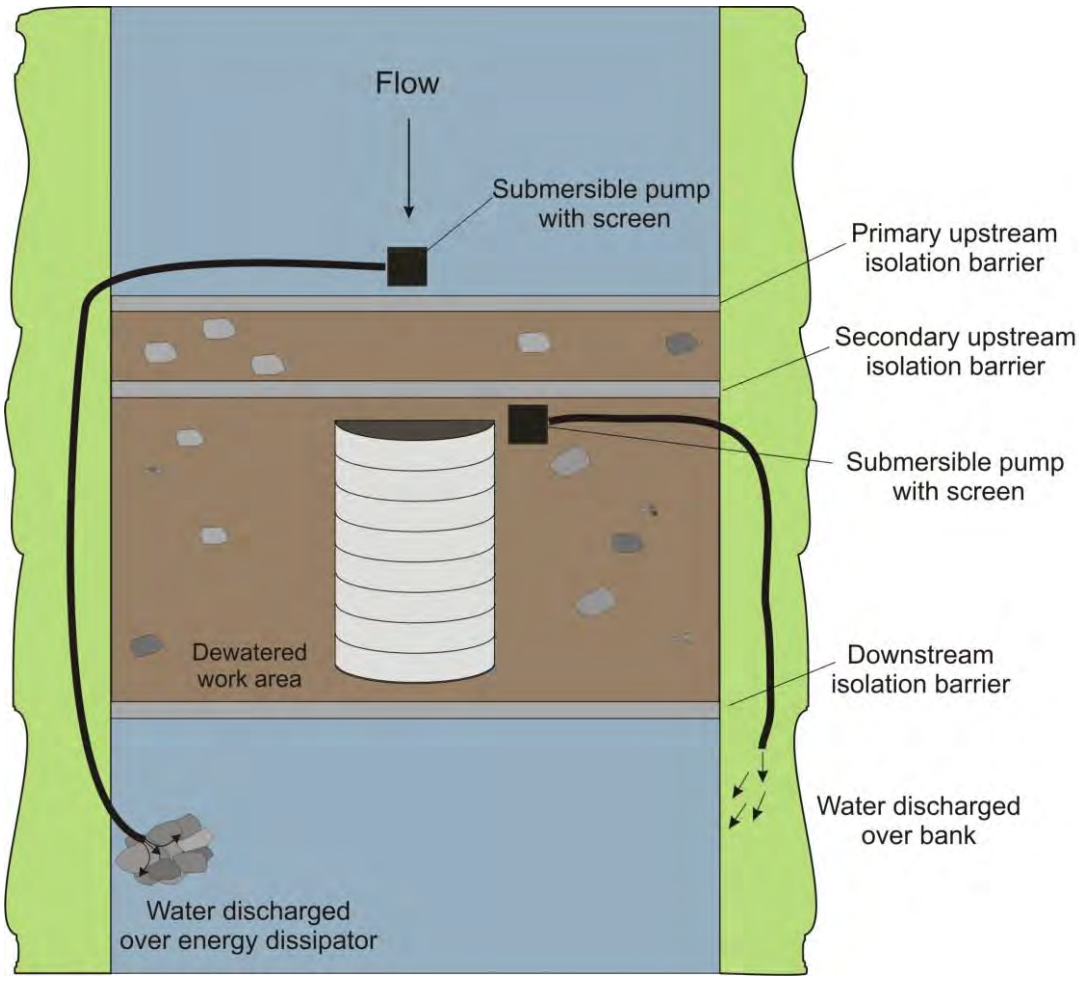


Figure 3. Isolation and Bypass Diversion when Working In-Water

Timing Windows

Figure 1 and Tables 1 and 2 can be used to determine the Restricted Activity period for the drain based on its classification. Note: Timing windows identified on Conservation Authority permits or Ministry of Natural Resources (Government of Ontario) work permits may differ and take precedence.

Figure 1. Ontario's Northern and Southern Region boundaries for determining application of restricted activity timing windows.

Table 1. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Northern Region. Dates represent when work should be avoided.

Drain Type	Restricted Activity Period
A	September 1 to July 15
B	September 1 to July 15
C	April 1 to July 15
D	September 1 to July 15
E	April 1 to July 15

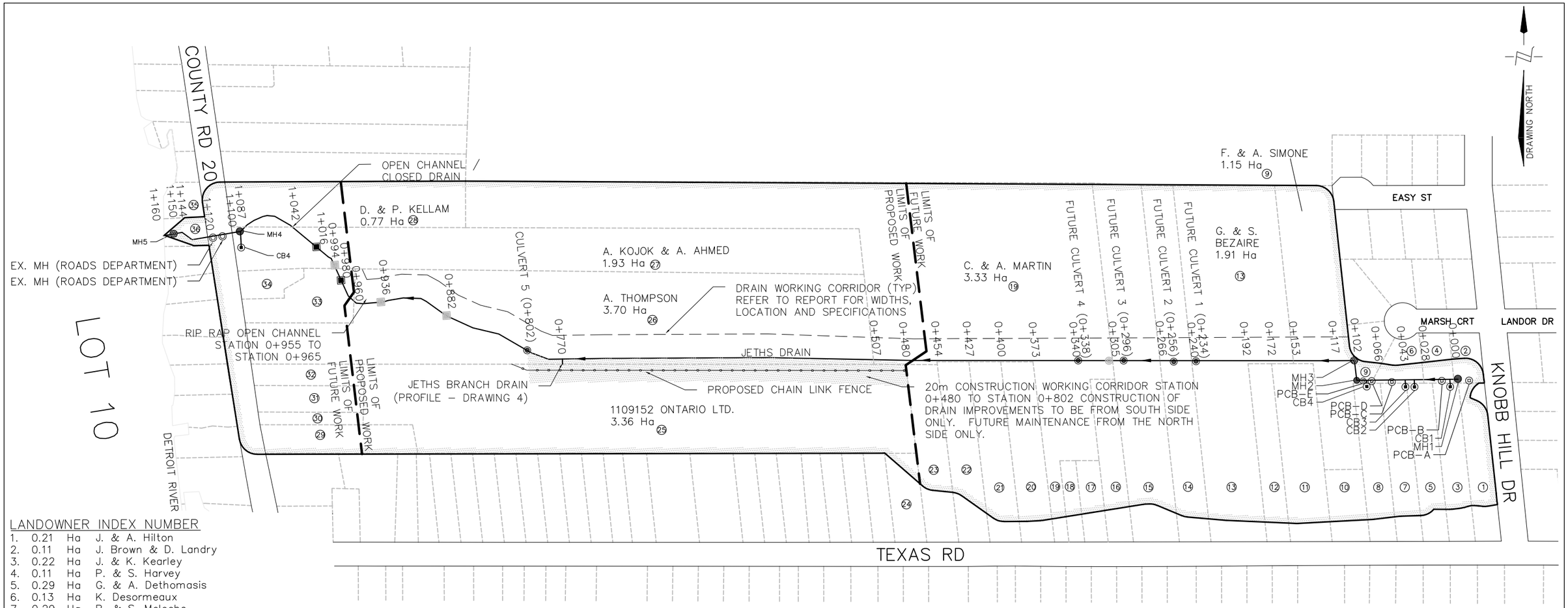
Table 2. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Southern Region. Dates represent when work should be avoided.

Drain Type	Restricted Activity Period
A	September 15 to July 15
B	March 15 to July 15
C	March 15 to July 15
D	October 1 to July 15
E	March 15 to July 15

Standard Measures to Avoid Causing *Serious Harm to Fish*

When implementing a culvert removal project in a municipal drain, the *Fisheries Act* still requires an individual/company to ensure they avoid causing *serious harm to fish* during any activities in or near water. The following advice will help one avoid causing harm and comply with the *Act* (for additional information see http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html).

