



**TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING
AGENDA**

Monday, September 25, 2017

5:30 PM

Council Chambers

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

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

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

Pages

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

3. SPECIAL PLANNING REPORTS

3.1 Statutory Public Meeting to Consider a Zoning By-law Amendment for N/S County Road 20

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It is recommended that:

1. The report from the Manager of Planning Services dated August 30, 2017 regarding the Statutory Public Meeting to Consider a Zoning By-law Amendment for N/S County Road 20 **BE RECEIVED**; and,
2. Pending Council consideration of written and oral comments received at this public meeting, Zoning By-law 2017-87 **BE CONSIDERED** at a future regular Council meeting.

4. ADJOURNMENT

That Council rise and adjourn at p.m.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING, DEVELOPMENT & LEGISLATIVE SERVICES

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

Author's Name: Rebecca Belanger	Report Date: August 30, 2017
Author's Phone: 519 736-5408 ext. 2124	Date to Council: September 25, 2017
Author's E-mail: rbelanger@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider a Zoning By-law Amendment for N/S County Road 20

1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Planning Services dated August 30, 2017 regarding the Statutory Public Meeting to Consider a Zoning By-law Amendment for N/S County Road 20 **BE RECEIVED**; and,
2. Pending Council consideration of written and oral comments received at this public meeting, Zoning By-law 2017-87 **BE CONSIDERED** at a future regular Council meeting.

2. **BACKGROUND:**

The Town is in receipt of an application for a Zoning By-law Amendment to By-law 1999-52, as amended under Section 34 of the Planning Act, R.S.O. 1990 c.P. 13 from Jon Parks. The 3.0 acre parcel of land is situated on the south side of County Road 20, and has no municipal address. The subject lands affected by the proposed amendment are described as Lots 51 and 52, Concession 5 S.

On September 11th, 2017, Council approved a recommendation for the five lots on County Road 20 to be on private septic systems. This approval is required based on the policies in the Town of Amherstburg Official Plan. Both the approval of the five lots on private septic systems and the re-zoning of the subject property are conditions of the consent to sever (File #B-33-37-17) that was approved by the Committee of Adjustment on May 30th, 2017.

The lands described above were subject to an application for consent for the creation of five residential building lots, each with a 104 ft frontage, a 255 ft depth and an area of 0.6 acres. The proposed amendment to the Zoning By-law will allow for residential uses on the five severed lots, and is a condition on the consent to sever. The parcel is zoned Agricultural (A) in the Town of Amherstburg Zoning by-law 1999-52, as amended, and designated Low Density Residential in the Town's Official Plan.

3. DISCUSSION:

The Official Plan for the Town of Amherstburg designates the lands subject of the application as "Low Density Residential". The rezoning conforms with the applicable Official Plan policies. The five lots subject of the previous severance will be of a similar size to lots severed by Mr. Parks in 1998 from the same property fronting onto Concession 6S. The five new lots are capable of receiving municipal services (water and hydro) and a private on-site septic system.

The lands are currently zoned Agricultural (A) Zone and the rezoning to Residential Type 1A (R1A) is one of the conditions of the severance. The proposed lot frontage and area of the five lots will conform to the Zoning regulations of the R1A Zone.

A copy of the proposed By-law Amendment is attached to this report.

In assessing the merits of the applicant's requested Zoning By-law Amendment, the following comments are offered for Council's consideration:

- 1) The five residential lots subject to the rezoning add to the available residential land supply which is presently limited within the Town.
- 2) The necessary municipal services already exist along County Road 20, to allow single detached homes to be built on these sites with the exception of sanitary sewers. A water service connection to the actual lots also forms one of the conditions of the Consent.
- 3) A new lot grading plan will need to be prepared by the Applicant and approved by the Town Engineer, to ensure that there is proper on-site storm drainage for the five single detached residential lots. This lot grading plan will be prepared at the applicant's expense, and will include existing and proposed grades for the new single detached dwellings to be built on the five sites.

