



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

AGENDA

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

Monday, March 8, 2021

5:30 PM

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

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. ROLL CALL**
- 3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

4. SPECIAL PLANNING REPORTS

4.1. Zoning By-law Amendment for 849 Front Road South

3

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for lands at 849 Front Road South (File ZBA-02-21), owned by Capo D'Aqua Corporation, **BE RECEIVED and SUMMARIZED** in a future report to Council.

5. ADJOURNMENT

That Council rise and adjourn at p.m.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING, DEVELOPMENT & LEGISLATIVE SERVICES

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

Author's Name: Frank Garardo	Report Date: February 19, 2021
Author's Phone: 519 736-5408 ext. 2124	Date to Council: March 8, 2021
Author's E-mail: fgarardo@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider a Zoning By-law Amendment for 849 Front Road South

1. **RECOMMENDATION:**

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for lands at 849 Front Road South (File ZBA-02-21), owned by Capo D'Aqua Corporation, **BE RECEIVED** and **SUMMARIZED** in a future report to Council.

2. **BACKGROUND:**

The lands are the subject of decisions of the Committee of Adjustment for Applications B/16-19/19, which approved the creation of four residential building lots with associated conditions. The rezoning of a portion of the subject property to Environmental Protected (EP) zone is a condition of the consent decision. The condition of the decisions states:

That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.

3. **DISCUSSION:**

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 Melanie Muir of Dillon Consulting on behalf of Capo D'Aqua Corporation. The subject lands affected by the proposed amendment are described as Part of Lot 5 and Part of Lot 6, Concession 1, municipally known as part of 849 Front Road South. The property

is vacant residential land and the total area subject to the rezoning is 0.29 hectares (0.71 acres).

The proposed amendment to the Zoning By-law would change the zoning for the subject lands noted above from the “Residential Second Density (R2) Zone” to “Environmental Protection (EP) Zone”. The land is designated Low Density Residential in the Town’s Official Plan. The parcel was the subject of applications for consent (File B/16-19/19) to sever four residential building lots. The rezoning of the subject property to EP is a condition of the consent decision and is the recommendation of the Environmental Impact Assessment completed for the entire site. The existing woodlot is already zoned as Environmental Protected (EP) zone.

The effect of the Zoning By-law Amendment will be to provide for a 10 metre naturalized buffer area between the existing woodlot and the residential uses on the newly created lots. The “Environmental Protection (EP) Zone” will prohibit future buildings or structures on the subject buffer lands.

The application is consistent with the Provincial Policy Statement (2020), specifically Section 1.1 of PPS which speaks to managing and directing land use to achieve efficient development and land use patterns. These lots are within a settlement area.

Section 1.1.3.1 of the PPS states:

Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

A portion of the subject lands are designated Provincially Significant Wetland. The proposed severance applications would not be within the Provincially Significant Wetland; however they would be adjacent to the wetland. Section 2.1.8 of the PPS states:

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 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.

An Environmental Impact Assessment (EIA) was undertaken on the subject lands to assess proposed future development. The lot lines for the four properties have been adjusted based on the results of the EIA to allow for adequate setbacks. It is recommended that the area to the rear of the lots be rezoned to Environmental Protection (EP) as a condition of this severance.

Should Council not approve the proposed application for Zoning By-law Amendment, the consent which has been approved by the Committee of Adjustment cannot be finalized.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality.

5. **FINANCIAL MATTERS:**

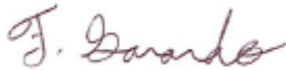
All costs associated with the application are the responsibility of the applicant.

6. **CONSULTATIONS:**

The Notice of Public Meeting was published in the local newspaper and circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations.

7. **CONCLUSION:**

It is recommended that the Zoning By-law Amendment be directed for approval at a future regular Council Meeting, pending comments received at this public meeting.



Frank Garardo
Manager of Planning Services

JM

DEPARTMENTS/OTHERS CONSULTED:

Name: Office of Engineering and Public Works
Phone #: 519 736-3664 ext. 2313

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

Name: Fire Services
Phone #: 519 736-6500

Name: Union Gas
Email: ONTUGLandsINQ@uniongas.com

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

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

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

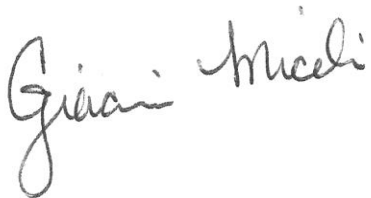
Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment for 849 Front Road South.docx
Attachments:	- Report to Council- March 8- Statutory Public Mtg- ZBA 849 Front Rd S- ATTACHMENTS.pdf
Final Approval Date:	Mar 2, 2021

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



Cheryl Horrobin



John Miceli



Paula Parker

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2021-013**

**By-law to amend Zoning By-law No. 1999-52
849 Front Road South (Conc. 1, Pt Lots 5 and 6), 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 55 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from R2 to EP" on Schedule "A" attached hereto and forming part of this By-law from "Residential Second Density (R2) Zone" to "Environmental Protection (EP) 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 22nd day of March, 2021.

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2021-013
 A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
 ZONING BY-LAW NO. 1999-52
MAP 55

R2 to EP

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

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

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, March 8, 2021 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 SUBJECT LANDS affected by the proposed amendment are described as Part of Lots 5 and 6, Concession 1, municipally known as part of 849 Front Road South. The property is vacant residential land and the total area subject to the rezoning is 0.29 hectares. (see key map below)

THE PURPOSE OF THE AMENDMENT TO ZONING BY-LAW No. 1999-52 is to change the zoning of the subject lands noted above from the **“Residential Second Density (R2) Zone”** to **“Environmental Protection (EP) Zone”**. The parcel is designated Low Density Residential in the Town’s Official Plan. The lands described above are subject to applications for consent (Files B/16-19/19). The consent applications are to create three residential building lots. The amendment is a condition of consent from the Committee of Adjustment and is the recommendation of the Environmental Impact Assessment completed for the entire site.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to provide for a 10 metre naturalized buffer area between the woodlot and the residential uses on the newly created lots. The “Environmental Protection (EP) Zone” will prohibit residential uses on these lands.

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

ANY PERSON may make written representation in support of or in opposition to the proposed Zoning By-law Amendment by email to the Planner, Frank Garardo at fgarardo@amherstburg.ca or in person by appointment for drop-off in the vestibule of the Libro Centre located at 3295 Meloche Road. Comments must be submitted by 4:00 p.m. on Thursday, March 4, 2021 before the hearing and will be read aloud prior to the application being heard by Council.

ANY PERSON who wishes to attend by electronic means, must register with the Clerk’s Office no later than 4:00 pm on Thursday, March 4, 2021. To register for electronic participation please email the Deputy Clerk at tfowkes@amherstburg.ca. Once you register, you will be given information on how to make your submission at the electronic meeting by electronic participation. To participate, you will need access to a computer or tablet with internet service or a telephone.