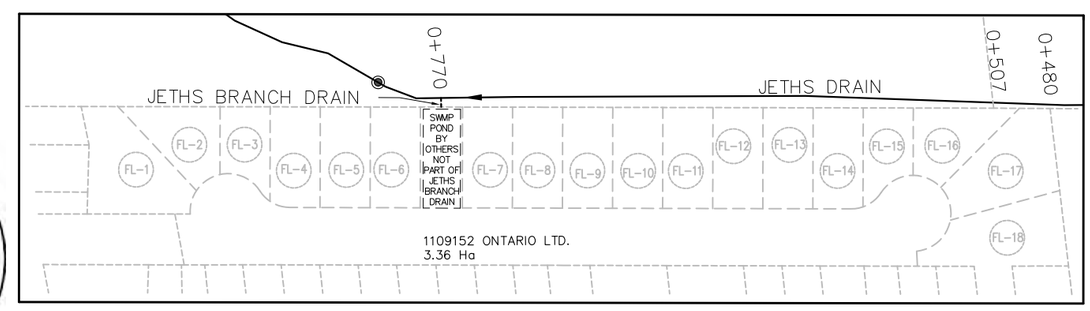
1. Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
2. Whenever possible, operate machinery on land above the high water mark or on ice and in a manner that minimizes disturbance to the banks and bed of the municipal drain.
   - Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks.
   - Limit machinery fording of the municipal drain to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the municipal drain are required, construct a temporary crossing structure.
   - Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.
   - Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
3. Install effective sediment and erosion control measures before starting work to prevent sediment from entering the municipal drain. Inspect them regularly during the course of construction and make all necessary repairs if any damage occurs.
4. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the municipal drain and runoff water is clear.
5. Undertake all in-water activities in isolation of open or flowing water while maintaining the natural flow of water downstream and avoid introducing sediment into the municipal drain.
6. Ensure applicable permits for relocating fish are obtained and relocate any fish that become trapped in isolated pools or stranded in newly flooded areas to the main channel of the watercourse.
7. Ensure that the water that is being pumped/diverted from the site is filtered (sediment remove) prior to being released (e.g. pumping/diversion of water to a vegetated area).
8. Implement measures for containing and stabilizing waste material (e.g. dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
9. Stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
10. If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
11. Remove all construction materials from site upon project completion.



CON 1

LANDOWNER INDEX NUMBER

1. 0.21 Ha J. & A. Hilton
2. 0.11 Ha J. Brown & D. Landry
3. 0.22 Ha J. & K. Kearley
4. 0.11 Ha P. & S. Harvey
5. 0.29 Ha G. & A. Dethomasis
6. 0.13 Ha K. Desormeaux
7. 0.29 Ha R. & S. Meloche
8. 0.31 Ha R. Lackovic
9. 1.15 Ha F. & A. Simone
10. 0.13 Ha J. Litalien
11. 0.47 Ha T. LaPorte
12. 0.27 Ha D. & M. Donato
13. 1.91 Ha G. & S. Bezaire
14. 0.75 Ha S. Reaume
15. 1.08 Ha J. & K. Hindi
16. 0.23 Ha J. & K. Hindi
17. 0.09 Ha J. Muresan & M. Campbell
18. 0.06 Ha C. & A. Martin
19. 3.33 Ha C. & A. Martin
20. 0.37 Ha C. & C. Blunt
21. 0.39 Ha L. Bortolin
22. 0.32 Ha G. Fawcett & K. Sullivan
23. 0.28 Ha B. & P. Pare
24. 0.04 Ha M. Conte & A. Calamita
25. 3.36 Ha 1109152 Ont. Ltd.
26. 3.70 Ha A. Thompson
27. 1.93 Ha A. Kojok & A. Ahmed
28. 0.77 Ha D. & P. Kellam
29. 0.31 Ha D. & J. Hay
30. 0.09 Ha B. Girard
31. 0.20 Ha J. & D. Rawlins
32. 0.17 Ha J. & J. Farmer
33. 0.32 Ha L. Durocher & J. Gagnon
34. 0.11 Ha P. & K. Tough
35. 0.00 Ha A. Valente
36. 0.10 Ha A. Valente (Future Severance)



FUTURE DEVELOPMENT OF LANDS ENDING WITH THE AREA ROLL NUMBER 420–200–00
(18 LOTS C/W ROAD ALLOWANCE)

LICENSED PROFESSIONAL ENGINEER
M.R.M. GERRITS
August 12, 2022
2021-047
PROVINCE OF ONTARIO

LEGEND

- DRAINAGE AREA
- JETHS DRAIN – OPEN CHANNEL
- JETHS BRANCH DRAIN
- CULVERT
- PRIVATE ACCESS CULVERT
- BRIDGE
- PRIVATE ACCESS BRIDGE
- JETHS DRAIN MAINTENANCE HOLE
- MAINTENANCE HOLE
- JETHS DRAIN CATCHBASIN
- PRIVATE CATCHBASIN (PCB)
- LANDOWNER IDENTIFICATION NUMBER

M. GERRITS CONSULTING INC.

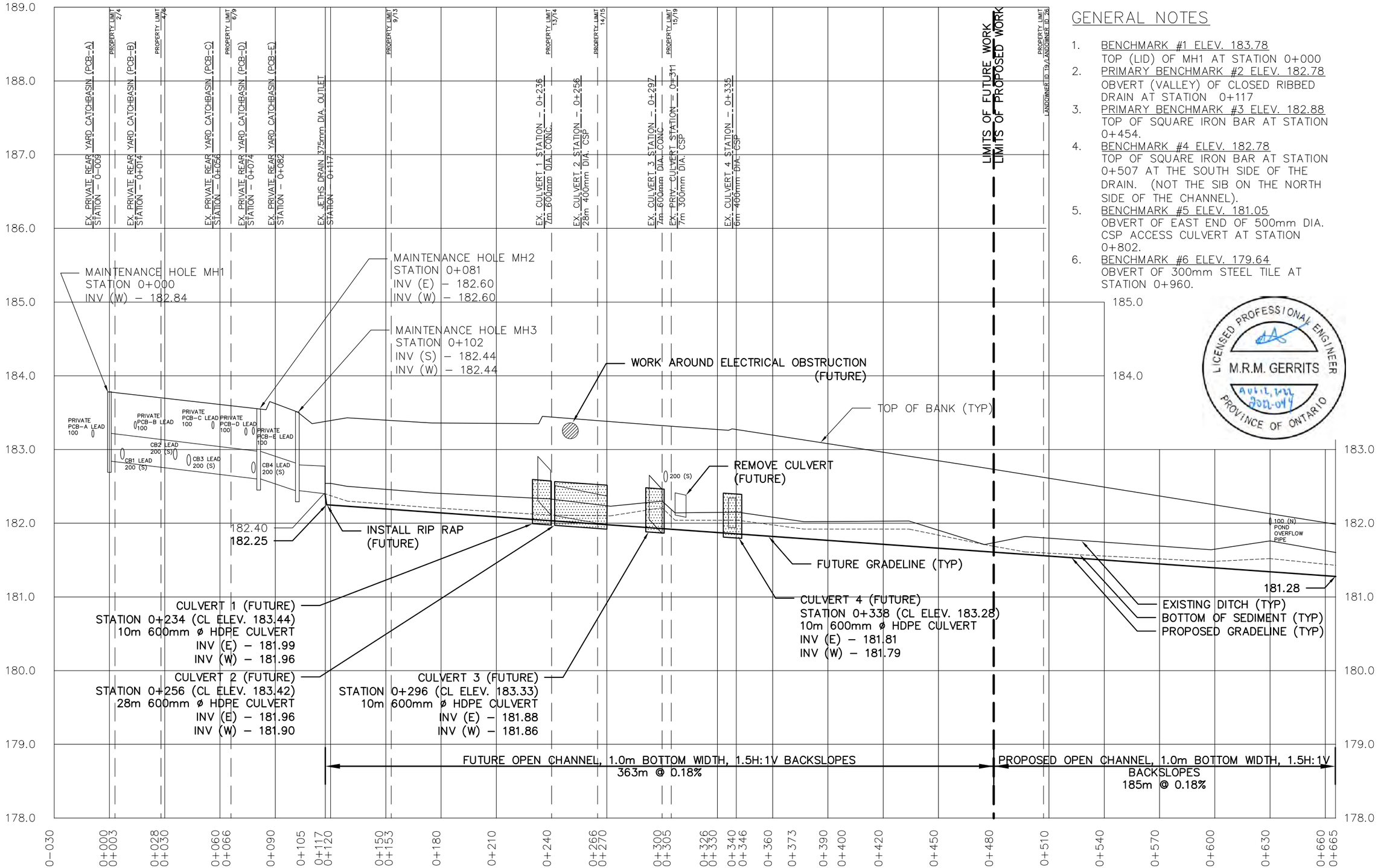
NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