4. RISK ANALYSIS:

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

5. FINANCIAL MATTERS:

The cost associated with the applications and planning processes are the responsibility of the developer. The development charges for the five new single detached dwellings

will be charged a rate of \$3731.00 per dwelling (rural residential rate) for a total of \$18,655.00. Building permit fees of \$1.00 per sq.ft. are charged for the dwelling units along with a water meter fee of \$470.00 and a school board surcharge of \$305.00 per dwelling.

6. CONSULTATIONS:

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

7. CONCLUSION:

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



Rebecca Belanger
Manager of Planning Services

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DEPARTMENTS/OTHERS CONSULTED:

Name: Office of Engineering and Public Works
Phone #: 519 736-3662 ext. 313

Name: Building Services
Phone #: 519 736-5408 ext. 2136

Name: Fire Services
Phone #: 519 736-6500

Name: Union Gas
Phone #: ONTUGLandsINQ@uniongas.com

Name: Ontario Power Generation
Phone #: Executivevp.lawanddevelopment@opg.com

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

Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment for NS County Road 20 - File ZBA-13-17.docx
Attachments:	- Report to Council - September 25 - NS County Road 20 Attachments.pdf
Final Approval Date:	Sep 19, 2017

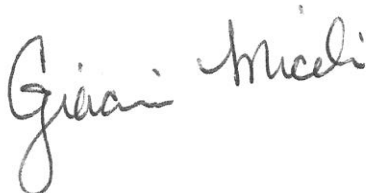
This report and all of its attachments were approved and signed as outlined below:



Mark Galvin - Sep 15, 2017 - 10:00 AM



Justin Rousseau - Sep 15, 2017 - 10:34 AM



John Miceli - Sep 18, 2017 - 2:23 PM



Paula Parker - Sep 19, 2017 - 9:02 AM

CORPORATION OF THE TOWN OF AMHERSTBURG
NOTICE OF STATUTORY PUBLIC MEETING

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting on **Monday, September 25, 2017 commencing at 5:30 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

The land affected by the proposed amendment is located on the north side of County Road 20, west of the intersection of County Road 20 and Concession 6 S. The legal description of the subject site is described as Lots 51 & 52, Concession 5 S, Part 1 on Plan 12R11492. The subject property has approximately 159.1 m (522 ft) of frontage along County Road 20, a depth of 77.1 m (255 ft) and a total area of 3.0 acres.

THE PROPOSED AMENDMENT TO THE ZONING BY-LAW NO. 1999-52 would change the zoning of the subject land noted above from the “**Agricultural (A) Zone**” to “**Residential Type 1A (R1A) Zone**”. The lands described above were subject to an application for consent for the creation of five new residential lots. The consent to sever (File #B/33-37/17) was approved by the Committee of Adjustment on May 30th, 2017.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow residential uses on the subject property in accordance with the R1A Zone. The rezoning of the subject land will be a partial fulfilment of the conditions for the consent to sever the five building lots. The proposed amendment to the Zoning By-law is in conformity with the policies in the Official Plan. The lands are designated Low Density Residential in the Town’s Official Plan.

The accompanying Key Map shows the location of the lands to which the Zoning By-law Amendment applies.