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

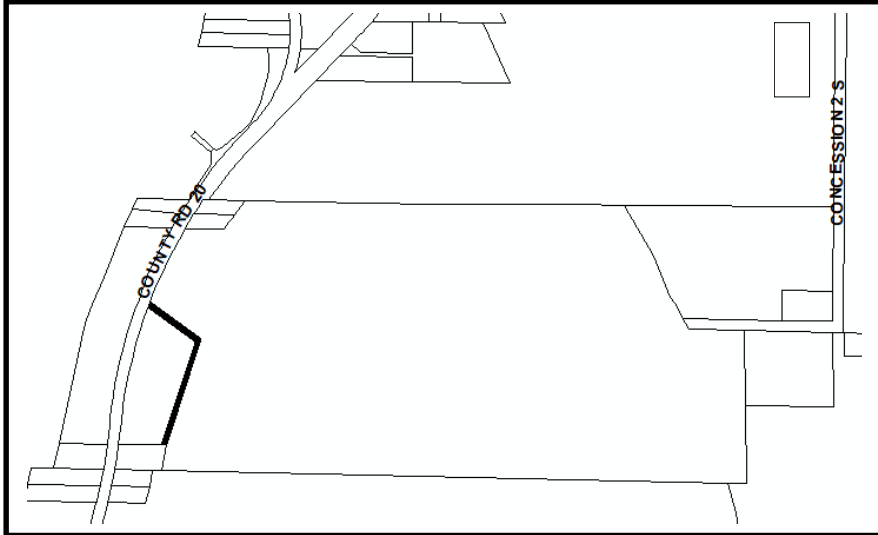
IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting, or make written submissions to the Town of Amherstburg before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the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

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.

ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/02/21) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment is also available for review on the Town of Amherstburg Website: www.amherstburg.ca. If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below. The hearing will be available for viewing by livestream by visiting www.amherstburg.ca.

DATED at the Town of Amherstburg this 10th day of February, 2021.

KEY MAPS



Frank Garardo, MCIP, RPP
Manager of Planning Services

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

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.

Application No. Z8A/02/21

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 December 15, 2020
- 3. Date application deemed complete by municipality January 29, 2021
- 4. Name of registered owner Capa D'Aqua Corporation c/o Luigi DiPierdomenico
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]
 Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited c/o Melanie Muir
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]

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. 1 Lot(s) No. Part of Lots 5&6
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. _____ Part(s) No. _____
 Street Address 849 Front Road S Assessment Roll No. 3729-6000-000-2000

- 7. Size of subject parcel:

Area to be rezoned only:
 Frontage 0m Depth Irregular Area 0.29ha

- 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 Environmental Protection
- (b) Explanation of how application conforms to the Official Plan _____

It will bring this portion of the property into compliance with the OP designation as per the request of the Committee of Adjustment and the recommendation of the EIA completed for the entire site.

(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 RM2

11. Nature and extent of rezoning requested Rezone a portion of the rear of the newly created lots from RM2 to EP as per the conditions of approval of the consents

12. Reasons why rezoning is requested To allow for the buffer area between the woodlot and the homes to be protected, as outlined in the EIA

13. Current use of subject land Buffer area

14. Length of time current use of subject land has continued +/- 10 years

15. Is the subject land within an area where the municipality has pre-determined:

(a) minimum and maximum density requirements

Yes No

(b) minimum and maximum height requirements

Yes No

If yes, state the requirements _____

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

As a result of a recent consent approvals, the lands are to be rezoned to EP and maintained as a buffer between the EP lands to the east and the proposed homes.

17. Date of construction of existing buildings and structures on the subject land:

Elliott House - +/- 150 years

Pole Barn - +/- 5 years

18. Date subject land acquired by current registered owner +/- 50 years

19. Proposed use of subject land Area to be rezoned - Buffer area; Remaining area of lots- residential

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:

Nothing to be built on the area to be rezoned. Areas to remain naturalized and act as a buffer.

21. Type of water supply:
- municipally owned and operated piped water supply
 - well
 - Other (specify) Note: No construction to occur on the area to be rezoned.

22. Type of sanitary sewage disposal:
- municipally owned and operated sanitary sewers
 - septic system
 - Other (specify) Note: No construction to occur on the area to be rezoned.

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) Note: No construction to occur on the area to be rezoned.

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:

B/16, B/17 and B/18, B/19 - Approved August 20, 2020 and September 29, 2020

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 Lands to be utilized as a buffer area between the woodlot and the
proposed homes to the west on newly created lots

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.

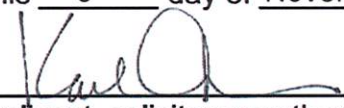
EIA was prepared and submitted as part of the Consent applications. The rezoning proposed is in keeping with the recommendations of the EIA and the conditions of the severances.

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

Yes No

Dillon Consulting Limited
in the City of Windsor

Dated at the _____ of _____ this 8 day of November, 2020.



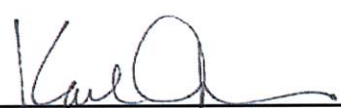
(signature of applicant, solicitor or authorized agent)

I, Karl Tanner 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.

Dillon Consulting Limited in
the City of Windsor

Declared before me at the _____ of _____ in the _____ County
of Essex this 8 day of November, 2020.



Applicant, Solicitor or Authorized Agent



A Commissioner, etc.

Melanie Anne Muir,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2022.



CAPO D'AQUA CORPORATION
 849 FRONT ROAD, TOWN OF AMHERSTBURG, ON

**PROPOSED ZONING
 BY-LAW AMENDMENT**

 LANDS TO BE REZONED TO ENVIRONMENTAL PROTECTION

File Location:
 c:\pw working directory\projects to 2017\32mam\d0300077\163494 - zoning amendment plan.dwg
 October, 08, 2020 1:46 PM

SOURCE: COUNTY OF ESSEX AERIAL PHOTOGRAPHY (2016)

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
 CREATED BY: KRK /MMM
 CHECKED BY: MAM
 DESIGNED BY: MAM & KDT

1:3,000 (11" x 17")



PROJECT: 16-3494
 STATUS: DRAFT
 DATE: 10/08/2020



CAPO D'AQUA CORPORATION

Environmental Impact Assessment

D'Aqua Subdivision, Town of Amherstburg, Ontario



June 2020 – 16-3494

Summary

This EIA was prepared for the proposed D'Aqua Subdivision development located east of Front Road South, bounded by Lowes Side Road to the north and Concession Road 2 South to the east (the "Study Area") within the Town of Amherstburg. The EIA will form part of an application package for submission to the Town of Amherstburg.

A review of background resources, including Land Information Ontario, the Town of Amherstburg Official Plan (2014), and the County of Essex Official Plan (2014) indicated that the majority of the land within the Project Location consists of active agricultural fields with portions of the Big Creek PSW in the west, south, and east portions of the Project Location and both Significant Valleylands and Environmentally Significant Areas in the far eastern and southwestern part of the Project Location.

Detailed field studies were conducted in 2016 and 2017, preliminary Species at Risk assessment, breeding bird surveys, vegetation survey, and wetland staking; to confirm the presence of significant natural features and ecological function within the Project Location to determine potential impacts as a result of the proposed development. The biophysical inventory confirmed the presence of PSW, Significant Woodland, SWH for two plant species, and several Candidate SWH types.