JETHS DRAIN

TOWN OF AMHERSTBURG

OVERALL PLAN

SCALE	1:3,325
DRAWN	MG
DATE	AUGUST 12, 2022
PROJECT NO.	2021–006
SHEET	1 OF 6



GENERAL NOTES

1. BENCHMARK #1 ELEV. 183.78
   TOP (LID) OF MH1 AT STATION 0+000
2. PRIMARY BENCHMARK #2 ELEV. 182.78
   OBVERT (VALLEY) OF CLOSED RIBBED DRAIN AT STATION 0+117
3. PRIMARY BENCHMARK #3 ELEV. 182.88
   TOP OF SQUARE IRON BAR AT STATION 0+454.
4. BENCHMARK #4 ELEV. 182.78
   TOP OF SQUARE IRON BAR AT STATION 0+507 AT THE SOUTH SIDE OF THE DRAIN. (NOT THE SIB ON THE NORTH SIDE OF THE CHANNEL).
5. BENCHMARK #5 ELEV. 181.05
   OBVERT OF EAST END OF 500mm DIA. CSP ACCESS CULVERT AT STATION 0+802.
6. BENCHMARK #6 ELEV. 179.64
   OBVERT OF 300mm STEEL TILE AT STATION 0+960.

LICENSED PROFESSIONAL ENGINEER
M.R.M. GERRITS
AUG. 12, 2022
2022-047
PROVINCE OF ONTARIO

M. GERRITS CONSULTING INC.

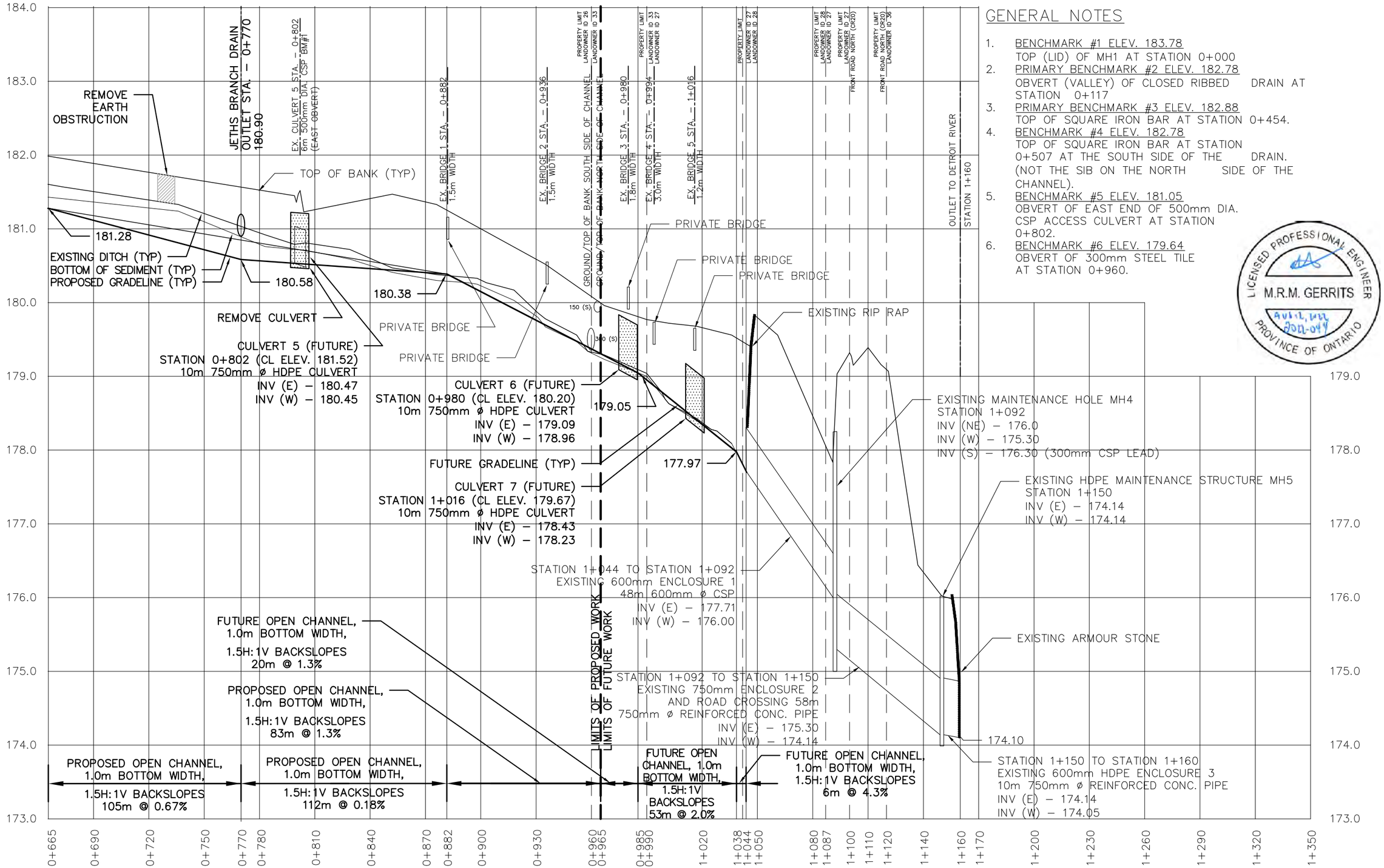
NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

JETHS DRAIN

TOWN OF AMHERSTBURG

PROFILE

HORIZOTAL SCALE	1:200
VERTICAL SCALE	1:50
DRAWN	MG
CHECKED	EG
DATE	AUGUST 12, 2022
PROJECT NO.	2021–006
SHEET	2 OF 6



GENERAL NOTES

1. BENCHMARK #1 ELEV. 183.78
   TOP (LID) OF MH1 AT STATION 0+000
2. PRIMARY BENCHMARK #2 ELEV. 182.78
   OBVERT (VALLEY) OF CLOSED RIBBED DRAIN AT STATION 0+117
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LICENSED PROFESSIONAL ENGINEER
M.R.M. GERRITS
AUG 12, 2022
2022-044
PROVINCE OF ONTARIO

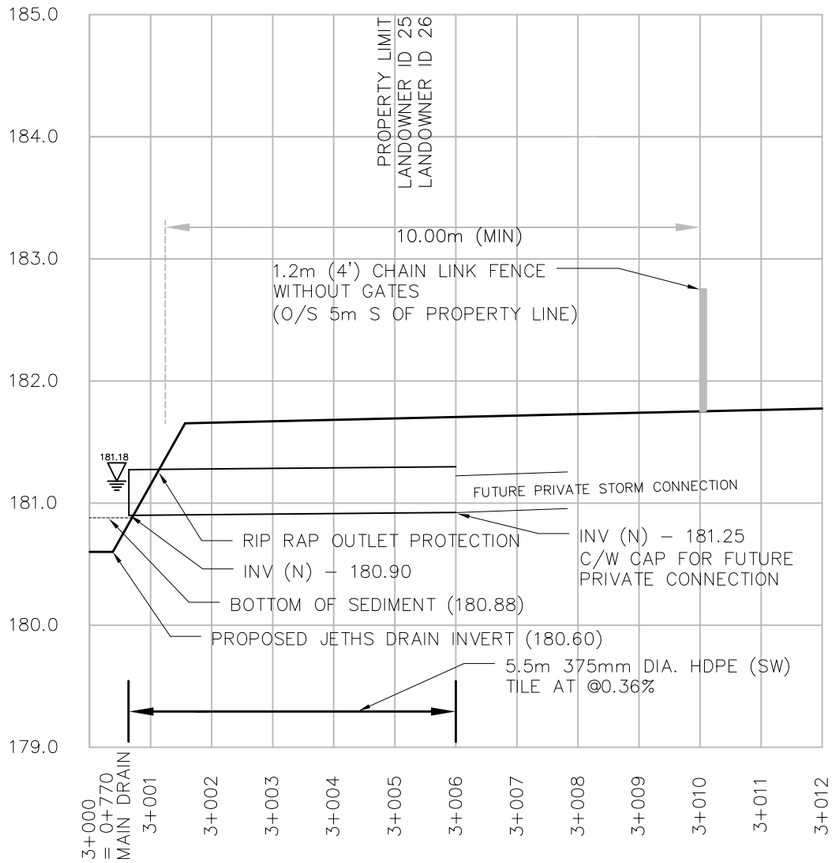
M. GERRITS CONSULTING INC.

NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

JETHS DRAIN
TOWN OF AMHERSTBURG

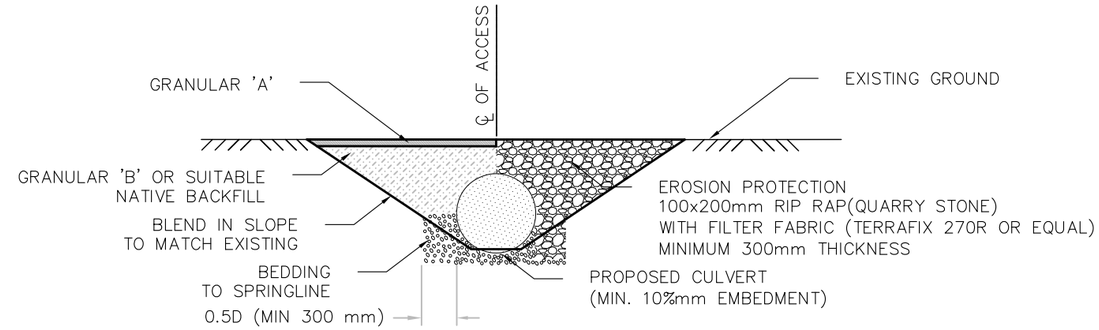
PROFILE

HORIZOTAL SCALE	1:200
VERTICAL SCALE	1:50
DRAWN	MG
CHECKED	EG
DATE	AUGUST 12, 2022
PROJECT NO.	2021–006
SHEET	3 OF 6

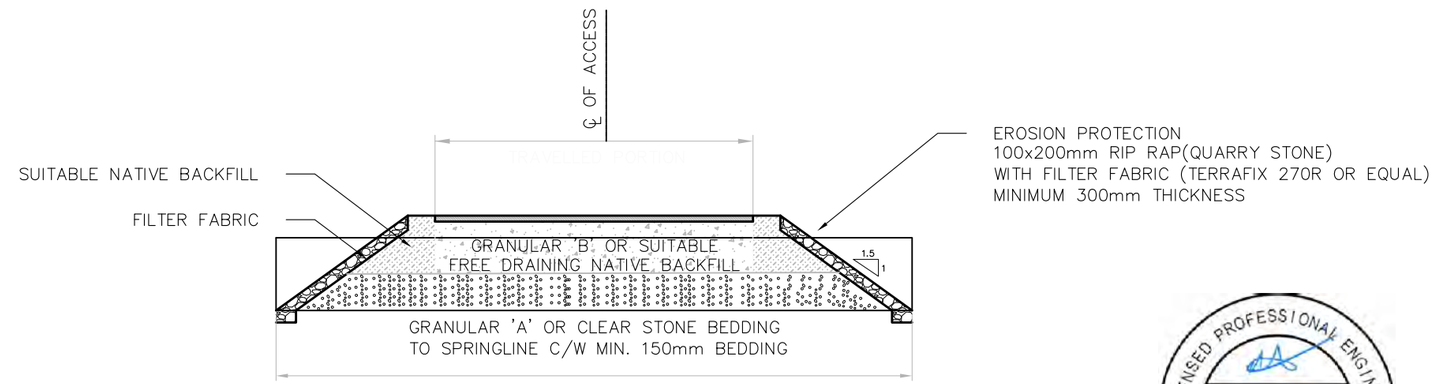


JETHS BRANCH DRAIN
PROFILE

H SCALE 1:100
V SCALE 1:50



PROPOSED BLOCK ENDWALL END SECTION
TYPICAL CULVERT
N.T.S.



PROPOSED CROSS SECTION
TYPICAL CULVERT
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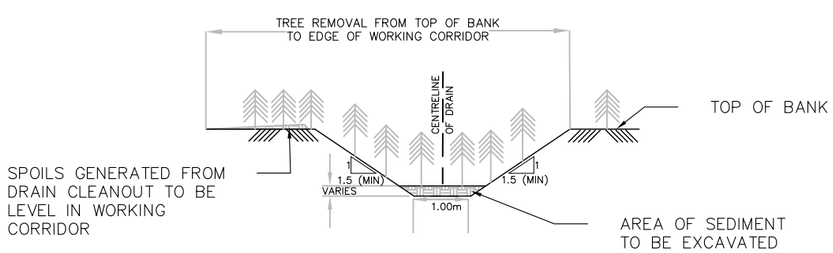
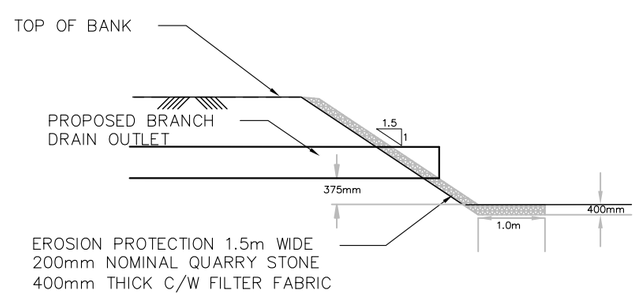
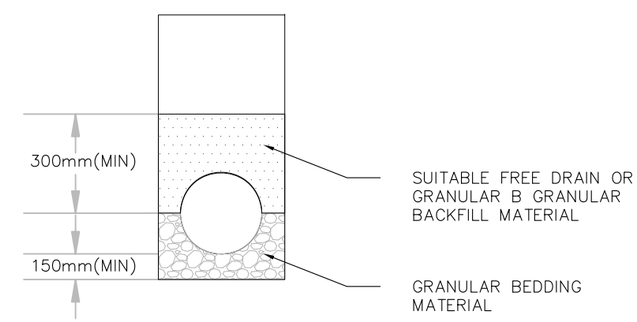


TYPICAL DRAIN CROSS–SECTION
N.T.S.



TYPICAL OUTLET DETAIL
N.T.S.



PIPE BEDDING DETAIL
BY EXCAVATOR
N.T.S.

LICENSED PROFESSIONAL ENGINEER
M.R.M. GERRITS
AUG 12, 2022
2021-047
PROVINCE OF ONTARIO

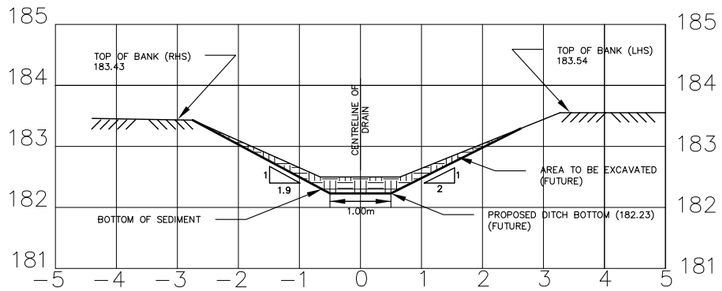
M. GERRITS
CONSULTING INC.

NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

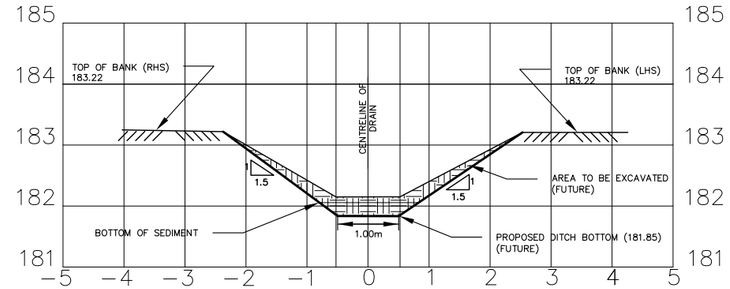
JETHS DRAIN
TOWN OF AMHERSTBURG

DETAILS

DRAWN	MG
CHECKED	EG
DATE	AUGUST 12, 2022
PROJECT NO.	2021–006
SHEET	4 OF 6



CROSS-SECTION
STATION 0+127
(LOOKING TO DETROIT RIVER)



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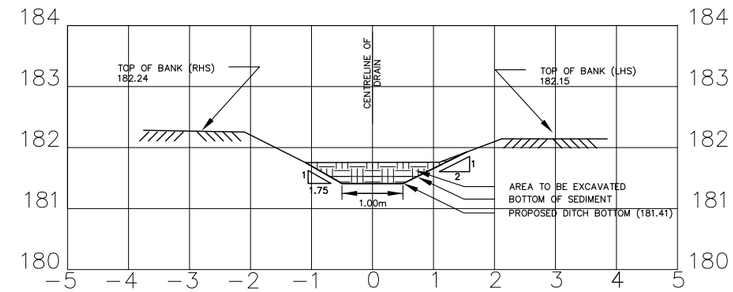

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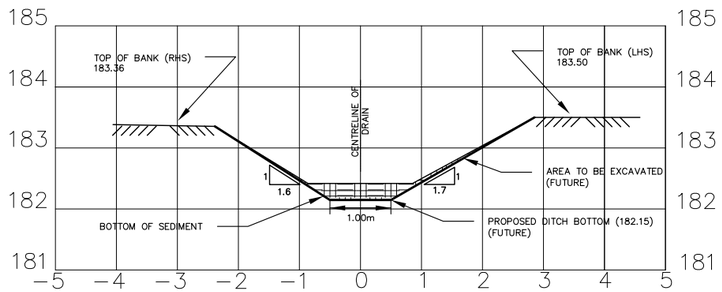

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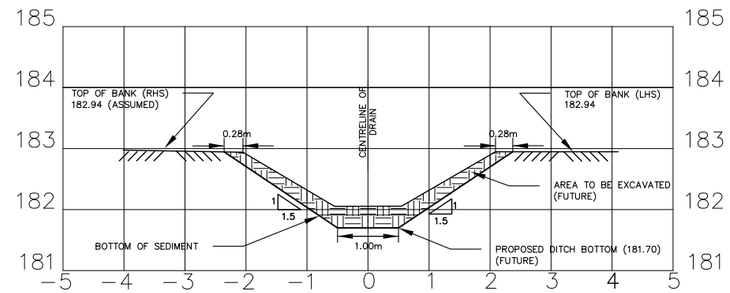

CROSS-SECTION
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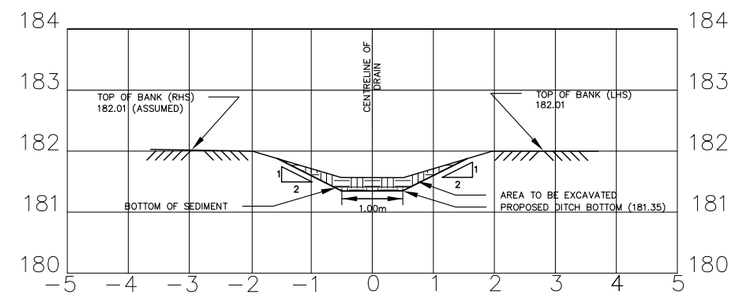

CROSS-SECTION
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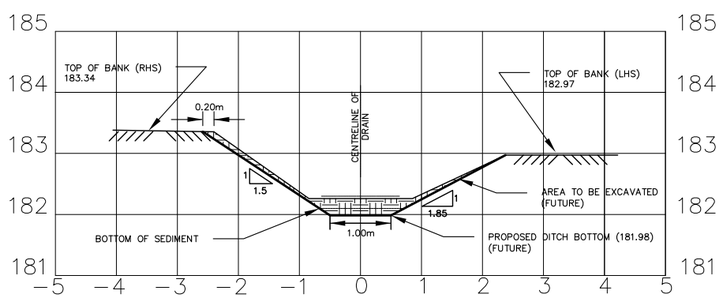

CROSS-SECTION
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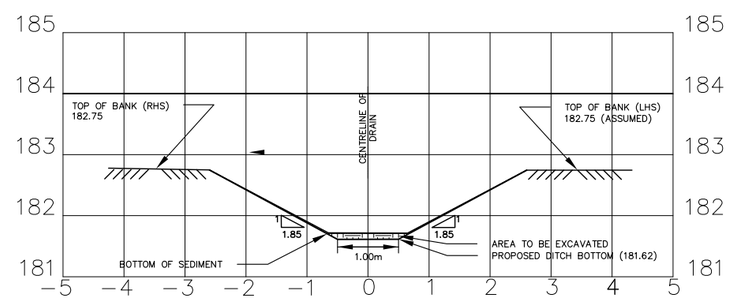

CROSS-SECTION
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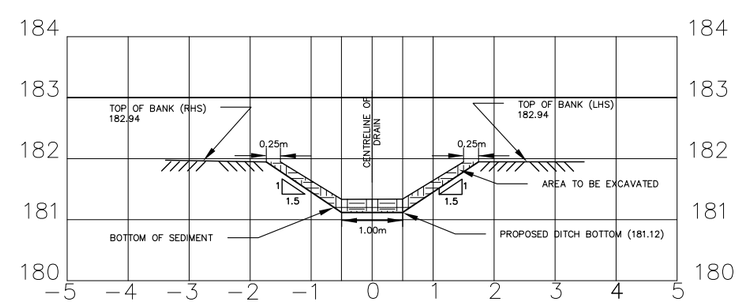


CROSS-SECTION
STATION 0+735
(LOOKING TO DETROIT RIVER)

LICENSED PROFESSIONAL ENGINEER
M.R.M. GERRITS
AUG 12, 2022
2022-044
PROVINCE OF ONTARIO

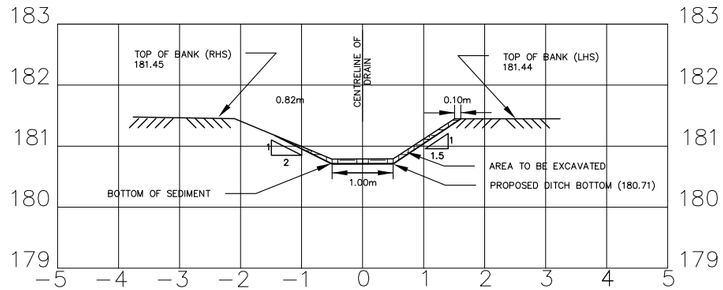
M. GERRITS CONSULTING INC.

NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

JETHS DRAIN
TOWN OF AMHERSTBURG

CHANNEL CROSS SECTIONS

DRAWN	MG
CHECKED	EG
DATE	AUGUST 12, 2022
PROJECT NO.	2021-006
SHEET	5 OF 6



CROSS–SECTION
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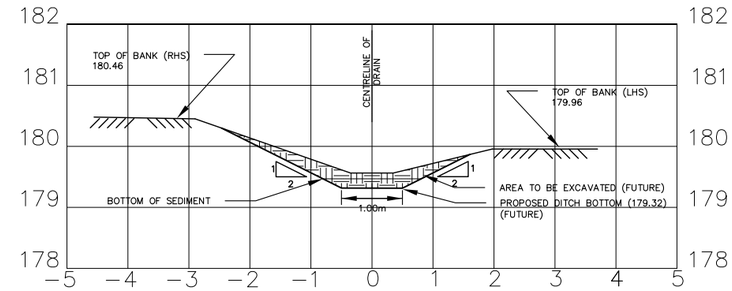