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

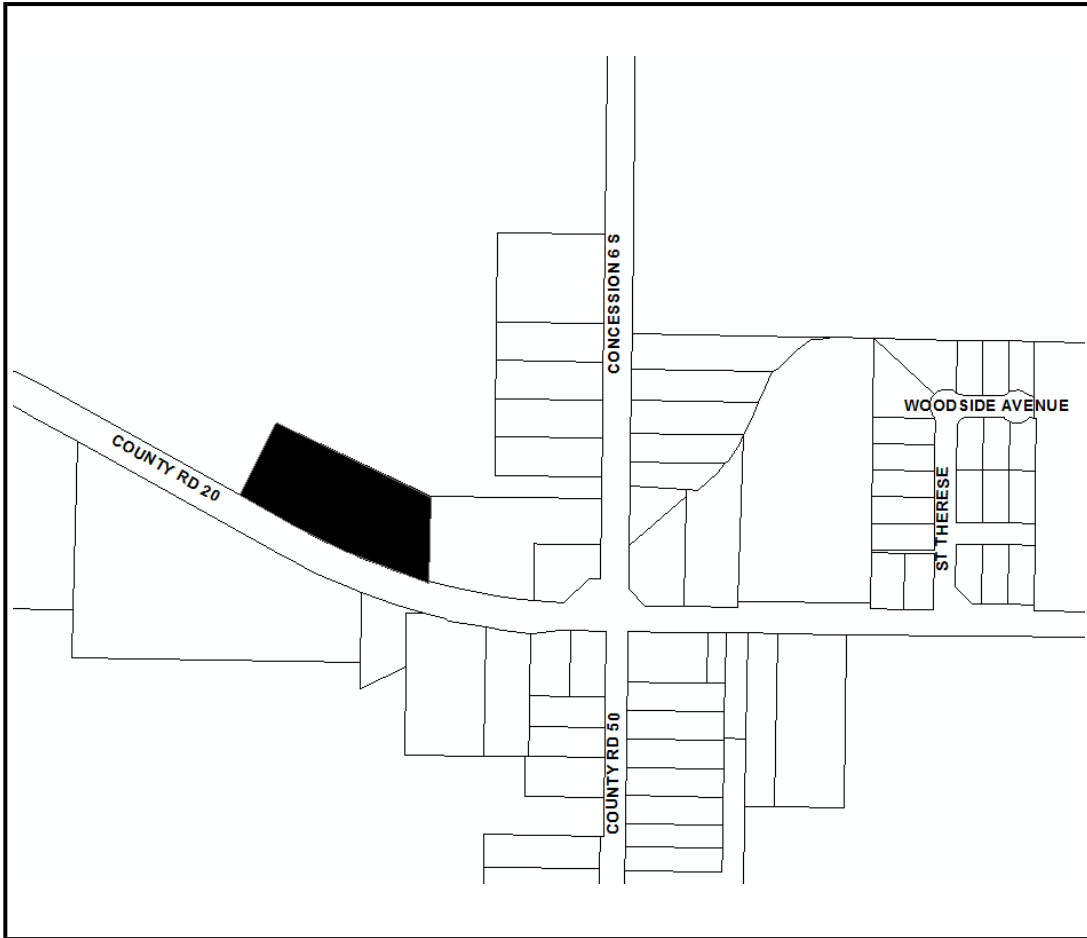
IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Town of Amherstburg before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Amherstburg to the Ontario Municipal Board.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Town of Amherstburg before the proposed Zoning By-Law Amendment is approved, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/13/17) Amendment is available for inspection at the Town of Amherstburg Libro Centre at 3295 Meloche Road during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment is also available for review on the Town of Amherstburg Website: www.amherstburg.ca. If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below.

DATED at the Town of Amherstburg this 1st day of September, 2017.

KEY MAP



Rebecca Belanger, MCIP RPP
Manager of Planning Services
Town of Amherstburg
Libro Centre
3295 Meloche Road
Amherstburg, ON N9V 2Y8
Telephone (519) 736-5408
Fax No. (519) 736-9859
Website: www.amherstburg.ca

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2017-87**

**By-law to amend Zoning By-law No. 1999-52
N/S County Road 20, 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 59 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from A to R1A" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Residential Type 1A (R1A) Zone".
2. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