As the development is proposed outside of significant natural features and will generally be limited to the existing agricultural fields, the only minor vegetation removal would be proposed for the severance activities; and the potential for environmental impacts as a result of the proposed development is limited. A 30m buffer has been added to the PSW to protect the wetland corridor and its ecological function. In addition, a 10m buffer from Significant Woodlands (not mapped as PSW) is also proposed.

Provided the mitigation measures outlined in this EIA are followed, the proposed development should result in no residual negative impacts on the natural features or their ecological function.

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant **RE AN APPLICATION BY (b) Capo D’Aqua Corporation, c/o Dillon Consulting Ltd.**
- (c) Brief description **LOCATION OF PROPERTY (c) 849 Front Road South (Roll No. 3729-600-000-02000)**
- (d) As set out in application **PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 48.5 m (159.12 ft) frontage by an irregular depth with an area of 0.37 hectares (0.91 acres) for purposes of the creation of a new residential building lot. The subject property is in the Residential Second Density (R2) Zone. The severed lands currently have a storage barn on the property. The retained parcel being 278.9 m (915.03 ft) frontage and an irregular depth with an area of 47.59 hectares (117.6 acres) contains one (1) single detached dwelling and two accessory buildings.**

The severed lands will also contain the associated water lot located on Front Road South measuring 50.54 m (165.81 ft) in frontage with an irregular depth and a total area of 0.46 ha (1.14 ac). The retained water lot will have a frontage of approximately 265.63 m (871.49 ft) after the severance.
- (e) Date of decision **CONCUR in the following decision and reasons for decision made on the (e) 29th day of September, 2020.**

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
 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 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. Prior to the stamping of deeds, the applicant shall provide evidence that the water lots are registered in the same name and interest as the proposed inland lots and completed by consent process under the Planning Act or a legal merger satisfactory to the Municipality.
 4. That all property taxes be paid in full.
 5. That one driveway access to be shared by the two lots must be constructed to the subject properties where one does not exist. That an access permit be obtained for the shared driveway from the County of Essex and any other requirements to their satisfaction, prior to the stamping of deeds. The access shall be provided to the satisfaction of the municipality.
 6. That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.
 7. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 8. That each of the severed lots will be serviced with municipal water in accordance with and under the supervision of the municipality prior to the stamping of deeds.
 9. That Council approves the development of the subject lots on private individual septic systems after the soil analysis and septic design for each of the proposed lots is completed.

10. The severance application B/16/19 is denied unless the applicant removes the existing accessory structure or is successful in obtaining a temporary use-by-law prior to the stamping of the deeds.
11. The applicant will be responsible for providing a report from a certified designer/installer that the existing private septic system serving the dwelling does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance (B/16/19) prior to the stamping of the deeds.
12. That an archaeological assessment be completed by a qualified professional on the subject land prior to the stamping of the deeds, to the satisfaction of the Town of Amherstburg.
13. This consent will be deemed to be refused in accordance with the Planning Act the above noted conditions are not met within two years from the date of this notice.

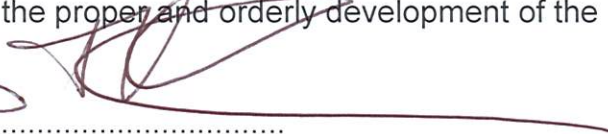
(g) State reasons for decision

REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement. The applicant has performed the majority of the required studies for the two lots and received clearance from most applicable ministries and agencies. The archaeological study will be provided to the Town prior to the stamping of the deeds.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.



David Cozens



Terris Buchanan



Donald Shaw



Josh Mailloux

CERTIFICATION

The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

(i) Name & address of approval authority

Dated this 1st day of October, 2020



Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Capo D’Aqua Corporation,
c/o Dillon Consulting Ltd.**
- (c) Brief description LOCATION OF PROPERTY (c) **849 Front Road South
(Roll No. 3729-600-000-02000)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 66.4 m (217.8 ft) frontage by an irregular depth with an area of 0.44 hectares (1.08 acres). The subject property is in the Residential Second Density (R2) Zone. The proposed severed land currently has (1) single detached dwelling and two accessory buildings. The retained parcel being 212.5 m (697.18 ft) frontage and an irregular depth with an area of 47.15 hectares (116.5 acres) contains one accessory structure.

The severed lands will also contain the associated water lot located on Front Road South measuring 68.26 m (224 ft) in frontage with an irregular depth and an area of 0.56 ha (1.38 ac). The retained water lot will have a frontage of approximately 197.37 m (647.5 ft) after the severance.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of September, 2020.

DECISION: **APPROVED**
- (f) State conditions to be satisfied before granting of consent
 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 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. Prior to the stamping of deeds, the applicant shall provide evidence that the water lots are registered in the same name and interest as the proposed inland lots and completed by consent process under the Planning Act or a legal merger satisfactory to the Municipality.
 4. That all property taxes be paid in full.
 5. That one driveway access to be shared by the two lots must be constructed to the subject properties where one does not exist. That an access permit be obtained for the shared driveway from the County of Essex and any other requirements to their satisfaction, prior to the stamping of deeds. The access shall be provided to the satisfaction of the municipality.
 6. That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.
 7. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 8. That each of the severed lots will be serviced with municipal water in accordance with and under the supervision of the municipality prior to the stamping of deeds.
 9. That Council approves the development of the subject lots on private individual septic systems after the soil analysis and septic design for each of the proposed lots is completed.

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**


- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant **RE AN APPLICATION BY (b) Capo D'Aqua Corporation c/o Dillon Consulting Ltd**
- (c) Brief description **LOCATION OF PROPERTY (c) 849 Front Road South (Roll No. 3729-600-000-02000 & 02050)**
- (d) As set out in application **PURPOSE OF APPLICATION (d)**
 B/18/19 (Lot 3): Purpose of Application: The applicant is proposing to sever a parcel of land being 38.02 m (124.7 ft) frontage by an irregular depth with an area of 0.36 hectares (0.89 acres) for purposes of the creation of a new residential building lot for the construction of a single detached dwelling. The subject property is in the Residential Second Density (R2) Zone. The retained parcel being 256.38 m (841.14 ft) frontage and an irregular depth with an area of 47.51 hectares (117.4 acres) is vacant land.
 The severed lands will also contain the associated water lot located on Front Road South measuring 42.81 m (140.45 ft) in frontage with an irregular depth and an area of 0.34 ha (0.84 ac). The retained water lot will have a frontage of approximately 244.39 m (801.8 ft) after the severance.
 B/19/19 (Lot 4): Purpose of Application: The applicant is proposing to sever a parcel of land being 43.93 m (144.12 ft) frontage by an irregular depth with an area of 0.36 hectares (0.89 acres) for purposes of the creation of a new residential building lot for the construction of a single detached dwelling. The subject property is in the Residential Second Density (R2) Zone. The retained parcel being 212.45 m (697 ft) frontage and an irregular depth with an area of 47.15 hectares (116.5 acres) is vacant land.
 The severed lands will also contain the associated water lot located on Front Road South measuring 47.02 m (154.27 ft) in frontage with an irregular depth and an area of 0.37 ha (0.91 ac). The retained water lot will have a frontage of approximately 197.37 m (647.54 ft) after the severance.
- (e) Date of decision **CONCUR in the following decision and reasons for decision made on the (e) 28th day of July, 2020.**
- DECISION: APPROVED**
- (f) State conditions to be satisfied before granting of consent **CONDITIONS - This decision has been made subject to the following condition: (f)**
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 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. Prior to the stamping of deeds, the applicant shall provide evidence that the water lots are registered in the same name and interest as the proposed inland lots and completed by consent process under the Planning Act or a legal merger satisfactory to the Municipality.
 4. That all property taxes be paid in full.
 5. That one driveway access to be shared by the two lots must be constructed to the subject properties where one does not exist. That an access permit be obtained for the shared driveway from the County of Essex and any other requirements to their satisfaction, prior to the stamping of deeds. The access shall be provided to the satisfaction of the municipality.
 6. That an assessment apportionment for any and all drains affected by the severance is completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment are paid by the applicant.
 7. That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.
 8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
 9. That each of the severed lots will be serviced with municipal water in accordance with and under the supervision of the municipality prior to the stamping of deeds.
 10. That Council approves the development of the subject lots on private individual septic systems after the soil analysis and septic design for each of the proposed lots is completed.
 11. That the applicant enters into an agreement satisfactory to the Corporation of the Town of Amherstburg requiring that the subject property be required to hook into a sanitary sewer system should it become available. The subject agreement to be registered on title.
 12. That the applicant be required to install fire hydrants meeting the requirements of the Town of Amherstburg, at the expense of the applicant.

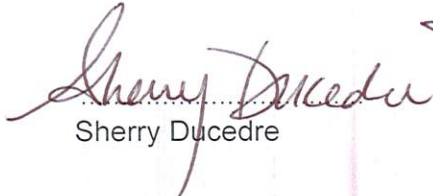
13. This consent will be deemed to be refused in accordance with the Planning Act the above noted conditions are not met within one year from the date of this notice.


(g) State reasons for decision

REASONS FOR DECISION: (g) 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. The applicant has performed all required studies for the two lots and received clearance from all applicable ministries and agencies.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.


.....
David Cozens


.....
Sherry Ducedre


.....
Terris Buchanan


.....
Donald Shaw

.....
Josh Mailloux

CERTIFICATION

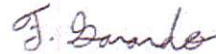
The Planning Act, R.S.O. 1990

(h) Name of approval authority

I, **Frank Garardo, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

(i) Name & address of approval authority

Dated this 29th day of July, 2020



.....
Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
271 Sandwich St S, Amherstburg, ON N9V 2A5

Darrah Drain. Frank Garardo read the conditions of the consent and Mr. Wismer acknowledged the conditions.

The following resolution was put forth:

That application B/24/20 be approved subject to the following conditions:

11. 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.
12. The applicant 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.
13. That all property taxes be paid in full.
14. That it be noted on the title of the lands that only one connection will be permitted through the easement to the Darrah Drain.
15. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.

Moved by: Terris Buchanan

Seconded by: Don Shaw

-carried-

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. The severance is for easements for drainage purposes and no new lots are proposed.

6.10 Application B/16-19/19 – Capo D'Aqua c/o Dillon Consulting Ltd. – 849 Front Road South (Roll No. 3729-600-000-02000 & 02050)

Public in Attendance: Melanie Muir (Dillon Consulting)

B/16/19 (Lot 1): Purpose of Application: The applicant is proposing to sever a parcel of land being 48.5 m (159.12 ft) frontage by an irregular depth with an area of 0.37 hectares (0.91 acres) for purposes of the creation of a new residential building lot. The subject property is in the Residential Second Density (R2) Zone. The severed lands currently have a storage barn on the property. The retained parcel being 360.8 m (1183.7 ft) frontage and an irregular depth with an area of 48.31 hectares (119.38 acres) contains one (1) single detached dwelling and two accessory buildings.

The severed lands will also contain the associated water lot located on Front Road South measuring 50.54 m (165.81 ft) in frontage with an irregular depth and a total area of 0.46 ha (1.14 ac). The retained water lot will have a frontage of approximately 355.46 m (1166.2 ft) after the severance.

B/17/19 (Lot 2): Purpose of Application: The applicant is proposing to sever a parcel of land being 66.4 m (217.8 ft) frontage by an irregular depth with an area of 0.44 hectares (1.08 acres). The subject property is in the Residential Second Density (R2) Zone. The proposed severed land currently has (1) single detached dwelling and two accessory buildings. The retained parcel being 294.4 m (965.9 ft) frontage and an irregular depth with an area of 47.87 hectares (118.3 acres) contains one accessory structure.

The severed lands will also contain the associated water lot located on Front Road South measuring 68.26 m (224 ft) in frontage with an irregular depth and an area of 0.56 ha (1.38 ac). The retained water lot will have a frontage of approximately 287.2 m (942.3 ft) after the severance.

B/18/19 (Lot 3): Purpose of Application: The applicant is proposing to sever a parcel of land being 38.02 m (124.7 ft) frontage by an irregular depth with an area of 0.36 hectares (0.89 acres) for purposes of the creation of a new residential building lot for the construction of a single detached dwelling. The subject property is in the Residential

Second Density (R2) Zone. The retained parcel being 256.38 m (841.14 ft) frontage and an irregular depth with an area of 47.51 hectares (117.4 acres) is vacant land.

The severed lands will also contain the associated water lot located on Front Road South measuring 42.81 m (140.45 ft) in frontage with an irregular depth and an area of 0.34 ha (0.84 ac). The retained water lot will have a frontage of approximately 244.39 m (801.8 ft) after the severance.

B/19/19 (Lot 4): Purpose of Application: The applicant is proposing to sever a parcel of land being 43.93 m (144.12 ft) frontage by an irregular depth with an area of 0.36 hectares (0.89 acres) for purposes of the creation of a new residential building lot for the construction of a single detached dwelling. The subject property is in the Residential Second Density (R2) Zone. The retained parcel being 212.45 m (697 ft) frontage and an irregular depth with an area of 47.15 hectares (116.5 acres) is vacant land.

The severed lands will also contain the associated water lot located on Front Road South measuring 47.02 m (154.27 ft) in frontage with an irregular depth and an area of 0.37 ha (0.91 ac). The retained water lot will have a frontage of approximately 197.37 m (647.54 ft) after the severance.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated July 21, 2020 from the Essex Region Conservation Authority stating:

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservation Authorities Act (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Big Creek and Detroit River. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality. We do not require further consultation on this file with respect to stormwater management.

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Big Creek Marsh (ER 13)), significant woodland, significant valleyland, significant wildlife habitat under the Provincial Policy Statement (PPS, 2020). As per the policies of the Town of Amherstburg Official Plan, an Environmental Impact Assessment was required to be completed to support the applications for consent. ERCA provided the Town with a Terms of Reference for an EIA and completed a review of the submitted EIA-6-19 as completed by Dillon Consulting Limited. The final recommendations of the EIA from Dillon were deemed to be acceptable in meeting the requirements of the ERCA EIA Guidelines and Town of Amherstburg EIA policies for development. The final recommendation of the EIA was that the consent applications could be approved subject to full implementation of all Environmental Impact Assessment recommendations.

ERCA recommends that should the recommendations of the EIA be implemented by the Planning Authority the applications for consent would be consistent with natural heritage policies of the PPS, the Town of Amherstburg, and ERCA EIA Guidelines.

ERCA requests to receive a copy of the Notice of Decision for this application.

- ii) Email dated July 22, 2020 from the Windsor Police Department stating that:

The Windsor Police Service has no concerns or objections with the variances being sought for allowing a severance. No public safety problems are anticipated from this.

- iii) Email dated July 13, 2020 from the Fire Department stating:
Fire is requesting that a fire hydrant meeting the requirements of the Town of Amherstburg be installed, paid for by the applicant. The fire hydrant is to be installed mid- point between the existing fire hydrants North and South of the proposed lot severances.
- iv) Email dated July 20, 2020 from the Engineering & Public Works Department stating:
 - *Individual water service connection required for each new lot*
 - *No Sanitary sewers, septic field required for each new lot. Additionally, the applicant should be aware that, in the future, should a sanitary sewer collection system be constructed along Front Road South, each of the lots described under this application will be required to connect and be serviced by said sanitary sewer.*
 - *Based on the proposal, Lots 1,3 and 4 will require separate driveway accesses from County Road 20 (Front Road South). This will require necessary review and approvals from the County of Essex.*
- v) Email dated July 15, 2020 from the Building Department stating:
 - *To ensure that all the lots can accommodate a septic system for a single family dwelling*
 - *To ensure proper requirements for fire hydrants*
- vi) Letter from the County of Essex dated July 20, 2020 stating:
Please be advised that the County of Essex has reviewed the aforementioned applications and the comments provided are engineering related only. These applications have not been reviewed from a planning perspective. This road was formerly King's Highway 18 until it was downloaded to the County of Essex. The minimum setback for any proposed structures on this property must be 85 feet from the center of the original ROW of County Road No. 20 for a proposed residential structure and 105 feet from the centre of the right of way for a proposed commercial structure.
Permits are necessary for any changes to existing entrances and structures, of the construction of new structures.
Individual entrance for proposed Lot 3 and 4 will not be permitted but the County of Essex will be prepared to consider one mutual entrance to serve Lot 3 & 4. Although Lot 2 has an existing access, mutual entrance should also be considered for lot 1 and 2.
We are requesting a copy of the Decision of the aforementioned applications. Should these applications be approved we are requesting a copy of the revised survey plan of the subject lands to update our mapping records. Thank you for your assistance and cooperation in this matter.
- vii) Planning Report dated July 21, 2020 from Frank Garardo, Secretary Treasurer and Sarah French, Planner.

Committee Discussion:

The Chair introduced the application and the Planner, Frank Garardo read the purpose of the application. The Chair asked the applicant to speak to the application. Melanie Muir of Dillon Consulting presented the concept of the application. Ms. Muir stated that a plan of subdivision is being prepared for the remainder of the subject lands. The proposed fences were discussed. There will be fences placed around the lots to prevent owners from entering the environmentally protected lands. The fences will be privately maintained and must meet the requirements of ERCA. The maintenance of the fences will be registered on the title for the lands and the buffer lands will remain with the retained lots

and will be dealt with during the Draft Plan of Subdivision stage.

The status of the Elliot house on Lot 2 was discussed. The house is a property of interest and an archaeological study has not been completed for Lots 1 or 2.

Additional conditions were discussed including ensuring the applicants install fire hydrants to the satisfaction of the Fire Department and ensuring the future property owners are aware that they will be required to tie into sanitary systems if they are ever installed in the area.

The water lots were discussed. The water lots are zoned Environmental Protection (EP) Zone and the owners will not be permitted to build on the lots. They will be permitted docks and ramps, with permission from ERCA. It was discussed whether the zoning restrictions should be noted in the conditions. The zoning restrictions were not noted in the conditions as they will be reviewed prior to any building permits being issued. Water service on the water lots was also discussed. Todd Hewitt from Engineering and Public Works stated that they would issue a water permit for water service if requested. Individuals may have water service on the lots, however this does not give them permission to build dwellings.

The entrance from the County Road to the proposed lots was discussed. The County of Essex approved combined driveways for lots 3 and 4 and lots 1 and 2, the conditions should reflect the County of Essex's permissions. It was discussed about whether the water lots should be restricted from having driveways. It was determined that it would be up to the County of Essex to decide if the water lots could have driveways and that the conditions should not reflect this.

Stormwater management was discussed for the four lots. Melanie Muir stated that the stormwater management report is underway for the subdivision and the lots would be required to provide grading information at the time of building permit. Stormwater management depends on what is being built and cannot be addressed on the four lots as it is unknown what is being built at this time. Stormwater would be addressed during the building permit stage.

The Committee decided to address lots 3 and 4 first and requested the change in the conditions as referenced above. Frank Garardo read the conditions and the applicant acknowledged understanding of the conditions.

The Committee then addressed lots 1 and 2 and discussed the proposed holding symbol for the properties. Melanie Muir stated that the applicant does not wish to do the archaeological study for the two lots as it would be very expensive and there is high likelihood of archaeological significance which will result in a multi phased study. She stated that a holding symbol will ensure that the future purchasers of the lot are aware that archaeological is required and that they will not be able to change the use of the lots without the study. The designation of the Elliot house on lot 2 was discussed. It was stated that the archaeological work should be done before the lots are separated, as the onus for studies should be put on the applicant, not future land owners, and the Elliot house severance should be brought to the Heritage Committee for input.

The idea of the holding symbol was discussed further. The holding symbol would allow the uses to continue as is but would restrict any permits being issued. The idea of the holding symbol was not supported by the Committee members.

The designation on the property was discussed. The property is designated as a property of interest which requires that the owners notify Council 60 days in advance of demolition. The prospect of designating the property was discussed. Designation requires a full review of the property and the cost would be borne by the applicant. The cost can vary depending on what is found on the site.

The barn on the proposed lot 1 was discussed. Melanie Muir stated that the applicant is open to applying for a temporary use by-law to permit the barn to remain on the property for up to 3 years without a main dwelling. Melanie Muir was aware that the studies would be required prior to any dwelling being built on the lot and that the by-law would expire after 3 years, at which point a dwelling would be required on the lot or the barn would have to be demolished.

The Chair suggested that the application be referred to the Heritage Committee for further comment and requested further administration opinion on the holding symbol.

The following resolution was put forth:

That application B/18 and 19/19 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 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. Prior to the stamping of deeds, the applicant shall provide evidence that the water lots are registered in the same name and interest as the proposed inland lots and completed by consent process under the Planning Act or a legal merger satisfactory to the Municipality.
4. That all property taxes be paid in full.
5. That one driveway access to be shared by the two lots must be constructed to the subject properties where one does not exist. That an access permit be obtained for the shared driveway from the County of Essex and any other requirements to their satisfaction, prior to the stamping of deeds. The access shall be provided to the satisfaction of the municipality.
6. That an assessment apportionment for any and all drains affected by the severance is completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment are paid by the applicant.
7. That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.
8. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
9. That each of the severed lots will be serviced with municipal water in accordance with and under the supervision of the municipality prior to the stamping of deeds.
10. That Council approves the development of the subject lots on private individual septic systems after the soil analysis and septic design for each of the proposed lots is completed.
11. That the applicant enters into an agreement satisfactory to the Corporation of the Town of Amherstburg requiring that the subject property be required to hook into a sanitary sewer system should it become available. The subject agreement to be registered on title.
12. That the applicant be required to install fire hydrants meeting the requirements of the Town of Amherstburg, at the cost of the applicant.
13. This consent will be deemed to be refused in accordance with the Planning Act the above noted conditions are not met within one year from the date of this notice.

Moved by: Terris Buchanan

Seconded by: Don Shaw

-carried-

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. The applicant has performed all required studies for the two lots and received clearance from all applicable ministries and agencies.

That application B/16 and 17/19 be referred to the Heritage Committee for further comment at the soonest possible meeting.

Moved by: Terris Buchanan

Seconded by: Sherry Ducedre

-carried-

Reasons of Committee – The Committee felt that they needed more information to approve the severance of the Elliot House and that the Heritage Committee should comment on the proposed severances.

That application B/25/20 be approved with 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 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. 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 (severed and retained parcels).
4. That prior to the stamping of deeds the owner is to provide satisfactory evidence that the adjacent parcel is under merger and common ownership relative to the parcels which are the subject of the consent.
5. That all property taxes be paid in full.
6. 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.
7. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year from the date of this notice.

Moved by: Josh Mailloux

Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	Absent	Absent
Josh Mailloux	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. The properties are both considered undersized agricultural lots in the Town's Zoning By-law 1999-52, as amended, which does not require a minimum lot size. The minor adjustments of lot lines in the agricultural areas of the Town is supported by the Official Plan and consistent with the Provincial Policy Statement.

6.2 Applications B/16/19 & B/17/19 – Capo D'Aqua c/o Dillon Consulting Ltd, Agent – 849 Front Road South (Roll No. 3729-600-000-02000 & 02050)

Public in Attendance: Melanie Muir

B/16/19: The applicant is proposing to sever a parcel of land being 48.5 m (159.12 ft) frontage by an irregular depth with an area of 0.37 hectares (0.91 acres) for purposes of the creation of a new residential building lot. The subject property is in the Residential Second Density (R2) Zone. The severed lands currently have a storage barn on the property. The retained parcel being 278.9 m (915.03 ft) frontage and an irregular depth with an area of 47.59 hectares (117.6 acres) contains one (1) single detached dwelling and two accessory buildings.

The severed lands will also contain the associated water lot located on Front Road South measuring 50.54 m (165.81 ft) in frontage with an irregular depth and a total area of 0.46 ha (1.14 ac). The retained water lot will have a frontage of approximately 265.63 m (871.49 ft) after the severance.

B/17/19: The applicant is proposing to sever a parcel of land being 66.4 m (217.8 ft) frontage by an irregular depth with an area of 0.44 hectares (1.08 acres). The subject property is in the Residential Second Density (R2) Zone. The proposed severed land

currently has (1) single detached dwelling and two accessory buildings. The retained parcel being 212.5 m (697.18 ft) frontage and an irregular depth with an area of 47.15 hectares (116.5 acres) contains one accessory structure.

The severed lands will also contain the associated water lot located on Front Road South measuring 68.26 m (224 ft) in frontage with an irregular depth and an area of 0.56 ha (1.38 ac). The retained water lot will have a frontage of approximately 197.37 m (647.5 ft) after the severance.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated July 21, 2020 from the Essex Region Conservation Authority stating:

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservation Authorities Act (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Big Creek and Detroit River. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality. We do not require further consultation on this file with respect to stormwater management.

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Big Creek Marsh (ER 13)), significant woodland, significant valleyland, significant wildlife habitat under the Provincial Policy Statement (PPS, 2020). As per the policies of the Town of Amherstburg Official Plan, an Environmental Impact Assessment was required to be completed to support the applications for consent. ERCA provided the Town with a Terms of Reference for an EIA and completed a review of the submitted EIA-6-19 as completed by Dillon Consulting Limited. The final recommendations of the EIA from Dillon were deemed to be acceptable in meeting the requirements of the ERCA EIA Guidelines and Town of Amherstburg EIA policies for development. The final recommendation of the EIA was that the consent applications could be approved subject to full implementation of all Environmental Impact Assessment recommendations.

ERCA recommends that should the recommendations of the EIA be implemented by the Planning Authority the applications for consent would be consistent with natural heritage policies of the PPS, the Town of Amherstburg, and ERCA EIA Guidelines.

ERCA requests to receive a copy of the Notice of Decision for this application.

- ii) Email dated September 23, 2020 from the Windsor Police Department stating that:

The Windsor Police Service has no concerns or objections with the variances being sought to permit land severances for creating new residential lots as the outcome will not result in a negative public safety impact.

- iii) Email dated July 13, 2020 from the Fire Department stating:

Fire is requesting that a fire hydrant meeting the requirements of the Town of Amherstburg be installed, paid for by the applicant. The fire hydrant is to be installed mid- point between the existing fire hydrants North and South of the proposed lot severances.

- iv) Email dated September 17, 2020 from the Engineering & Public Works

Department stating:

- *Individual water service connection required for each new lot*
 - *No Sanitary sewers, septic field required for each new lot. Additionally, the applicant should be aware that, in the future, should a sanitary sewer collection system be constructed along Front Road South, each of the lots described under this application will be required to connect and be serviced by said sanitary sewer.*
 - *Based on the proposal, Lots 1 will require separate driveway accesses from County Road 20 (Front Road South). This will require necessary review and approvals from the County of Essex. Should driveway access be required for water lot portions, County approval will also be required.*
- v) Email dated July 15, 2020 from the Building Department stating:
- *To ensure that all the lots can accommodate a septic system for a single family dwelling*
 - *To ensure proper requirements for fire hydrants*
- vi) Letter from the County of Essex dated September 22, 2020 stating:
- Please be advised that the County of Essex has reviewed the aforementioned applications and the comments provided are engineering related only. These applications have not been reviewed from a planning perspective. This road was formerly King's Highway 18 until it was downloaded to the County of Essex. The minimum setback for any proposed structures on this property must be 85 feet from the center of the original ROW of County Road No. 20 for a proposed residential structure and 105 feet from the centre of the right of way for a proposed commercial structure.*
- Permits are necessary for any changes to existing entrances and structures, of the construction of new structures.*
- Individual entrance for proposed Lot 3 and 4 will not be permitted but the County of Essex will be prepared to consider one mutual entrance to serve Lot 3 & 4. Although Lot 2 has an existing access, mutual entrance should also be considered for lot 1 and 2.*
- We are requesting a copy of the Decision of the aforementioned applications. Should these applications be approved we are requesting a copy of the revised survey plan of the subject lands to update our mapping records. Thank you for your assistance and cooperation in this matter.*
- vii) Planning Report dated September 21, 2020 from Frank Garardo, Secretary Treasurer and Sarah French, Planner.

Committee Discussion:

The Chair introduced the application and the Planner, Frank Garardo read the purpose of the application. Melanie Muir from Dillon Consulting presented the concept of the application. The Chair mentioned a few discrepancies in the applications and the staff report that mentions four lots rather than two. Since the two proposed lots were deferred from the original application of four severed lots, the report and applications still mentioned four lots. The applicant agreed to amend the applications. The report was also amended to state that the Sarah Elliot house was approved as a property of interest. The Committee members had a discussion about whether a holding symbol on the property would protect the house from demolition and if it would protect any items of archaeological significance. The details of the current archaeological investigation were questioned. Melanie Muir stated that there have been some items of significance found on the north side of the creek and that the consultants are currently going through a Stage 3 investigation. The two lots that were severed on July 13, 2020 were part of the archaeological assessment and were cleared by the Ministry. The Committee had a discussion on whether the current owner of the land should be required to complete the archaeological study or if the onus of the study should be placed on the property purchaser. The intentions for Lot 1 were questioned. Lot 1 currently has a pole barn on it. Melanie Muir stated that the owner plans to maintain pole barn for a couple of years and may sell the lot in the future. The removal of the pole barn was discussed and it was determined that a temporary use zoning by-law amendment would be required in order to have the pole barn remain on the property without a main use. The archaeological

study was further discussed. It was determined that the archaeological study should be completed prior to the stamping of the deeds, however an extended timeline might be required to complete the study. The Committee agreed to extending the timeline from one year to two years for the completion of the consent conditions. The Committee also stated that they would open to seeing the application return to the Committee in the future for renewal, if necessary. It was discussed that the archaeological study would need Ministry approval and would have to be approved by Town administration. The recommended conditions were amended to reflect the discussion. Frank Garardo read the conditions and Melanie Muir acknowledged acceptance of the conditions.

The following resolution was put forth:

That applications B/16/19 and B/17/19 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 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. Prior to the stamping of deeds, the applicant shall provide evidence that the water lots are registered in the same name and interest as the proposed inland lots and completed by consent process under the Planning Act or a legal merger satisfactory to the Municipality.
4. That all property taxes be paid in full.
5. That one driveway access to be shared by the two lots must be constructed to the subject properties where one does not exist. That an access permit be obtained for the shared driveway from the County of Essex and any other requirements to their satisfaction, prior to the stamping of deeds. The access shall be provided to the satisfaction of the municipality.
6. That the portion of the subject lands identified in the Environmental Impact Assessment (EIA) as buffer lands be rezoned to Environmental Protection (EP) through a rezoning application to the Town of Amherstburg.
7. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 per lot.
8. That each of the severed lots will be serviced with municipal water in accordance with and under the supervision of the municipality prior to the stamping of deeds.
9. That Council approves the development of the subject lots on private individual septic systems after the soil analysis and septic design for each of the proposed lots is completed.
10. The severance application B/16/19 is denied unless the applicant removes the existing accessory structure or is successful in obtaining a temporary use-by-law prior to the stamping of the deeds.
11. The applicant will be responsible for providing a report from a certified designer/installer that the existing private septic system serving the dwelling does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance (B/16/19) prior to the stamping of the deeds.
12. That an archaeological assessment be completed by a qualified professional on the subject land prior to the stamping of the deeds, to the satisfaction of the Town of Amherstburg.
13. This consent will be deemed to be refused in accordance with the Planning Act the above noted conditions are not met within two years from the date of this notice.

Moved by: Terris Buchanan

Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	Absent	Absent
Josh Mailloux	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. The applicant has performed the majority of the required studies for the two lots and received clearance from most applicable ministries and agencies. The archaeological study will be provided to the Town prior to the stamping of the deeds.

6.3 Application B/26/20 – John & Donna Curtis c/o Drew Coulson, Agent – 117-119 Park Street (Roll No. 3729-100-000-02200)

Public in Attendance: Drew Coulson

B/26/20: The applicant is proposing to sever a parcel of land being 12.8 m (42 ft) frontage by a depth of 30.47 m (99.96 ft) with an area of 394.19 sq m (4243 sq ft) for the purpose of creating a new residential lot for an existing semi-detached dwelling. The proposed retained parcel being 12.8 m (42 ft) frontage by a depth of 31.16 m (102.24 ft) with an area of 396.05 sq m (4263 sq ft) is a residential lot for an existing semi-detached dwelling. The subject property is zoned Residential Heritage (RH) and designated Heritage Residential in the Official Plan.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated September 18, 2020 from the Essex Region Conservation Authority stating no comments or concerns.
- ii) Email dated September 23, 2020 from the Windsor Police Department stating that:
The Windsor Police Service has no concerns or objections with the request to permit a land severance for a new residential lot as the outcome will not result in a negative public safety impact.
- iii) Email dated September 15, 2020 from the Essex Power Corporation stating:
For B-26-20, there is 1 overhead wire going to the duplex (Steve Rice cc'd can confirm) and 2 electricity meters on 1 side of the building. In the severance and on title, it should be identified that the meter for the retained parcel is on the severed side and that the overhead wire to the duplex is shared.
- iv) Email from the Engineering and Public Works Department dated September 17, 2020 indicating no comments.
- v) Planning Report dated September 21, 2020 from Frank Garardo, Secretary Treasurer and Sarah French, Planner.

Committee Discussion:

The Chair introduced the application and the Planner, Frank Garardo read the purpose of the application. Drew Coulson presented the concept of the application. Drew Coulson stated that he demolished the old building, which was a duplex, and built a semi on the lot. A semi is a permitted use in the Residential Heritage (RH) Zone. The Chair questioned when the severance should be done for a semi. Sarah French, Planner, mentioned that it is normal to sever semis after they are built to ensure the lot lines are correct. The comments from Essex Power were discussed and two proposed additional conditions were added to the recommended conditions. The parkland fee was discussed and it was determined that a parkland fee should be charged for the application. Frank Garardo read the conditions and Drew Coulson acknowledged acceptance of the conditions.

The following resolution was put forth:

That application B/26/20 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.



planning@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

February 16, 2021

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

Dear Mr. Garardo:

RE: Zoning By-Law Amendment ZBA-02-21
849 FRONT RD S
ARN 372960000002000, 372960000002050; PIN: 705700292
Applicant: CAPO D'AQUA CORPORATION

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-02-21 to change the zoning of the subject lands noted above from the "Residential Second Density (R2) Zone" to "Environmental Protection (EP) Zone". The parcel is designated Low Density Residential in the Town's Official Plan. The lands described above are subject to applications for consent (Files B/16-19/19). The consent applications are to create three residential building lots. The amendment is a condition of consent from the Committee of Adjustment and is the recommendation of the Environmental Impact Assessment completed for the entire site.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF 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*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Big Creek and Detroit River. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any future construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Based on the Department of Fisheries and Oceans (DFO) Species at Risk screening maps, this area has been identified as potentially having aquatic species at risk that are protected under the federal *Species at Risk Act*. Any proposal would need to be reviewed in accordance with the federal *Fisheries Act* and the *Species at Risk Act*, and may need a federal authorization with respect to potential fish habitat issues, depending on the proposal. We note that the previous partnership agreement between the

Mr. Garardo
February 16, 2021

Department of Fisheries and Oceans (DFO) and the Essex Region Conservation Authority has lapsed. DFO and Conservation Ontario are now working to develop a new Memorandum of Understanding for a partnership under the new Fisheries Protection Program. In the interim, projects will need to be self-assessed by the proponent through the DFO website available at www.dfo-mpo.gc.ca/new-ppe/index-eng.html. Through the self-assessment process, you will be able to determine in any proposed works require a formal authorization under the federal *Fisheries Act*.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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 within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wetland (Big Creek Marsh (ER 13)), significant woodland, significant valleyland, significant wildlife habitat under the Provincial Policy Statement (PPS).

Section 2.1.4 of the PPS, 2020 states - "Development and site alteration shall not be permitted in "significant wetlands..." and "significant coastal wetlands."

Section 2.15 of the PPS states - Development and site alterations shall not be permitted in significant woodland... and significant valleyland... and significant wildlife habitat...unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Our information indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS, 2020 –

"Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with



Mr. Garardo
February 16, 2021

provincial and federal requirements". All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the Ontario *Endangered Species Act*. Prior to initiating any proposed works on this property, it is the proponent's responsibility to contact the Species at Risk Branch of the Ontario Ministry of Environment, Conservation & Parks (MECP) to ensure all issues related to the *Endangered Species Act* are addressed. All inquiries regarding the *Endangered Species Act* should be made with Permissions and Compliance Section of the MECP (e-mail address: SAROntario@ontario.ca).

Our information indicates that the subject parcel is likely to support fish habitat. As per Section 2.1.6 of the PPS, 2020 – "Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements." Inquiries regarding the applicability of fish habitat to the property should be made to the federal Fisheries and Oceans Canada website: www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html.

The demonstration of no negative impact, as required by the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA), in accordance with the EIA Guidelines published by ERCA.

We note that our office has reviewed the EIA for the proposed development, and our review is attached for your information and consideration. Based upon our review of the EIA, it is our recommendation to the Planning Authority that the proposed development may be approved subject to full implementation of all recommendations contained within the EIA.

FINAL RECOMMENDATION

ERCA has no objection to this application for Zoning By-law Amendment.

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

Sincerely,



Vitra Chodha
Resource Planner
/vc





February 12, 2021

Mr. Frank Garardo
Town of Amherstburg
271 Sandwich Street South
Amherstburg, Ontario
N9V 2A5

Dear Mr. Garardo:

Re: ZBA-02-21, Capo D' Aqua Corp, Part Lot 5 & 6, Concession 1, East Side of County Road No. 20, Municipal Number 849 Front Road

Please be advised that the County of Essex has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. This road was formerly King's Highway 18 until it was downloaded to the County of Essex.

The minimum setback for any proposed structures on this property must be 85 feet from the center of the original ROW of County Road No. 20 for a proposed residential building or 105 feet from the centre of the right of way for a proposed commercial structure. Permits are necessary for any changes to existing entrances and structures, of the construction of new structures.

To limit multiple access points on County Road No. 20, individual entrances for proposed Lot 3 and 4 will not be permitted but the County of Essex is prepared to consolidate to one access point to serve Lot 3 & 4. Although Lot 2 has an existing access, Lot 1 and 2 should also have one access point.

We are requesting a copy of the Decision of the aforementioned application. Thank you for your assistance and cooperation in this matter.

☎ 519-776-6441
TTY 1-877-624-4832

📍 360 Fairview Ave. W.
Essex, ON N8M 1Y6

💻 countyofessex.ca

Should you require further information, please contact Kris Balallo by email at kbalallo@countyofessex.ca or by phone at extension 1564

Regards,



Kristoffer Balallo
Engineering Technologist

From: [DESANDO, Bruno](#)
To: [Janine Mastronardi](#)
Subject: RE: Notice of Public Meeting for a ZBA
Date: February 11, 2021 7:20:21 PM

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

Hello Janine,

Canada Post has no comments for the attached application.

Regards,

Bruno

Bruno DeSando
CANADA POST CORPORATION
Delivery Planning

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Janine Mastronardi <jmastronardi@amherstburg.ca>
Sent: February-10-21 9:43 AM
Subject: Notice of Public Meeting for a ZBA

This email is from an EXTERNAL sender. Please be CAUTIOUS, particularly with links and attachments. | Ce courriel est d'un expéditeur EXTERNE. Soyez PRUDENT, en particulier avec des liens et des pièces jointes.

Good morning.

As per Planning Act regulations please find attached the circulation of a Notice of Public Meeting for a proposed zoning by-law amendment with associated application for a portion of the property at 849 Front Road South, Town of Amherstburg, for your information and comments. Please provide the Town with any comments by February 18th, 2021.

From: [Shane McVitty](#)
To: [Janine Mastronardi](#)
Subject: RE: Notice of Public Meeting for a ZBA
Date: February 10, 2021 3:28:36 PM

EPW has no comments regarding the proposed ZBA-02-021.

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



The information in this e-mail is confidential, privileged and is subject to copyright and authorized solely for the addressee(s) named. The Town of Amherstburg is not responsible for any loss or damage arising from the use of this email or attachments.

From: Janine Mastronardi <jmastronardi@amherstburg.ca>
Sent: February 10, 2021 9:43 AM
Subject: Notice of Public Meeting for a ZBA

Good morning.

As per Planning Act regulations please find attached the circulation of a Notice of Public Meeting for a proposed zoning by-law amendment with associated application for a portion of the property at 849 Front Road South, Town of Amherstburg, for your information and comments. Please provide the Town with any comments by February 18th, 2021.

Regards,
Janine

Janine Mastronardi

Planning Office Clerk
Town of Amherstburg - Libro Centre
3295 Meloche Rd., Amherstburg, Ontario, N9V 2Y8
Tel: 519-736-5408 ext 2134 Fax: 519-736-9859 TTY: 519-736-9860

From: [Horrobin, Barry](#)
To: [Janine Mastronardi](#)
Subject: Windsor Police comments: ZBA @ 849 Front Road South
Date: February 10, 2021 4:47:21 PM

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

Janine:

I have reviewed the information pertaining to this application for a proposed Zoning by-law amendment and would advise the Windsor Police Service has no objections with it. I would like to provide one comment associated with the application as follows:

- In order to ensure public safety for the outcome from the creation of the perimeter buffer strip of land on the subject property, it is important the condition of this open/natural space be maintained, at least to some degree, in a somewhat groomed manner. This is to ensure there is proper visibility maintained between the residential land uses and the adjacent woodlot. If the buffer strip is left completely unmaintained, it could become more attractive to discreet, unlawful behaviour that would be difficult to detect and address.

Respectfully,

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



Advanced Certified Law Enforcement Planner

From: Janine Mastronardi <jmastronardi@amherstburg.ca>
Sent: Wednesday, February 10, 2021 9:43 AM
Subject: Notice of Public Meeting for a ZBA

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.