CROSS–SECTION
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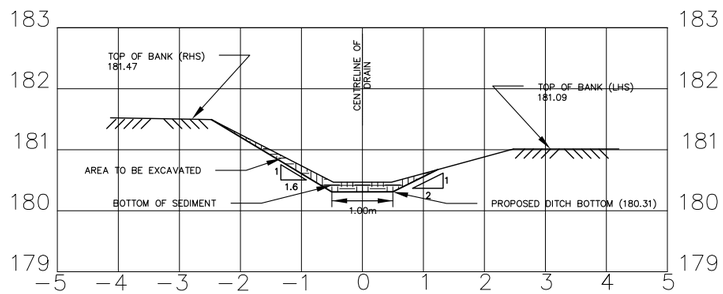
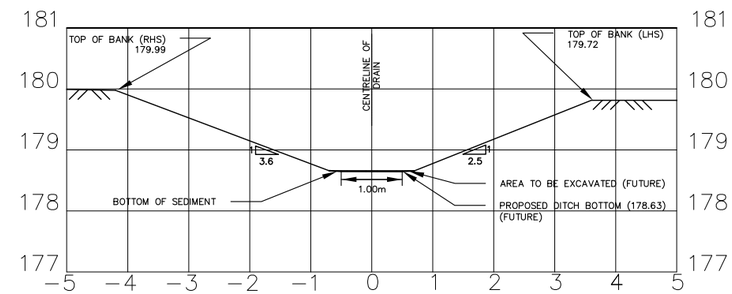
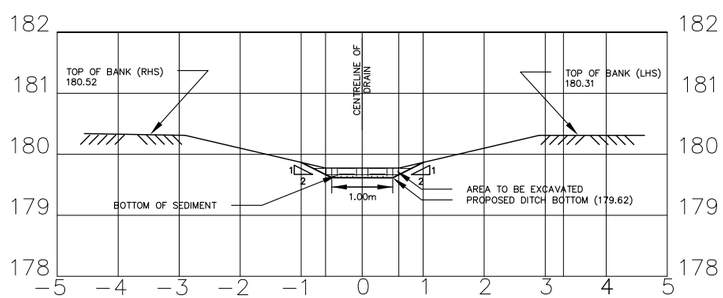
(LOOKING TO DETROIT RIVER)



CROSS–SECTION
STATION 0+857
(LOOKING TO DETROIT RIVER)



CROSS–SECTION
STATION 1+00
(LOOKING TO DETROIT RIVER)



CROSS–SECTION
STATION 0+937
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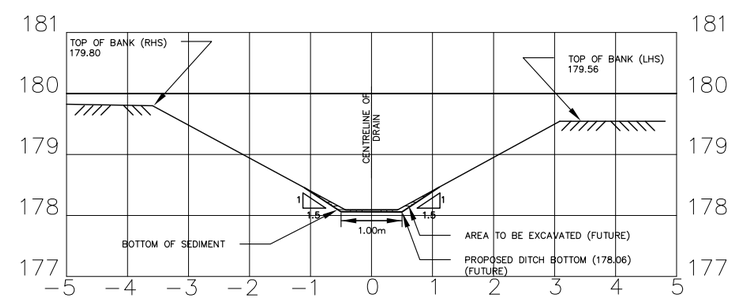

CROSS–SECTION
STATION 1+034
(LOOKING TO DETROIT RIVER)

M. GERRITS CONSULTING INC.

NO	REVISION	DATE	BY
1	FOR REPORT	MAY 23, 2022	MG
2	FOR RECONSIDERATION	AUGUST 12, 2022	MG

JETHS DRAIN

TOWN OF AMHERSTBURG

CHANNEL CROSS SECTIONS

DRAWN	MG
CHECKED	EG
DATE	AUGUST 12, 2022
PROJECT NO.	2021–006
SHEET	6 OF 6

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2022 – 059

By-law to provide for the Jeths Drain Improvements based on the Drainage Report by M. Gerrits Consulting Inc.

WHEREAS a request for improvement of the Jeths Drain was received under section 78 of the Drainage Act;

WHEREAS a petition for drainage works was received under section 4 of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of an engineer's report for the improvements of the Jeths Drain under section 78 of the Drainage Act and for the creation of the Jeths Branch Drain under section 4 of the Drainage Act;

WHEREAS Council of the Corporation of the Town of Amherstburg has authorized Michael Gerrits, P. Eng., to prepare a report and said engineer's report dated May 23, 2022, was considered by the Amherstburg Drainage Board at the meeting held on June 2, 2022;

WHEREAS Council of the Corporation of the Town of Amherstburg has instructed Michael Gerrits, P. Eng., to revise the report and said engineer's report dated August 12, 2022, can be referenced as Schedule A, as attached hereto;

WHEREAS $157,720.00 is the estimated cost of improving the drainage works;

AND WHEREAS the revised engineer's report dated August 12, 2022 was reconsidered by the Amherstburg Drainage Board at the meeting held on September 6, 2022.

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

1. AUTHORIZATION

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report

2. BORROWING

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of $157,720.00 being the amount necessary for the improvements of the drainage works.

3. DEBENTURE(S)

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:
(a) Grants received under section 85 of the Drainage Act;
(b) Monies paid as allowances;
(c) Commuted payments made in respect of lands and roads assessed with the municipality;
(d) Money paid under subsection 61(3) of the Drainage Act; and
(e) Money assessed in and payable by another municipality.

4. PAYMENT

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

(1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.

(2) All assessments of $1000.00 or less are payable in the first year in which the assessments are imposed.

Read a first and second time and provisionally adopted this 12th day of September, 2022.

_____
MAYOR – ALDO DICARLO

_____
CLERK – VALERIE CRITCHLEY

Read a third time and finally passed this ___ day of _____, 2022.

_____
MAYOR – ALDO DICARLO

_____
CLERK – VALERIE CRITCHLEY

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

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: Shane McVitty	**Report Date: July 28, 2022**
Author's Phone: 519 736-3664 ext. 2318	**Date to Drainage Board: September 6, 2022**
Author's E-mail: smcvitty@amherstburg.ca	**Resolution #: N/A**

To: **Members of the Drainage Board**

Subject: Smale Drain & Smale Drain Extension – New Maintenance Schedule of Assessment – Engineering Appointment

---

1. RECOMMENDATION:

It is recommended that:

1. The report from the Drainage Superintendent and Engineering Coordinator dated July 28, 2022, regarding the Smale Drain and Smale Drain Extension – New Maintenance Schedule of Assessment – Engineering Appointment **BE RECEIVED**;

2. The Drainage Board recommend that the appointment of the firm of N.J. Peralta Engineering Ltd. to complete an engineering report for the Smale Drain and Smale Drain Extension – New Maintenance Schedule of Assessment **BE APPROVED** by Council.

2. BACKGROUND:

On April 13st, 2022, Tony Simon submitted a request to have maintenance completed on the Smale Drain and Smale Drain Extension. Upon review of the existing engineering reports for both drains, it was determined that the assessment schedules were out of date and were no longer suitable for assessing the costs of drain maintenance.

3. DISCUSSION:

The Smale Drain is an open drain, approximately 1060 metres in length, located entirely within the agricultural lands north of County Road 10 (Middle Sideroad), between Concession Road 5 N and Concession Road 6 N. The Smale Drain Extension joins into the upper end of the Smale Drain, extending upstream towards Middle Sideroad for a distance of approximately 820 metres.

The Smale Drain was created under a petitioned engineering report dated September 11, 1957, by C.G.R. Armstrong, P.Eng. The drain was last improved under a report authored by the same engineer dated September 2, 1966. Under the 1966 report, a portion of the drain near its bottom end was relocated, while the rest of the drain was improved with a newly established design profile.

The Smale Drain Extension was created under a petitioned engineering report dated Apirl 25, 1969, by C.G.R. Armstrong, P.Eng. Under this report, the Smale Drain was extended for a distance of 820 meters upstream from the upper end of the Smale Drain in order to provide sufficient drainage to the petitioners owning farmland in the upper reaches of the watershed.

Upon receiving a request for drain maintenance from an affected landowner whose farm utilizes the Smale Drain and Smale Drain Extension, Administration reviewed the 1966 and 1969 engineering reports. These reports stand as the most current engineering reports for the drains and therefore provide the only schedules of assessment for which the costs of drain maintenance can be assessed by the municipality. This review revealed that the assessment schedule for the Smale Drain was never adjusted to account for the added lands that were introduced into the watershed under the 1969 report for the Smale Drain Extension. Additionally, land severances and mergers within the watersheds of both drains have taken place since the original reports were authored.

In light of this proposed discrepancies between the existing drainage assessment schedules, and in consideration of the land adjustments, new schedules of assessment are required for the Smale Drain and Smale Drain Extension. The Drainage Act provides municipalities with a means to vary the assessments of an existing drainage work when circumstances have arisen that justify such a variation. Specifically, the procedures by which such variations can be made are outlined under Section 76 (1) of the Act, which stipulates that:

> **Varying original assessments for maintenance**
> *76. (1) The **council** of any local municipality liable for contribution to a drainage works in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the assessment for maintenance and repair of the drainage works may make an application to the **Tribunal**, of which notice has been given to the head of every other municipality affected by the drainage works, for permission to procure a report of an **engineer** to vary the assessment, and, in the event of such permission being given, such **council** <u>may</u> appoint an **engineer** for such purpose and <u>may</u> adopt the report but, if all the lands and roads assessed or intended to be assessed lie within the limits of one local municipality, the **council** of that municipality <u>may</u> procure and adopt such report*

without such permission. R.S.O. 1990, c. D.17, s. 76 (1); 2006, c. 19, Sched. A, s. 6 (1).

A motion was passed at the April 27, 2020 Council Meeting to authorize administration to utilize a roster for drainage services under the Drainage Act. Among others, N.J. Peralta Engineering Ltd. was selected to be included as part of this roster and is thereby eligible to prepare a drainage report pursuant to Section 76(1) of the Drainage Act for a New Maintenance Schedule of Assessment for the Smale Drain and Smale Drain Extension.

4. RISK ANALYSIS:

In order to properly assess any future works of maintenance to the Smale Drain and Smale Drain Extension, it will be necessary to vary the current governing Schedules of Assessment which were prepared by C.G.R. Armstrong, P.Eng., dated September 2, 1966 and Apirl 25, 1969, respectively. This will provide the Municipality with a mechanism which will ensure that the costs of future maintenance work will be properly distributed to all affected landowners. Failing to vary the existing Schedule of Assessment could lead to unfair assessments of drain maintenance costs that do not accurately reflect the prevalent drainage conditions within the watershed. This could lead to conflicts between the Municipality and landowners over drainage assessments and the possible denial of agricultural grants from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

5. FINANCIAL MATTERS:

Engineering costs associated with the preparation of drainage reports are primarily assessed to property owners. Assessments to the Town may also occur, but are unlikely in this case since the watershed defined under the original engineering reports did not include any lands or roads owned by the municipality.

The assessment of the costs associated with the preparation of the engineering report will be outlined within the engineer's drainage report for the Smale Drain and Smale Drain Extension.

6. CONSULTATIONS:

N/A

7. CONCLUSION:

Administration is recommending that the appointment of the firm of N.J. Peralta Engineering Ltd.. for the repair and improvement to the Smale Drain and Smale Drain Extension be brought to the next Regular Council meeting for Council's consideration pursuant to the provisions of the Drainage Act.

Shane McVitty
Drainage Superintendent and
Engineering Coordinator

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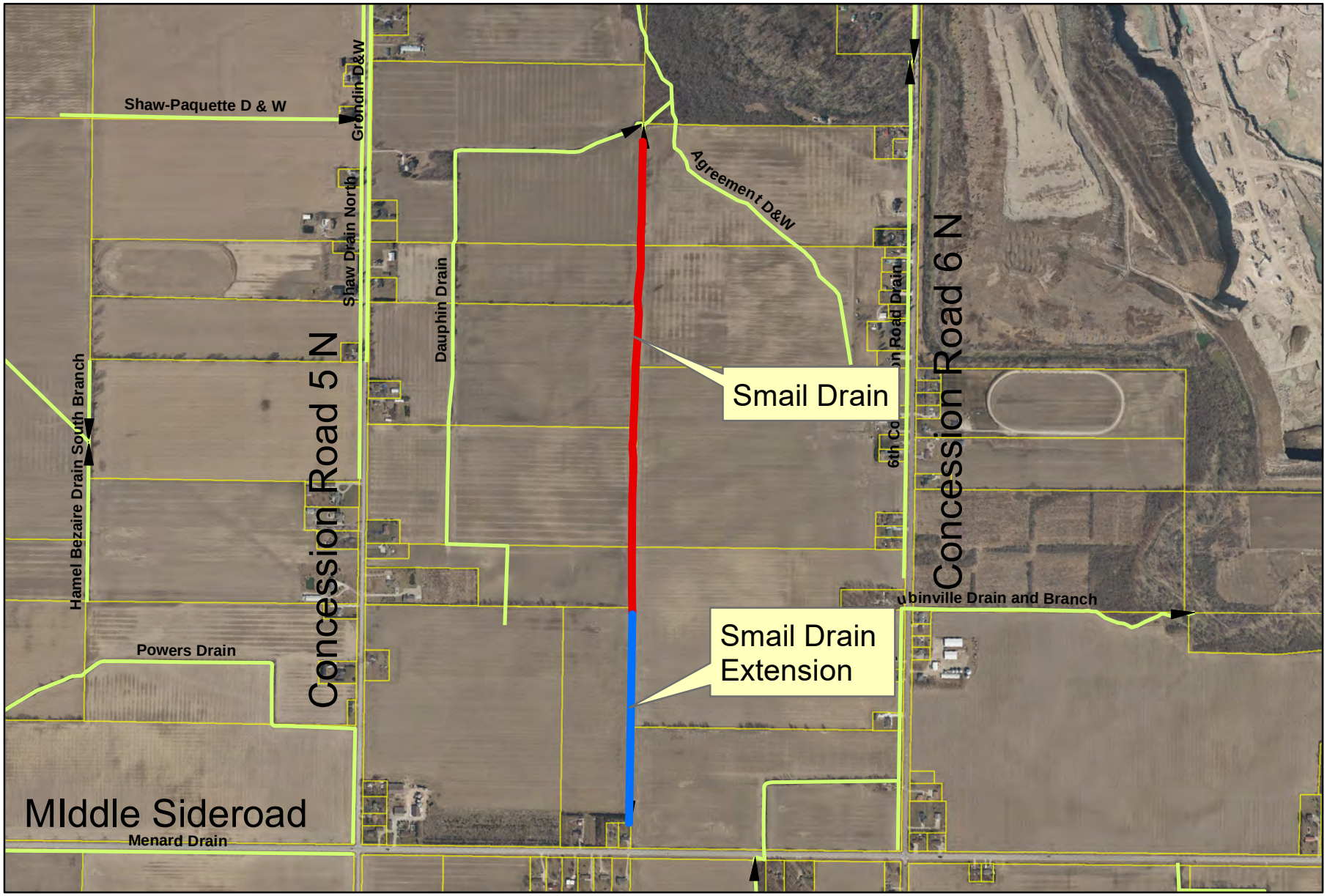
Attachment(s):

- Map of Smale Drain and Smale Drain Extension

The Corporation of The
Town of Amherstburg

Smale Drain & Smale Drain Extension



UNFINISHED BUSINESS LIST

Council Question #	Agenda Item	Assigned To	Description	Meeting Type	Meeting Date	Comments
CQ 20-003	Kingsbridge Subdivision Parkland Conveyance	Heidi Baillargeon, Rita Chappell	Resolution # 20200127-033 McArthur/Simone - amended motion That: The amended method of meeting parkland dedication requirements for the full Kingsbridge Subdivision development as outlined in the report from the Manager of Planning dated January 22, 2020 BE APPROVED; The conveyance of Parts 5 and 12 on the draft 12R plan (2.67 hectares) to 1078217 Ontario Limited in exchange for cash in lieu of parkland in the amount of $66,170 BE APPROVED and the funds BE COMMITTED for use solely at Pat Thrasher Park; Part 6 on the draft 12R Plan (2.02 hectares) BE DESIGNATED as conservation lands and Administration BE DIRECTED to bring related amendment to the Zoning By-law (1999-52 as amended); Administration BE DIRECTED to explore opportunities for future development and upgrades to Pat Thrasher Park in consultation with the Parks and Recreation Advisory Committee and via community engagement.	Regular Council Meeting	1/27/2020	With Administration.
CQ 20-005	NEW BUSINESS	Valerie Critchley, Bill Tetler	Resolution # 20200309-096 Prue/Courtney That: 1. Administration BE DIRECTED to bring back a report on vacant building registries and to investigate the City of Hamiltons by-law with respect to vacant buildings for discussion; and, 2. Administration BE DIRECTED to bring back a report on an Agent of Change by-law for discussion.	Regular Council Meeting	3/9/2020	Agent of Change Report Complete. See CQ 21-012. Vacant Building registries is under review.

Blue Shaded Items are completed and will be removed next meeting.
Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 20-006	Water Bill Fee - Dennis Richardson	Tiffany Hong	Resolution # 20200713-194 Prue/Renaud That Administration BE DIRECTED to bring back a report with respect to the feasibility of the following: Employee discretion when adding the administrative fee to past due water bills consideration of a 14 day grace period.	Regular Council Meeting	7/13/2020	Report coming to Council in Q2 2022.
CQ 20-009	NEW BUSINESS	Valerie Critchley, Bill Tetler	Resolution #20200914-292 Courtney/Prue That Administration BE DIRECTED to bring back a report regarding regulating Air BnB's.	Regular Council Meeting	9/14/2020	Administration will bring back a report with options.
CQ 20-011	NEW BUSINESS	Melissa Osborne	Resolution # 20200928-309 Prue/Simone That Administration BE DIRECTED to bring a report back regarding the feasibility of a public art dedication fund as a provision in future development agreements.	Regular Council Meeting	9/28/2020	Administration is investigating the feasibility of a public art dedication fund.
CQ 20-014	Easement Documentation and By-law 2020-059 - Nicole Keogh and Mary Canton, Amherst Point Association	Valerie Critchley, Bill Tetler	Resolution # 20201109-358 Prue/Meloche That Administration BE DIRECTED to prepare a report to determine costs and impacts for all Town encroachments and that the report be brought back to Council for consideration.	Regular Council Meeting	11/9/2020	Options will be brought back for consideration.
CQ 21-003	Off-Road Vehicle Use on Amherstburg Roadways	Valerie Critchley, Bill Tetler	Resolution # 20210308-070 McArthur/Simone That Administration BE DIRECTED to consult with the applicants as to the feasibility and desire to allow off-road vehicles on Amherstburg roads knowing that they won't be able to access County roads.	Regular Council Meeting	3/8/2021	Will coordinate a meeting with the Essex County ATV Club

Blue Shaded Items are completed and will be removed next meeting.
Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 21-011	Indigenous Peoples Flag Proposal - Linden Crain, Amherstburg Resident	Heidi Baillargeon, Jennifer Ibrahim, Rita Chappell	Resolution # 20210614-190 Prue/Meloche That: The delegation BE RECEIVED; and, Administration BE DIRECTED to convene a meeting with First Nations representatives, both on and off the Reserve, to seek input on an Indigenous flag to be raised in the Town of Amherstburg with the costs to BE INCLUDED in the 2022 Budget.	Regular Council Meeting	6/14/2021	With Administration.
CQ 21-012	Agent of Change Policies	Valerie Critchley, Bill Tetler	Resolution # 20210614-203 Prue/Courtney That Administration BE DIRECTED to prepare a by-law regarding Agent of Change as soon as possible.	Regular Council Meeting	6/14/2021	In Progress
CQ 21-014	Amherstburg Environmental Advisory Committee Minutes - June 9, 2021	Heidi Baillargeon, Rita Chappell	Resolution # 20210712-241 Prue/Courtney Administration BE DIRECTED to bring back a report on how the Town can best utilize the trees received by ERCA, outline the costs associated, and outline where the trees can be planted in the Towns parklands.	Regular Council Meeting	7/12/2021	In Progress
CQ 22-04	NEW BUSINESS	Antonietta Giofu	Resolution # 20220214-25 Moved By Councillor Prue Seconded By Councillor Simone That Administration BE DIRECTED to bring a report regarding Torontos Green Standard to see if that initiative is feasible in Amherstburg.	Regular Council Meeting	2/14/2022	Administration is investigating the feasibility of bringing initiative to Amherstburg

Blue Shaded Items are completed and will be removed next meeting.
Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 22-05	Libro Centre Outdoor Turf Upgrade Request - Terry Sawchuk, Jim Jariett, and Vancho Cirvoski, Amherstburg Minor Soccer Association (AMSA)	Terry Fasan, Heidi Baillargeon	Resolution # 20220314-03 Moved By Councillor Prue Seconded By Councillor Courtney That the delegation BE RECEIVED; and, Administration BE DIRECTED to bring back a report outlining the feasibility and costs to accomplish AMSA's outdoor turf upgrade requests.	Regular Council Meeting	3/14/2022	In Progress
CQ 22-10	Fort Erie Resolution re. Climate Change Action Plan	Antonietta Giofu	Resolution # 20220411-13 Prue/Courtney That Administration BE DIRECTED to review Fort Eries resolution and determine whether the Towns Climate Action Plan could be strengthened by adding Fort Eries recommendations.	Regular Council Meeting	4/11/2022	Administration is investigating the feasibility of bringing initiative to Amherstburg
CQ 22-14	Proactive Committee Oversight	Valerie Critchley, Kevin Fox	Resolution # 20210222-053 Prue/Simone The report regarding Proactive Committee Oversight BE RECEIVED; and, Administration BE DIRECTED to prepare a report regarding the establishment of a striking committee prior to the end of the current term of Council so that it can be considered at the first meeting of the new term of Council.	Regular Council Meeting	2/22/2022	In Progress
CQ 22-17	Request for Public Boat Ramp at Ranta Park - Rodney Ferris, AMA Sportsmens' Association	Heidi Baillargeon, Viktorya Paller	Resolution # 20220613-06 McArthur/Courtney That The delegation BE RECEIVED; and, Administration BE DIRECTED to plan for a boat ramp and water access at Ranta Memorial Park inclusive of considerations for Provincial and Federal funding opportunities.	Regular Council Meeting	6/13/2022	In Progress

Blue Shaded Items are completed and will be removed next meeting.
Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ 22-18	NEW BUSINESS	Heidi Baillargeon, Viktorya Paller	Resolution # 20220711-09 Courtney/Prue That Administration BE DIRECTED to bring back a report regarding the results of the public survey and recommendations on Jack Purdie Park and Centennial Park, to the August 8, 2022, Regular Council Meeting.	Regular Council Meeting	7/11/2022	Recommendations Report Complete
CQ 22-19	Ontario Ombudsman Report, July 2022 - Investigation into Amherstburg Closed Meetings - Ombudsman of Ontario	Tammy Fowkes, Valerie Critchley, Viktorya Paller	McArthur/Courtney Resolution # 20220808-17 That Administration BE DIRECTED to implement the recommendations of the Ombudsman, where appropriate, and that recorded votes BE TAKEN in open session on items discussed in closed session.	Regular Council Meeting	8/8/2022	In Progress - Expected Completion Date End of September

Blue Shaded Items are completed and will be removed next meeting.
Green Shaded Items are actioned to come before council shortly.

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2022-086

By-law to Confirm the Proceedings of the Council of the Corporation of the Town of Amherstburg

WHEREAS pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council;

WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, S.0. 2001, c.25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

WHEREAS it is deemed expedient that a By-law be passed to authorize the execution of agreements and other documents and that the Proceedings of the Council of the Corporation of the Town of Amherstburg at its meeting be confirmed and adopted by By-law; and,

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

1. THAT the action(s) of the Council of the Corporation of the Town of Amherstburg in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Town of Amherstburg, documents and transactions entered into during the September 12th, 2022, meetings of Council, are hereby adopted and confirmed, as if the same were expressly contained in this By-law;

2. THAT the Mayor and proper officials of the Corporation of the Town of Amherstburg are hereby authorized and directed to do all things necessary to give effect to the action(s) of the Council of the Corporation of the Town of Amherstburg during the said meetings referred to in paragraph 1 of this By-law;

3. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Town of Amherstburg to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 12th day of September, 2022.

_____
MAYOR – Aldo DiCarlo

_____
CLERK – Valerie Critchley