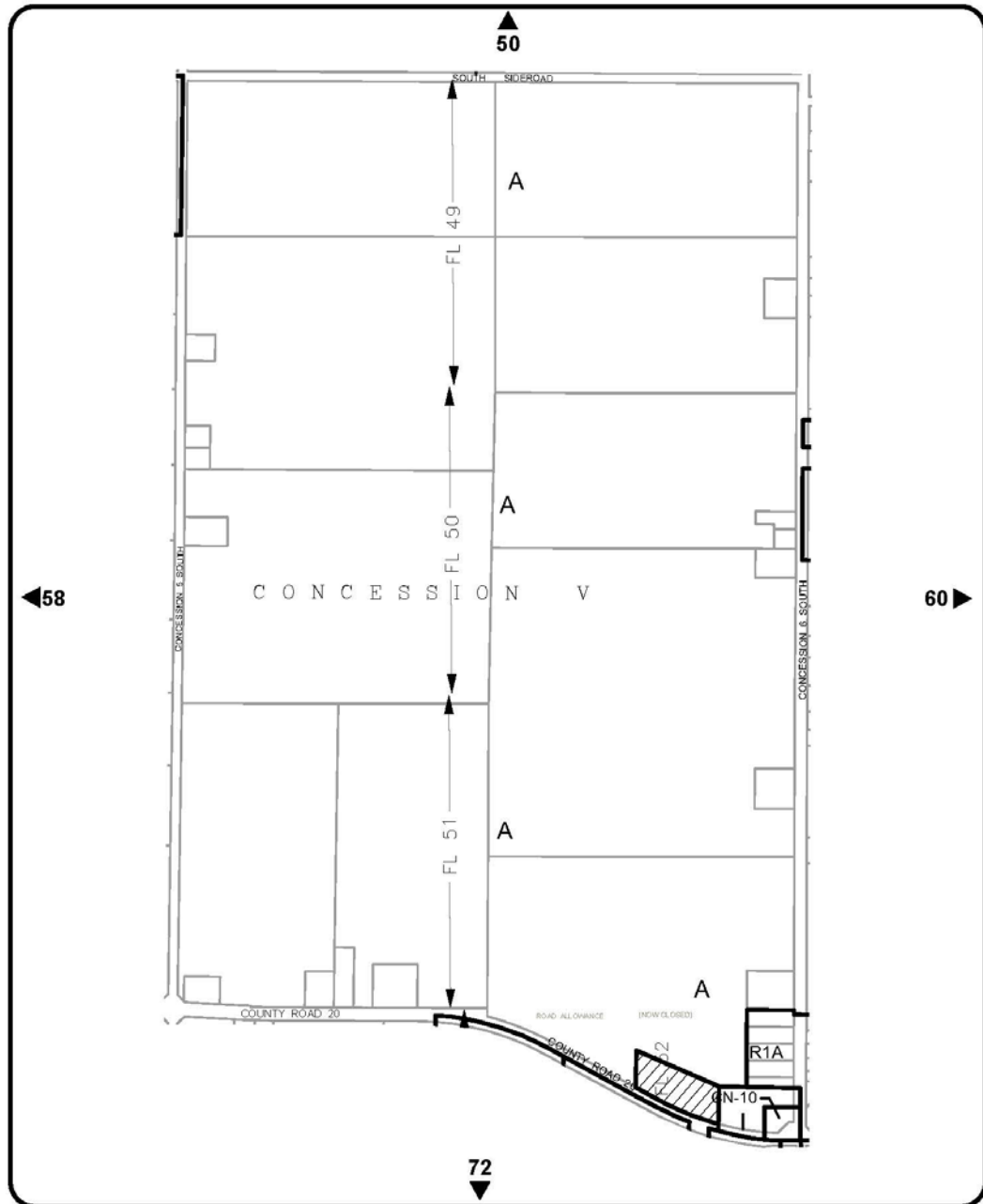
Read a first, second and third time and finally passed this ___ day of _____, 2017.

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

**SCHEDULE "A" TO BY-LAW No. 2017-87
A BY-LAW TO AMEND BY-LAW No. 1999-52**



SCHEDULE 'A'
MAP 59
ZONING BY-LAW NO. 1999-52

A to R1A 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER