



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

AGENDA

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

Monday, June 14, 2021

5:00 PM

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

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 Kingsbridge Subdivision Phase 5 and 10

3

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for Kingsbridge Phase 5 and 10 (File ZBA/12/21), Zoning By-law 2021-034 **BE RECEIVED and SUMMARIZED** in a future report.

4.2. Zoning By-law Amendment for S/S of Alma Street

23

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for lands on the South Side of Alma Street (File ZBA-07-21), owned by Blake and Suzanne Laramie, **BE RECEIVED and SUMMARIZED** in a future report to Council.

5. ADJOURNMENT

That Council adjourn from Special session at p.m.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING AND DEVELOPMENT SERVICES

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

Author's Name: Frank Garardo	Report Date: May 31, 2021
Author's Phone: 519 736-5408 ext. 2124	Date to Council: June 14, 2021
Author's E-mail: fgarardo@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Zoning By-law Amendment for Kingsbridge Subdivision Phase 5 and 10

1. RECOMMENDATION:

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for Kingsbridge Phase 5 and 10 (File ZBA/12/21), Zoning By-law 2021-034 **BE RECEIVED and SUMMARIZED** in a future report.

2. BACKGROUND:

The Town is in receipt of an application for Zoning By-law Amendments to By-law 1999-52, as amended under Section 34 of the Planning Act, R.S.O. 1990 c.P. 13, from Sawyer DeJonge on behalf of Michael Dunn. The subject lands affected by the proposed amendment are located on the west side of Knobb Hill Drive, known as Kingsbridge Phase 5 and 10 and legally described as Concession 1, Part of Lots 11, 12, 13 and 14. The lands are designated Low Density Residential in the Town's Official Plan. Figure 1 provides an aerial of the subject lands. The specific parcels are identified in Figure 2. Please refer to Figure 2 for an outline of the affected parcels.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow for general residential uses on the subject properties with 35% lot coverage for single detached dwellings and 47% lot coverage for semi-detached dwellings, whereas the current zoning permits 30% lot coverage for single detached dwellings and 35% lot coverage for semi-detached dwellings.



Figure 1: Aerial of Subject Lands

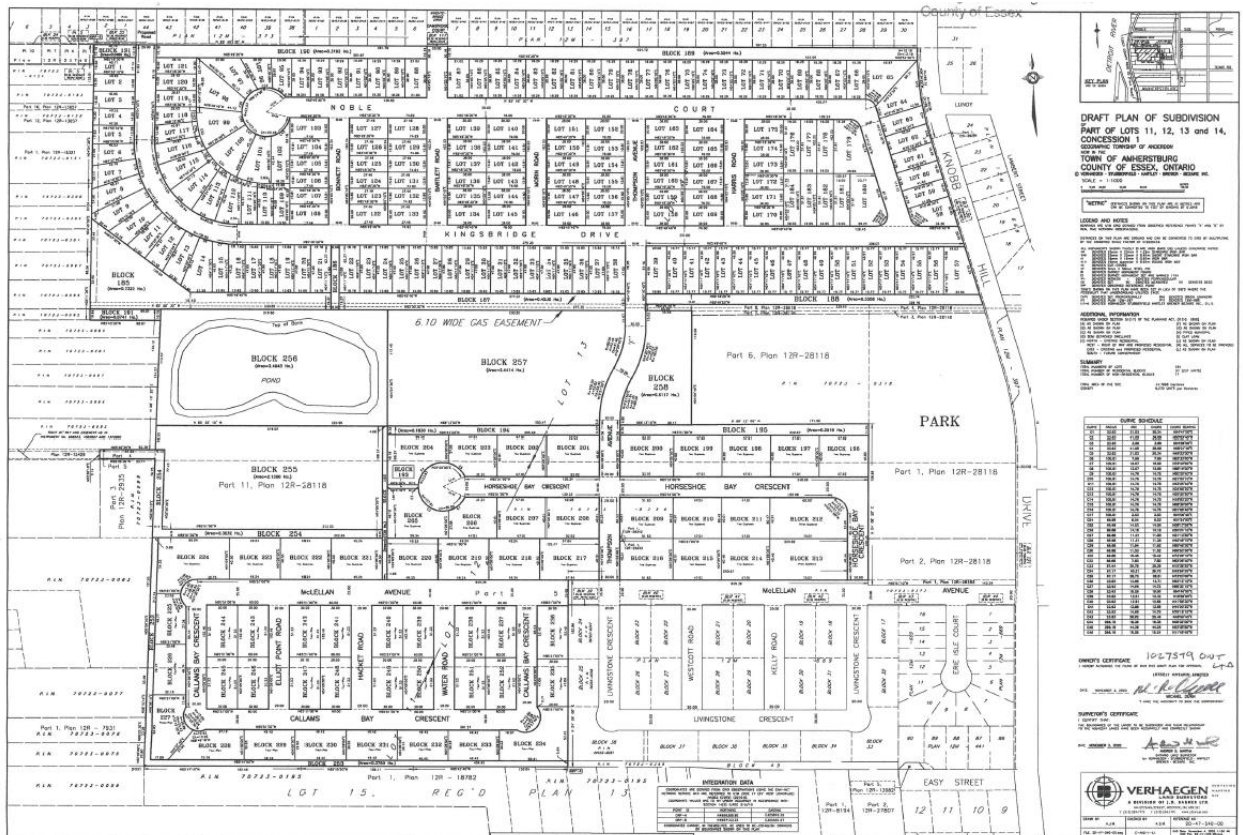


Figure 2: Development Plan

3. DISCUSSION:

The Zoning amendment on the subject lands would change the zoning of the subject lands noted above from the “Residential Type 1A (R1A) Zone” and “Residential Second Density Zone/ Residential Multiple First Density (R2/RM1) Zone” to “Residential First Density (R1) Zone” and “Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone”. The parcel is designated Low Density Residential in the Town’s Official Plan.

The submitted application seeks to amend the Zoning By-law to permit a maximum lot coverage of 35% for single detached dwellings and 47% for semi-detached dwellings in Kingsbridge Subdivision, Phases 5 and 10, whereas the current Zoning permits a maximum lot coverage of 30% for single detached dwellings and 35% for semi-detached dwellings.

The submitted application does not facilitate a change in the established use of the property but instead seeks to establish a revised lot coverage provision. The proposed Zoning amendment is housekeeping in nature.

The subject lands are known as Kingsbridge Subdivision Phase 5 and Phase 10 and comprise of townhomes, semi-detached dwelling units and single detached units.

Single detached units

The current zoning permits single detached dwelling units on the East side of Knobb Hill, North of McLellan with a 30% lot coverage. The subject application seeks to amend a single zoning provision to permit the lot coverage to 35%. The requested amendment is required to facilitate the prospective builders intended product while also providing lot coverage space for other structures such as covered decks.

The proposed lot coverage maximums are consistent with other developments in Town as seen in the chart below. The proposed zoning provisions are housekeeping in nature, as it would permit similar density as adjacent parcels. The abutting single detached homes within the Kingsbridge Subdivision already permit 35% lot coverage for single detached dwellings erected on Brown Crescent, Whelan Avenue, McLellan Avenue, Lundy Street, Lambert Street, Welsh Avenue, etc.; therefore the proposed zoning amendment would permit a consistent 35% lot coverage for the new single detached dwellings within the Kingsbridge Subdivision. This would allow for a consistent character of the area.

Semi-detached units

The current zoning permits semi-detached dwelling units, townhomes, and triplexes on the West side of Knobb Hill, South of McLellan Avenue. The current zoning permits a lot coverage of 35% percent for semi-detached dwellings. The zoning amendment recognizes the housekeeping nature, as semi-detached dwellings require a higher lot coverage to support the development. Semi-detached dwelling units utilize shared common walls, which increase the lot coverage to a higher percent than single detached dwellings. It is a very acceptable and common planning principle to permit a higher lot coverage for semi-detached units in comparison to single detached units.

The builder intends to provide for a variation in the built-form while still providing a common design that facilitates the character of the new homes. The requested lot coverage increase will not impact the streetscape. It is worth mentioning that the current zoning permits 51% lot coverage for the proposed townhomes, therefore the proposed 47% lot coverage for the semi-detached would be consistent with the permitted character of the area.

The requested increase in lot coverage does not result in other zoning deficiencies. The required front, side and rear yard setbacks will be maintained to ensure that there is adequate separation between the proposed dwellings. This ensures that a consistent built-form is maintained throughout the community and that the increase in lot coverage does not result in negative impacts on surrounding properties. The required side and rear yard setbacks are maintained and the buildings do not exceed the maximum heights permitted. The required front yard remains at 7.5m to provide for a consistent street wall within the community and accommodates the required parking for each dwelling as well as a landscaped area along the street that contributes to the streetscape. The increase in lot coverage does not cause any undue negative impacts on the surrounding properties and does not compromise adjacent resident's ability to enjoy their property.

Subdivisions:

Kingsbridge Zone R1

Subdivision	Zone	Permitted Maximum Lot Coverage	
		Singles	Semi-Detached
Big Creek	R3-2	45%	50%
Forhan	R2-3	N/A	40%
Meadowview	R2-5	35%	60%
Mulberry	R2-6	N/A	45%
Kingsbridge	R1A/R2/RM1	Proposed 35%	Proposed 47%
Kingsbridge existing	R1	35%	N/A
Adjacent Municipalities			
Town of LaSalle	R3	35% (+10%) for accessory structures (45%)	40% (+10%) for accessory structures (50%)
Town of Essex	R2	40%	50%

Lot Coverage Analysis

Stantec Consulting Ltd. completed a review of the existing stormwater management facility design and found the proposed increase in lot coverage is in accordance with the drainage plan approved for the subdivision. The increase

in lot coverage does not cause any undue negative impacts on surrounding properties. The engineer study concluded that the existing Storm water Management Pond is capable of accommodating the proposed increase in lot coverage of the Kingsbridge Subdivision.

The requested increase in lot coverage does not facilitate any negative impacts on surrounding properties. The application is considered to conform to good planning principles.

Planning Policy

The proposed Zoning By-law Amendment appears to be in conformity with the Provincial Policy Statement 2020 (PPS). The proposed lots are located within a settlement area.

Section 1.1.3.1 of the PPS states:

Settlement areas shall be the focus of growth and development.

Section 1.1.3.6 of the PPS states:

New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands are located within a subdivision that has existing approval. All of the lots and blocks within this subdivision have been draft approved and the permitted uses of the lands have been established through the Zoning By-law. The comprehensive subdivision planning process ensures that the development addresses all Provincial, Regional and local interests with respect to the appropriate use and development of the land. Specifically, the subdivision represents efficient and orderly development of serviced residential land in accordance with the land use vision outlined in the Provincial Policy Statement. The proposal conforms to the County's land use vision as outlined in the specific policies under the County Official Plan as it represents efficient development of land within in the Settlement Boundary. The subject lands are within Town's Settlement Boundary and are designated as Low Density Residential in the Town's Official Plan. The proposed single detached dwellings and semi-detached dwellings are permitted uses and the proposal makes efficient use of residential land and municipal infrastructure in accordance with the applicable Official Plan policies.

4. RISK ANALYSIS:

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

5. FINANCIAL MATTERS:

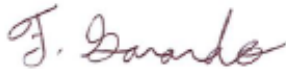
The cost associated with the application and planning process are the responsibility of the developer.

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:

The requested increase in lot coverage has been supported by the design of the storm water management pond and the lot coverage does not facilitate any negative impacts on surrounding properties. The required yard setbacks will remain and positively contribute to the streetscape and help define the neighbourhood character. The application is considered to conform to good planning principles as market trends for new housing supply are supporting the enjoyment of covered decks and garden sheds. Furthermore, the adjacent built-up area already includes zoning provisions for 35% lot coverage. The proposed zoning amendment is housekeeping in nature as it permits similar density and character to the adjacent built-up areas. 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 for a Zoning By-law Amendment for Kingsbridge Subdivision Phase 5 and 10.docx
Attachments:	- 2021 06 14 - Statutory Public Mtg ZBA Kingsbridge Phase 5 and 10- ATTACHMENTS.pdf
Final Approval Date:	Jun 4, 2021

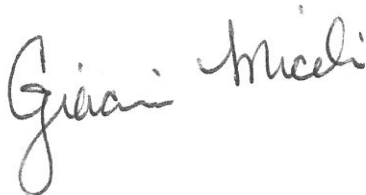
This report and all of its attachments were approved and signed as outlined below:



Nicole Rubli



Cheryl Horrobin



John Miceli



Paula Parker

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

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, June 14, 2021 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

THE SUBJECT LANDS affected by this by-law encompass one phase of the Kingsbridge Subdivision development. Phases 5 and 10 are located in the west side of Knobb Hill and legally described as Concession 1, Part of Lots 11, 12, 13 and 14. (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 Type 1A (R1A) Zone” and “Residential Second Density Zone/ Residential Multiple First Density (R2/RM1) Zone”** to **“Residential First Density (R1) Zone” and “Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone”**. The parcel is designated Low Density Residential in the Town’s Official Plan.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow for general residential uses on the subject properties with 35% lot coverage for single detached dwellings and 47% lot coverage for semi-detached dwellings, whereas the current zoning permits 30% lot coverage for single detached dwellings and 35% lot coverage for semi-detached dwellings.

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 planning@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, June 10, 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, June 10, 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.

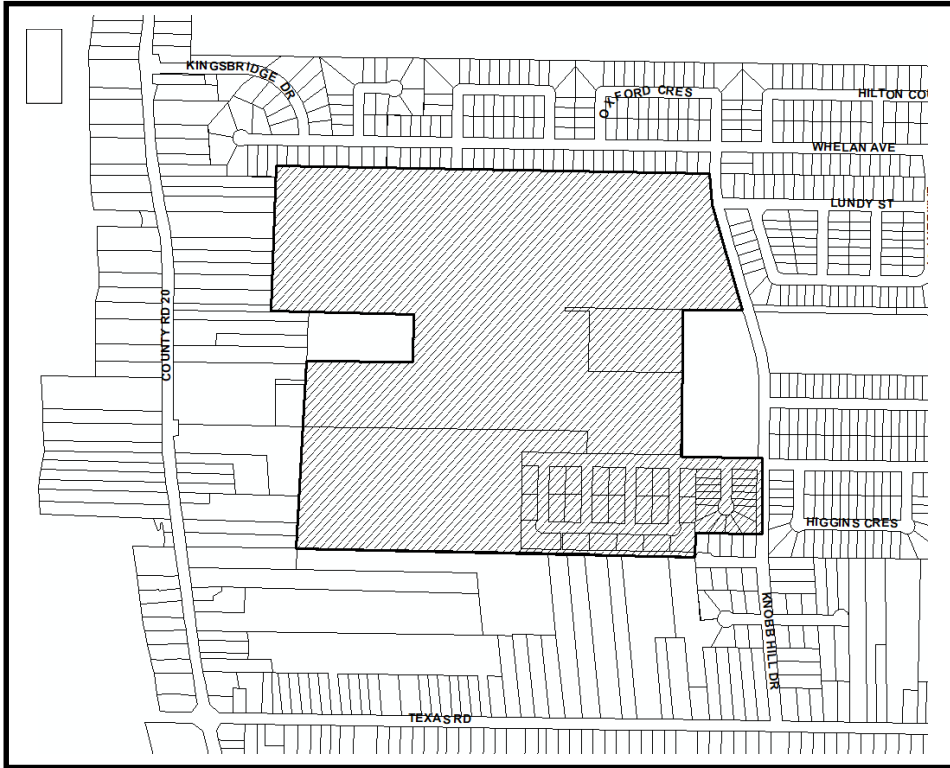
ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/12/21) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment

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.

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 20th day of May, 2021.

KEY MAP



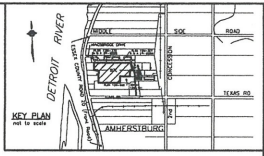
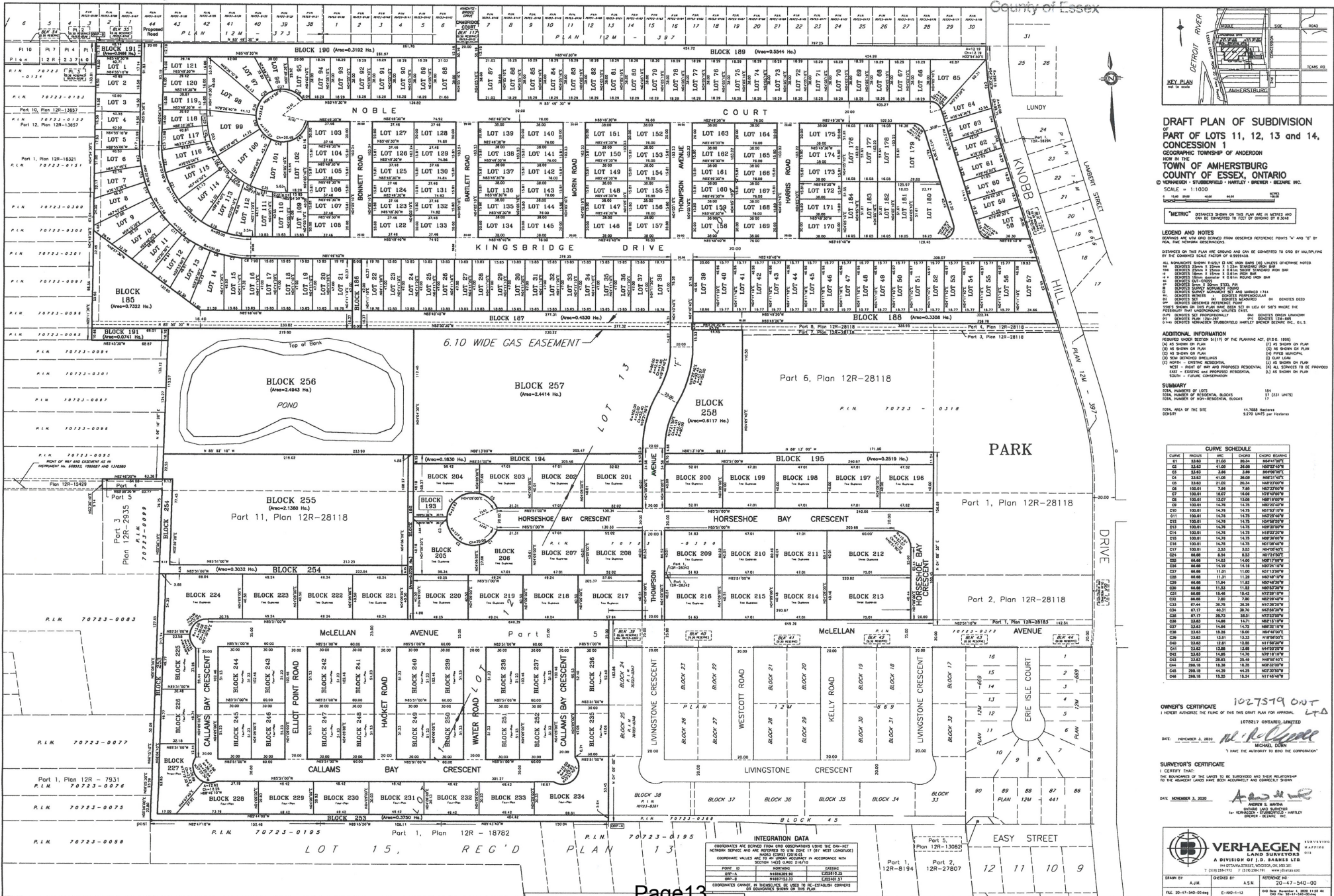
Frank Garardo, MCIP, RPP
Manager of Planning Services

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

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This draft plan of subdivision is approved under section 51 (31) of the planning Act on this 25th day of November, 2020

Debra Belanger
DEBRA BELANGER MCIP, RPP
 Manager, Planning Services
 County of Essex



DRAFT PLAN OF SUBDIVISION OF PART OF LOTS 11, 12, 13 and 14, CONCESSION 1
 GEOGRAPHIC TOWNSHIP OF ANDERSON
 COUNTY OF ESSEX, ONTARIO
 © VERHAEGEN ENGINEERING - HARTY - GREENE INC.
 SCALE = 1:1000

LEGEND AND NOTES
 DISTANCES ON THIS PLAN ARE GIVEN IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ADDITIONAL INFORMATION
 TOTAL NUMBER OF LOTS: 154
 TOTAL NUMBER OF RESIDENTIAL BLOCKS: 121 (131 UNITS)
 TOTAL NUMBER OF NON-RESIDENTIAL BLOCKS: 33
 TOTAL AREA OF THE SITE: 41,828 HECTARES
 DENSITY: 3,726 UNITS PER HECTARE

DATE	DESCRIPTION	BY
07/20/20	PRELIMINARY PLAN	VERHAEGEN
08/11/20	FINAL PLAN	VERHAEGEN
10/27/20	DRAFT PLAN	VERHAEGEN

CURVE	ANGLE	PC	PT	PI	CS	CL	CD	CB	CC	CD	CB	CC
C1	33.62	21.00	30.24	28.94	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C2	33.62	41.60	30.24	38.00	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C3	33.62	52.20	30.24	48.60	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C4	33.62	62.80	30.24	59.20	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C5	33.62	73.40	30.24	69.80	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C6	33.62	84.00	30.24	80.40	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C7	33.62	94.60	30.24	91.00	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C8	33.62	105.20	30.24	101.60	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C9	33.62	115.80	30.24	112.20	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C10	33.62	126.40	30.24	122.80	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C11	33.62	137.00	30.24	133.40	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C12	33.62	147.60	30.24	144.00	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C13	33.62	158.20	30.24	154.60	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C14	33.62	168.80	30.24	165.20	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C15	33.62	179.40	30.24	175.80	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C16	33.62	190.00	30.24	186.40	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C17	33.62	200.60	30.24	197.00	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C18	33.62	211.20	30.24	207.60	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C19	33.62	221.80	30.24	218.20	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C20	33.62	232.40	30.24	228.80	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C21	33.62	243.00	30.24	239.40	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C22	33.62	253.60	30.24	249.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C23	33.62	264.20	30.24	260.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C24	33.62	274.80	30.24	271.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C25	33.62	285.40	30.24	281.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C26	33.62	296.00	30.24	292.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C27	33.62	306.60	30.24	302.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C28	33.62	317.20	30.24	313.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C29	33.62	327.80	30.24	324.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C30	33.62	338.40	30.24	334.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C31	33.62	349.00	30.24	345.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C32	33.62	359.60	30.24	355.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C33	33.62	370.20	30.24	366.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C34	33.62	380.80	30.24	377.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C35	33.62	391.40	30.24	387.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C36	33.62	402.00	30.24	398.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C37	33.62	412.60	30.24	408.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C38	33.62	423.20	30.24	419.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C39	33.62	433.80	30.24	430.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C40	33.62	444.40	30.24	440.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C41	33.62	455.00	30.24	451.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C42	33.62	465.60	30.24	461.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C43	33.62	476.20	30.24	472.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C44	33.62	486.80	30.24	483.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C45	33.62	497.40	30.24	493.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C46	33.62	508.00	30.24	504.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C47	33.62	518.60	30.24	514.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C48	33.62	529.20	30.24	525.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C49	33.62	539.80	30.24	536.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C50	33.62	550.40	30.24	546.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C51	33.62	561.00	30.24	557.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C52	33.62	571.60	30.24	567.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C53	33.62	582.20	30.24	578.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C54	33.62	592.80	30.24	589.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C55	33.62	603.40	30.24	599.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C56	33.62	614.00	30.24	610.39	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C57	33.62	624.60	30.24	620.99	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C58	33.62	635.20	30.24	631.59	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C59	33.62	645.80	30.24	642.19	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24
C60	33.62	656.40	30.24	652.79	19.70	1.24	1.24	1.24	1.24	1.24	1.24	1.24

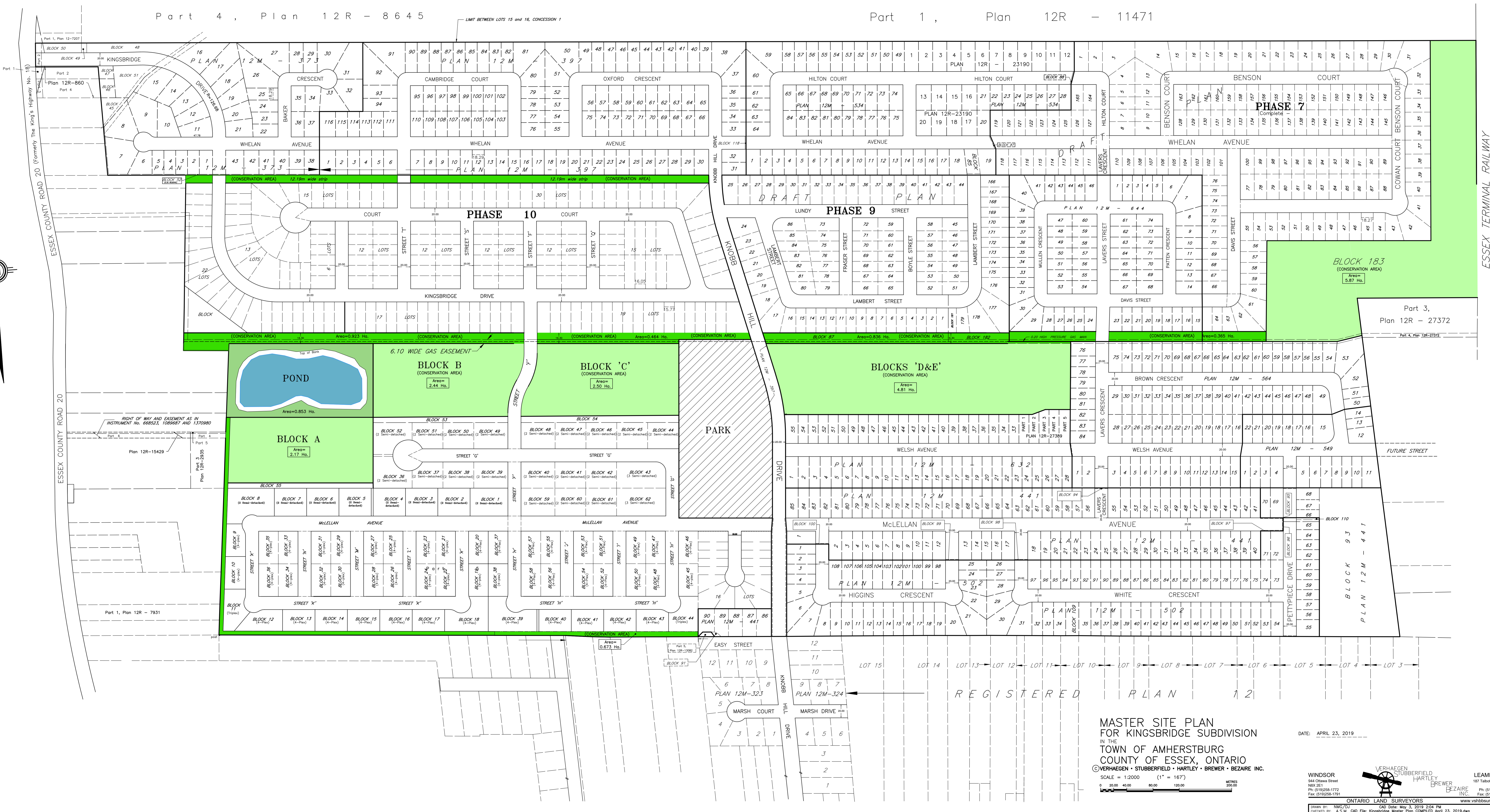
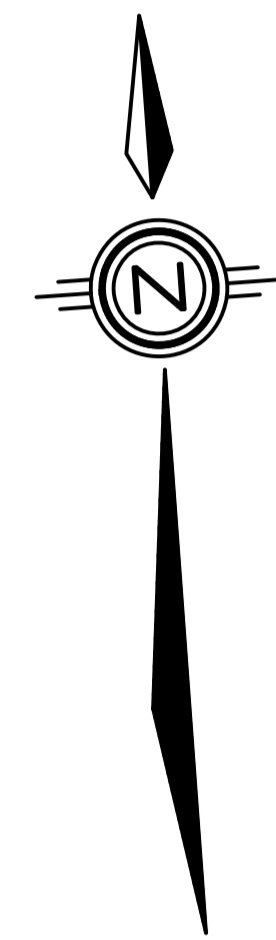
OWNER'S CERTIFICATE
 I HEREBY CERTIFY THAT THE PLAN OF THIS DRAFT PLAN FOR APPROVAL
 1027519 OUT
 078711 ONTARIO LIMITED
 DATE: NOVEMBER 3, 2020
M. R. L...
 MICHAEL D. DONT
 I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT:
 1. I AM A LICENSED SURVEYOR AND AM REGISTERED WITH THE REGISTRY OF PROFESSIONAL ENGINEERS AND SURVEYORS OF ONTARIO;
 2. I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE;
 3. I HAVE READ THE PLAN AND THE RELEVANT PARTS OF THE RECORDS AND AM SATISFIED THAT THE PLAN IS CORRECT AND COMPLETE;
 4. THE PLAN IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE REGISTRY OF PROFESSIONAL ENGINEERS AND SURVEYORS OF ONTARIO;
 5. THE PLAN IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE REGISTRY OF PROFESSIONAL ENGINEERS AND SURVEYORS OF ONTARIO;
 6. THE PLAN IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE REGISTRY OF PROFESSIONAL ENGINEERS AND SURVEYORS OF ONTARIO;
 DATE: NOVEMBER 3, 2020
A. D. ...
 ANDREW S. BARNES
 VERHAEGEN ENGINEERING - HARTY - GREENE INC.

VERHAEGEN LAND SURVEYORS
 A DIVISION OF J. B. BARNES LTD.
 1000 EASTERN AVENUE, SUITE 100
 WINDSOR, ONTARIO N9A 6V8
 TEL: 519-253-2323 FAX: 519-253-2324

INTEGRATION DATA

POINT ID	COORDINATES	DATE
101	101.0000 101.0000	10/10/20
102	102.0000 102.0000	10/10/20
103	103.0000 103.0000	10/10/20
104	104.0000 104.0000	10/10/20
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139	139.0000 139.0000	10/10/20
140	140.0000 140.0000	10/10/20
141	141.0000 141.0000	10/10/20
142	142.0000 142.0000	10/1



REGISTERED PLAN 12

MASTER SITE PLAN
FOR KINGSBRIDGE SUBDIVISION
IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX, ONTARIO
©VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.
(1" = 167')

DATE: APRIL 23, 2019

SCALE = 1:2000 (1" = 167')

WINDSOR 944 Ontario Street NEX 2E1 Ph: (519)258-1772 Fax: (519)258-1791

VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC. 187 Tabot Street East NEX 1L8 Ph: (519)322-2276 Fax: (519)322-2875

LEAMINGTON

ONTARIO LAND SURVEYORS www.vshbbsurveys.com

Drawn by: NMG/DJ CAD Date: May 3, 2019 2:04 PM
Checked by: A.S.M. CAD File: Kingsbridge Master Plan COMPLETED April 23, 2019.dwg
WORK ORDER: 4-26774 FILE NO.: S-156(WIND) PLAN FILE NO. 73R-1MASTER

Municipal Fee Received:	2240.00
Municipal Deposit Received:	N/A
ERCA Fee Received:	200.00

Application No. ZBA/12/21

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

- Name of approval authority Town of Amherstburg
- Date application received by municipality May 19, 2021
- Date application deemed complete by municipality May 20, 2021
- Name of registered owner Michael Dan

Telephone number _____

Address _____

Email _____

Name of registered owner's solicitor or authorized agent (if any) Sawyer DeTonge

Telephone number _____

Address _____

Email _____

Please specify to whom all communications should be sent.

- registered owner solicitor agent

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

- Location and description of subject land:

Concession No. 1 Lot(s) No. 11, 12, 13, 14

Registered Plan No. _____ Lot(s) No. _____

Reference Plan No. _____ Part(s) No. _____

Street Address _____ Assessment Roll No. _____

- Size of subject parcel:

Frontage _____ Depth _____ Area _____

- Access to subject parcel:

- Municipal Road County Road Provincial Highway
 Private Road Water

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

- (a) Current Official Plan Land Use designation of subject land Residential

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

Allows the area in question to match nearby areas.

(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 RIA + RVI + R2

11. Nature and extent of rezoning requested To increase the allowable lot coverage to 35% in phase 10 and 47% in phase 5

12. Reasons why rezoning is requested To allow structures similar to the nearby areas to be built on the lots.

13. Current use of subject land Residential

14. Length of time current use of subject land has continued +30

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:

Kingsbridge Phase 5 and Phase 10

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

No existing buildings.

18. Date subject land acquired by current registered owner 20+ years ago

19. Proposed use of subject land Residential Subdivision.

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:

No changes to lot lines or setbacks

21. Type of water supply:

- municipally owned and operated piped water supply
- well
- Other (specify) _____

22. Type of sanitary sewage disposal:

- municipally owned and operated sanitary sewers
- septic system
- Other (specify) _____

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

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

23. Type of storm drainage:

- sewers
- ditches
- swales
- Other (specify) _____

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

- consent to sever
- approval of a plan of subdivision

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

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

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

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

- Yes
- No

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

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

Yes No

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

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

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?

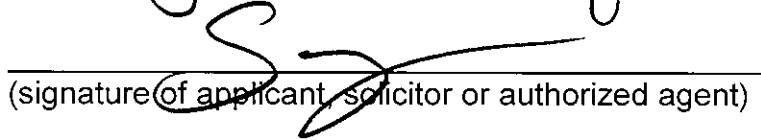
Yes No

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.

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

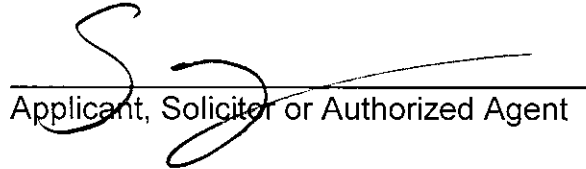
Yes No

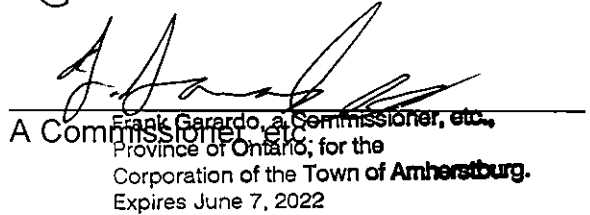
Dated at the Town of Amherstburg this 19th day of May, 2021.


(signature of applicant, solicitor or authorized agent)

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

Declared before me at the Town of Amherstburg in the County ~~of~~
of Essex this 19 day of May, 2021.


Applicant, Solicitor or Authorized Agent


A Commissioner, etc.,
Province of Ontario; for the
Corporation of the Town of Amherstburg.
Expires June 7, 2022

From: [Shane McVitty](#)
To: [Janine Mastronardi](#)
Cc: [Todd Hewitt](#); [Antonietta Giofu](#); [Frank Garardo](#)
Subject: RE: Notices of Public Meeting for two ZBAs, Amherstburg
Date: May 25, 2021 9:41:09 AM

Good Morning,

In general, Public Works does not have any issues with the proposed Zoning By-law Amendment.

ZBA – 12-21

With regards to the stormwater, the increase in building footprints as requested will increase the surface run-off into the receiving storm sewer system and the existing stormwater management pond. The cumulative effects of increased runoff resulting from lots that have been developed in excess of the allowable design tolerances can have detrimental consequences on existing storm water management (SWM) facilities and storm sewer infrastructure. However, in this case, the engineering letter provided by Stantec demonstrates that the existing SWM infrastructure can accommodate the additional run-off that will result from the increase in the impervious areas without negatively impacting the development. As such, EPW does not object to this ZBA.

ZBA – 07-21

No comments from EPW

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: May 21, 2021 4:00 PM

To: Giovanni (John) Miceli <jmiceli@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Paula Parker <pparker@amherstburg.ca>; Antonio Marra



Stantec Consulting Ltd.
600-171 Queens Avenue
London ON N6A 5J7

May 19, 2021
File: 165620013

Attention: Todd Hewitt
Manager of Engineering and Operations
512 Sandwich St South
Amherstburg, ON N9V 3R2

Reference: Kingsbridge Residential Community – Review of Impervious Values used for SWM Facility Design

Semi-Detached and 4 Plex Lots

Stantec has been asked by Michael Dunn of Dunn Group Companies to review the impervious values associated with the Kingsbridge Residential Community semi-detached and 4 plex lots, specifically to determine if a 55% building footprint on the semi-detached lots can be accommodated with the existing stormwater management facility design. It is our understanding that the current Town policy is to limit building footprints for residential developments to 35% of the lot area.

As outlined in the Kingsbridge Residential Community Revised Stormwater Management (SWM) Report by Stantec dated September 25, 2020, the SWM Pond was sized using impervious values of 70% for semi-detached land use and 80% for townhouse land use. These values included road right of ways servicing the lots and are based on design requirements in the Windsor/Essex Region Stormwater Management Standards Manual (2018). The combined impervious value for these two land uses is 75.5 %.

An overview of the development plan is provided in the attached Kingsbridge Master Site Plan dated March 28, 2019. The semi-detached catchment area is 6.85 ha with 60 buildings and the 4 plex catchment area is 8.02 ha with 50 buildings. There is also 6.02 ha of road right of way and 0.3 ha of conservation area.

Each of the semi-detached blocks will have 2 buildings except for Blocks 43 and 62 which will have three each. Block 37 is the smallest semi-detached lot with an area of about 1748 m². A 55% total building footprint on that lot would be about 961 m² which means each of the two building would have a footprint of about 481 m².



May 19, 2021
Todd Hewitt
Page 2 of 3

Reference: Kingsbridge Residential Community – Review of Impervious Values used for SWM Facility Design

Each building will have driveways and walkways with an estimated footprint of 69 m². An allowance has also been made to have 2 sheds with a combined area of 19 m², and 2 patios with a combined area of 19 m², for each building. Combining these areas with the building footprint and applying it to all the larger blocks gives an impervious estimate of 51% for all of the semi-detached blocks. Based on similar calculations, it is estimated that the 4 Plex area will have a 55% impervious value and the road right of way will have an 80% impervious value.

Combining these values gives a total impervious value of 60.0% for the semi-detached, 4 plex and road right of ways. Since this value is less than the combined impervious value of 75.5 % used to size the existing SWM facility, it is expected to generate less runoff during storm events than what the facility was designed for. Therefore, it is my opinion that the existing SWM facility can accommodate the increase building footprint being requested.

Single Family Residential Lots

Aerial imagery was used to directly measure impervious areas on several existing single family residential blocks in Phase 2 along Whelan Drive and Phase 3 along McLellan Avenue. Spot checks were also completed for several lots along Hilton Crescent. Building footprints in these areas were generally found to be 35% of the lot area. Based on these measurements, impervious percentages were found to be in the range of 44% to 50% which include roadways, driveways, and sidewalks. Allowances were not included for patio or shed areas.

These measurements were used as justification to size the SWM Pond using an impervious value of 50% for single family residential land use in the Kingsbridge Residential Community Revised SWM Report by Stantec dated September 25, 2020 rather than using the WERSMSM recommended value of 60%. Using a 35% building footprint for Phase 10 is expected to result in similar total impervious values and to be consistent with the SWM Pond design values.



May 19, 2021
Todd Hewitt
Page 3 of 3

Reference: Kingsbridge Residential Community – Review of Impervious Values used for SWM Facility Design

Should you have any questions or concerns regarding this matter please do not hesitate to call.

Best regards,

Stantec Consulting Ltd.

A handwritten signature in blue ink, appearing to read 'Dan Cossette'.

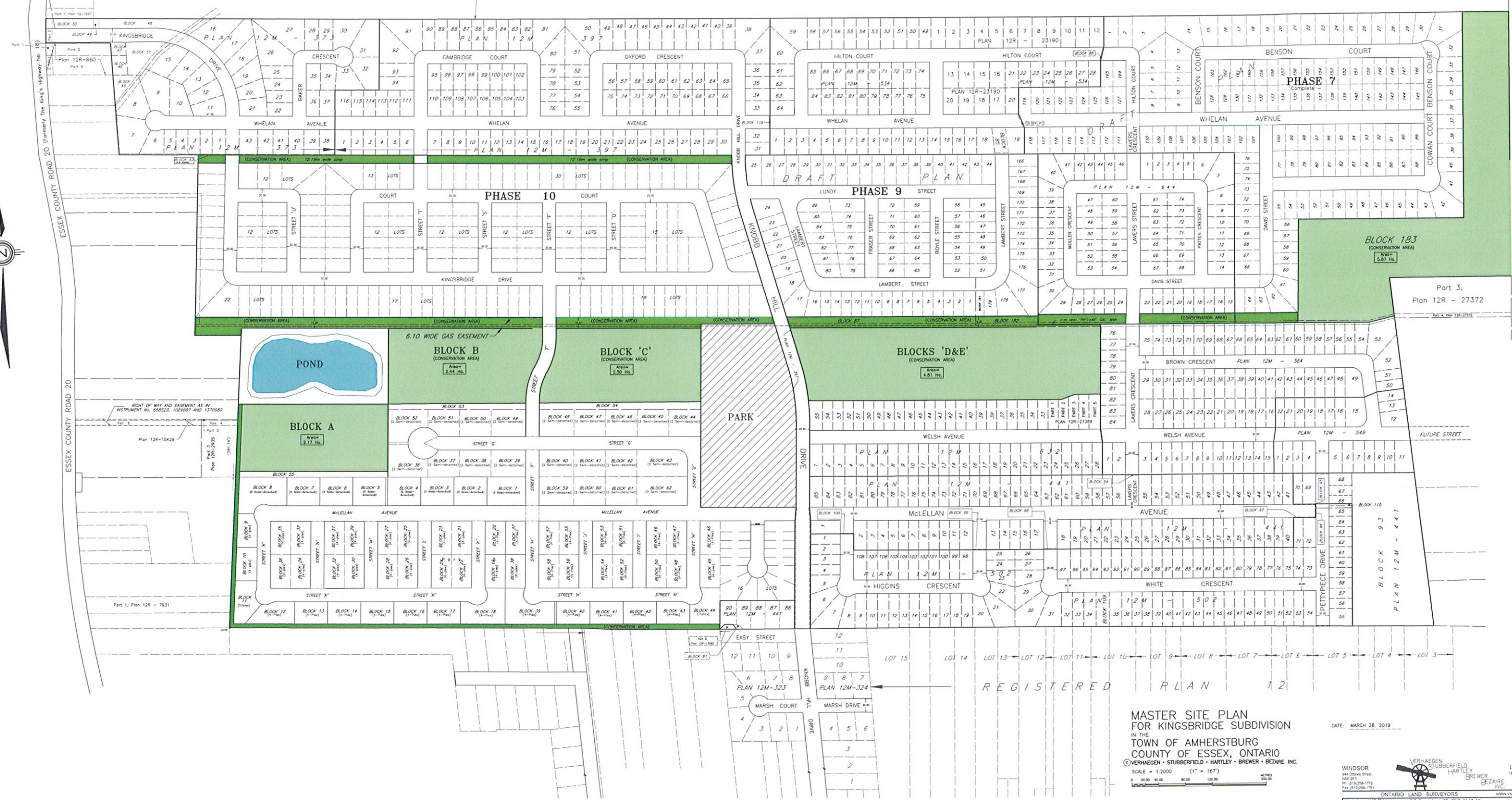
Dan Cossette, M.Sc., P.Eng.
Water Resources Engineer
Phone: 548-388-7607
Fax: 519-645-6575
dan.cossette@stantec.com

Attachments: Kingsbridge Master Site Plan dated March 28, 2019
Catchment Area Figure
Impervious Calculation Sheets

cc. Clarence Jubenville – Stantec Consulting Ltd.
Mike Dunn – 1078217 Ontario Ltd.
Sawyer DeJonge – Everjonge Homes

Part 4, Plan 12R - 8645

Part 1, Plan 12R - 11471



REGISTERED PLAN 12

MASTER SITE PLAN
FOR KINGSBRIDGE SUBDIVISION
IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX, ONTARIO
© VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.
SCALE = 1:2000 (1" = 167')

DATE: MARCH 28, 2019

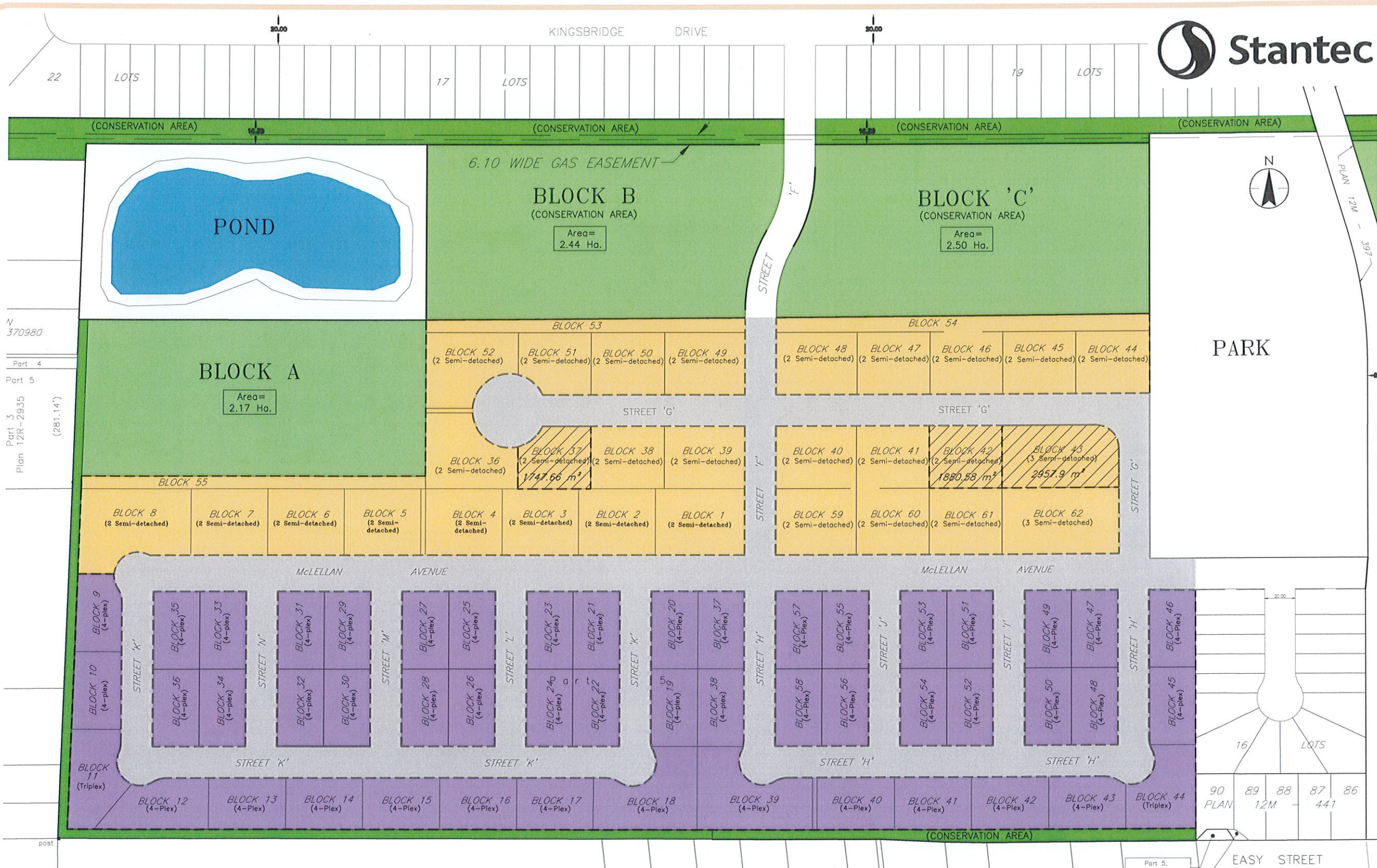
VERHAEGEN STUBBERFIELD HARTLEY BREWER & BEZAIRE INC.

WINDSOR
844 Dundas Street
N4B 2E1
Ph: (519) 268-1772
Fax: (519) 268-1781

LEAMINGTON
187 Tebbel Street East
N8W 1E4
Ph: (519) 322-2375
Fax: (519) 322-2875

ONTARIO LAND SURVEYORS
www.vshbnsurveys.com

Drawn by: NMS/BJD CAD Date: March 28, 2019 11:43 AM
Checked by: A.S.M./CAG Pkg. Kingsbridge Master Plan COMPLETED March 28, 2019.dwg
WML/CKC 4-26774 FILE NO. 5-156(WND) PLAN FILE NO. 73R-1MASTER



N 370980
 Part 4
 Part 5
 Plan 12R-2935
 (281.14')

- SEMI DETACHED AREA (68539.33 m²)
- 4 PLEX AREA (80151.79 m²)
- SUBCATCHMENT AREA (6586.14 m²)
- R.O.W. AREA (60159.27 m²)

Subject: Impervious Calculations with 55% Building Footprint for Semi - Detached Lots

Project: Kingsbridge Residential
 Project No: 165620013
 Client: 1078217 Ontario Ltd.
 Date: 5-May-21
 By: DJC

Impervious used for SWM Report

Catchment	Area (ha)	Imperv (%)	Imperv (ha)
S1_5	4.07	70%	2.85
S1_9	5.50	70%	3.85
S1_6	4.76	80%	3.81
S1_10	6.86	80%	5.49

Total => 21.19 16.00 **75.5%** <= combined impervious value

Calculated Impervious

Catchment	Area (ha)	Imperv (ha)	Imperv (%)
Semi Detached	6.85	3.52	51%
4 Plex	8.02	4.38	55%
Road	6.02	4.81	80%
Conservation	0.30	0.00	0%

Total => 21.19 12.71 **60.0%** <= combined impervious value

Semi Detached Lot Impervious Area					Road Impervious Area																																																																																																								
<table border="1" style="width: 100%;"> <thead> <tr> <th>Regular Lot</th> <th>Large Lot</th> <th colspan="3"></th> </tr> </thead> <tbody> <tr> <td>Lots 27</td> <td>2</td> <td colspan="3"></td> </tr> <tr> <td>Buildings Per lot 2</td> <td>3</td> <td colspan="3">Total</td> </tr> <tr> <td>Buildings 54</td> <td>6</td> <td colspan="3">60</td> </tr> </tbody> </table>					Regular Lot	Large Lot				Lots 27	2				Buildings Per lot 2	3	Total			Buildings 54	6	60			<table border="1" style="width: 100%;"> <tbody> <tr> <td>ROW width</td> <td>20</td> <td colspan="2">m</td> <td colspan="2"></td> </tr> <tr> <td>Road and Sidewalk</td> <td>14</td> <td colspan="2">m</td> <td colspan="2"></td> </tr> <tr> <td>Impervious</td> <td>70%</td> <td colspan="4">70% of road cross section is impervious</td> </tr> <tr> <td>Total Road Area</td> <td>6.02</td> <td colspan="2">ha</td> <td colspan="2"></td> </tr> <tr> <td>Total Road Impervious</td> <td>4.214</td> <td colspan="2">ha</td> <td colspan="2"></td> </tr> <tr> <td>Total Driveway Area</td> <td>0.597</td> <td colspan="2">ha</td> <td colspan="2"></td> </tr> <tr> <td>Total Impervious</td> <td>4.811</td> <td colspan="2">ha</td> <td colspan="2"></td> </tr> </tbody> </table>					ROW width	20	m				Road and Sidewalk	14	m				Impervious	70%	70% of road cross section is impervious				Total Road Area	6.02	ha				Total Road Impervious	4.214	ha				Total Driveway Area	0.597	ha				Total Impervious	4.811	ha																																									
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IMPERVIOUS LEVEL

AREA 1 - Phase 2 Whelan Drive

Average=> 34%
 Minimum => 32%
 Maximum => 37%

		Area (ha)	Lot Size (ha)	Building Footprint
S1	overall	1.5504		
S1.1	home	0.0264	0.0713	37%
S1.2	home	0.0248	0.0713	35%
S1.3	home	0.0235	0.0713	33%
S1.4	home	0.0225	0.0713	32%
S1.5	home	0.0245	0.0713	34%
S1.6	home	0.0235	0.0713	33%
S1.7	home	0.0246	0.0713	35%
S1.8	home	0.0227	0.0713	32%
S1.9	home	0.0246	0.0713	35%
S1.10	home	0.024	0.0713	34%
S1.11	home	0.0248	0.0713	35%
S1.12	home	0.0257	0.0713	36%
S1.13	home	0.0238	0.0713	33%
S1.14	home	0.024	0.0713	34%
S1.15	home	0.0257	0.0713	36%
S1.16	home	0.0262	0.0713	37%
S1_road	road/dw/sw	0.3744		

overall = 1.5504 ha
 home = 0.3913 ha 25.24% (directly connected - no splash pads)
 road/dw/sw = 0.3744 ha 24.15%
 total imp = 0.7657 ha 49.39%



IMPERVIOUS LEVEL

AREA 2 - Phase 3 McLellan Avenue

Average=> 30%
 Minimum => 25%
 Maximum => 35%

S2	Area (ha)	Lot Size (ha)	Building Footprint
S2	overall	2.1785	
S2.1	home	0.0214	0.0674 32%
S2.2	home	0.0214	0.0674 32%
S2.3	home	0.0212	0.0674 31%
S2.4	home	0.0203	0.0674 30%
S2.5	home	0.0188	0.0674 28%
S2.6	home	0.0206	0.0674 31%
S2.7	home	0.0201	0.0674 30%
S2.8	home	0.0194	0.0674 29%
S2.9	home	0.0181	0.0674 27%
S2.10	home	0.0174	0.0674 26%
S2.11	home	0.018	0.0674 27%
S2.12	home	0.0236	0.0674 35%
S2.13	home	0.0203	0.0674 30%
S2.14	home	0.0217	0.0674 32%
S2.15	home	0.0191	0.0674 28%
S2.16	home	0.0167	0.0674 25%
S2.17	home	0.0189	0.0674 28%
S2.18	home	0.0205	0.0674 30%
S2.19	home	0.0184	0.0674 27%
S2.20	home	0.0192	0.0674 28%
S2.21	home	0.0238	0.0674 35%
S2.22	home	0.0219	0.0674 32%
S2.23	home	0.0201	0.0674 30%
S2.24	home	0.0236	0.0674 35%
S2_road	road/dw/sw	0.48	



overall = 2.1785 ha
 home = 0.4845 ha 22.24% (directly connected - no splash pads)
 road/dw/sw = 0.4800 ha 22.03%
 total imp = 0.9645 ha 44.27%

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2021-034**

**By-law to amend Zoning By-law No. 1999-52
Kingsbridge Subdivision
Phases 5 and 10 (Conc 1, Pt Lots 11, 12, 13, 14), 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 19 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from R1A and R2/RM1 to R1 and R2-7/RM1" on Schedule "A" attached hereto and forming part of this By-law from "Residential Type 1A (R1A) Zone and Residential Second Density Zone/Residential Multiple First Density (R2/RM1)" to "Residential First Density (R1) Zone and Site Specific Residential Second Density Zone/Residential Multiple First Density (R2-7/RM1) Zone".

2. THAT Section 8(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (e) as follows;

“(g) R2-7 (Kingsbridge Subdivision)

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

(i) Zone Requirements

1. Lot Coverage (maximum)

(a) Semi-detached dwelling 47%

3. 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.

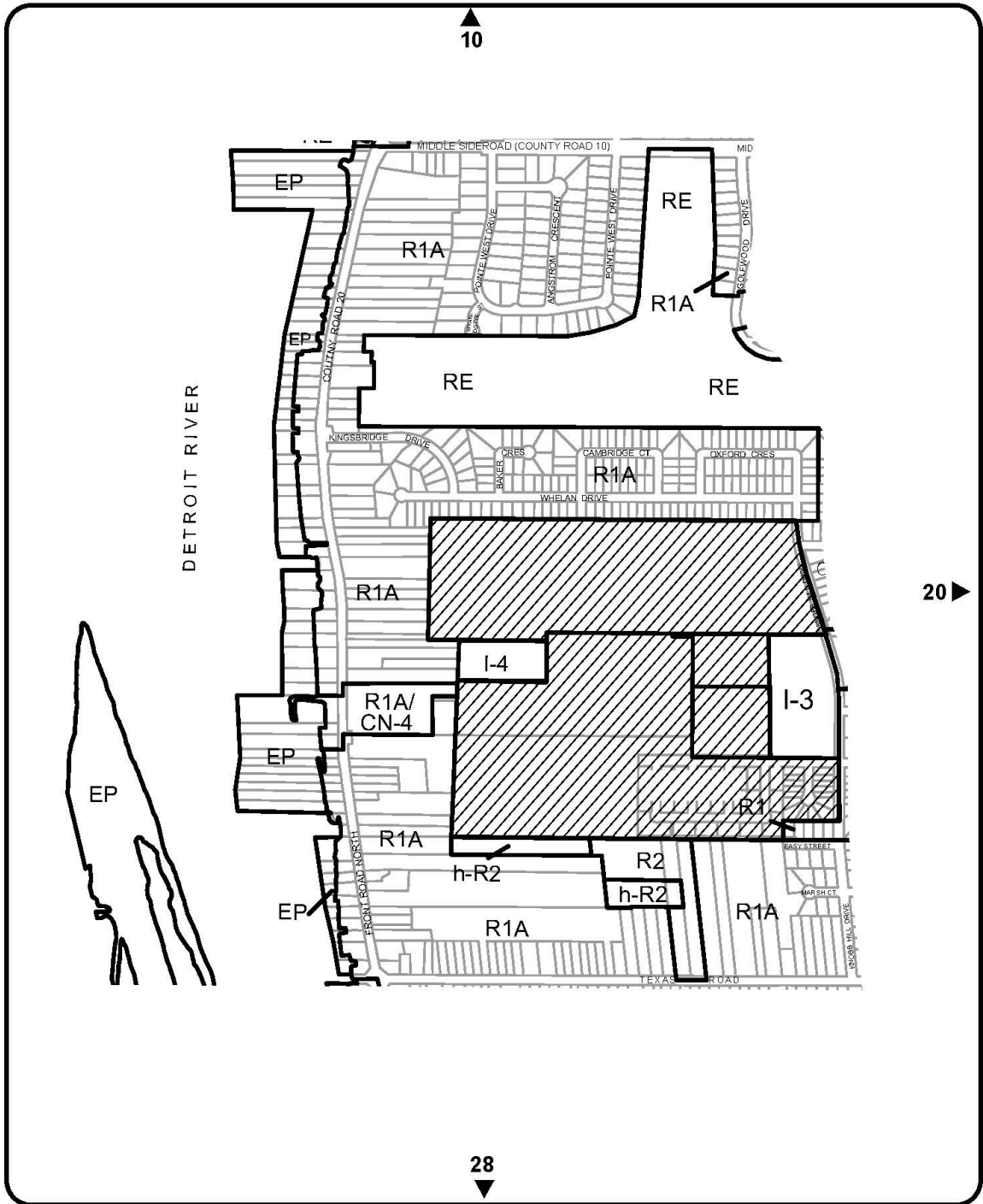
Read a first, second and third time and finally passed this 28th day of June, 2021.

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2021-034
 A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
MAP 19
 ZONING BY-LAW NO. 1999-52

R1A & R2/RM1 to
 R1 & R2-7/RM1 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PLANNING AND DEVELOPMENT SERVICES

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

Author's Name: Frank Garardo	Report Date: May 31, 2021
Author's Phone: 519 736-5408 ext. 2124	Date to Council: June 14, 2021
Author's E-mail: fgarardo@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Zoning By-law Amendment for S/S of Alma Street

1. RECOMMENDATION:

It is recommended that:

1. Comments from the public with respect to Zoning By-law Amendment for lands on the South Side of Alma Street (File ZBA-07-21), owned by Blake and Suzanne Laramie, **BE RECEIVED and SUMMARIZED** in a future report to Council.

2. BACKGROUND:

The lands are the subject of a decision of the Committee of Adjustment for Application B-17-21, which approved a surplus dwelling severance with associated conditions. The rezoning of the subject property to A-36 is a condition of the consent decision. Condition (5) of the decision states:

5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.

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 Blake & Suzanne Laramie. The subject lands affected by the proposed amendment are described as Part of Lot 94, Concession 8, municipally known as the farm parcel severed from 8121 Alma Street; the residence which was the subject of the severance is located at 8121 Alma Street, is not subject to this rezoning. At conclusion of the severance, the remaining

farm parcel subject of the Zoning By-law Amendment will have a total area of 39.23 hectares (96.95 acres) ±.

The proposed amendment to the Zoning By-law would change the zoning for the subject lands noted above from the “Agricultural (A) Zone” to “Special Provision Agricultural (A-36) Zone”. The land is designated Agricultural in the Town’s Official Plan. The parcel was the subject of an application for consent (File B/17/21) to sever a dwelling which is surplus to the needs of the farming operation. The rezoning of the subject property to A-36 is a condition of the consent decision.

The effect of the Zoning By-law Amendment will be to allow for general agricultural uses on the subject property and prohibit any new dwelling units on the land.

The application is consistent with the Provincial Policy Statement (2020), specifically Section 2.3.4.1(c) which provides for lot creation for a residence surplus to a farming operation as a result of farm consolidation provided that new residential dwellings are prohibited on any vacant remnant parcel created by the severance. The application is also in conformity with the Town’s Official Plan, specifically Section 3.2.2(14), which provides for surplus dwelling severances subject to the remnant parcel being rezoned to prohibit a dwelling unit. The proposed lot size as well as the intended land use for the subject parcel complies with the zone requirements for the Special Provision Agricultural Zone.

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. The home which is surplus to the needs of the farming operation could then not be severed and transferred.

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 for a Zoning By-law Amendment for southside of Alma Street.docx
Attachments:	- 2021 06 14 - Statutory Public Mtg ZBA S-S Alma-ATTACHMENTS.pdf
Final Approval Date:	Jun 4, 2021

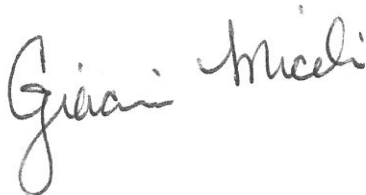
This report and all of its attachments were approved and signed as outlined below:



Nicole Rubli



Cheryl Horrobin



John Miceli



Paula Parker

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

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting, by electronic means, on **Monday, June 14, 2021 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

THE SUBJECT LANDS affected by the proposed amendment are described as Part of Lot 94, Concession 8, municipally known as the farm parcel severed from 8121 Alma Street. The property is vacant agricultural land and the total area subject to the rezoning is 39.23 hectares (96.95 acres) ±. (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 “**Agricultural (A) Zone**” to “**Special Provision Agricultural (A-36) Zone**”. The parcel is designated Agricultural in the Town’s Official Plan. The lands described above are subject to an application for consent (File B/17/21) to sever a dwelling which is surplus to the needs of a farming operation.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT will be to allow for general agricultural use on the subject property and prohibit any new dwelling unit on the land. The “Special Provision Agricultural (A-36) Zone” is established as a site specific zone for the retained agricultural parcel created through consent, to prohibit new 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, June 10, 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, June 10, 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.

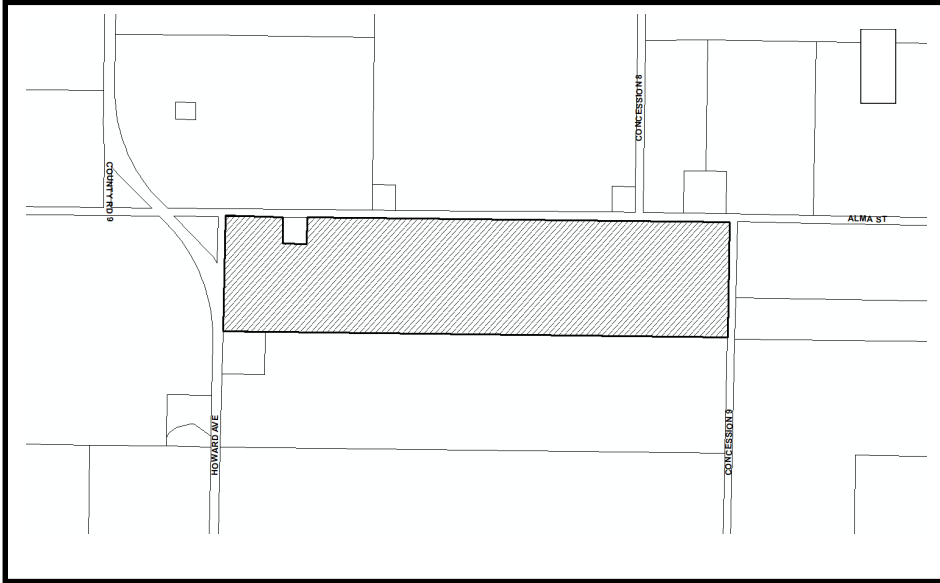
ADDITIONAL INFORMATION relating to the proposed Zoning By-law (File# ZBA/07/21) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment

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.

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 19th day of May, 2021.

KEY MAP



Frank Garardo, MCIP, RPP
Manager of Planning Services

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

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.

Municipal Fee Received:	1620.00
Municipal Deposit Received:	N/A
ERCA Fee Received:	200.00

Application No. Z&A/07/21

**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 March 16, 2021
3. Date application deemed complete by municipality April 27, 2021
4. Name of registered owner Blake + Suzanne Laramie
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]
 Name of registered owner's solicitor or authorized agent (if any) _____
 Telephone number _____
 Address _____
 Email _____

Please specify to whom all communications should be sent:

- registered owner solicitor agent

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. 8 Lot(s) No. Pt Lt 94
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. _____ Part(s) No. _____
 Street Address severed from B121 Alma Assessment Roll No. 610-04908

7. Size of subject parcel:

Frontage 1257.6m +/- Depth 29992m +/- Area 39.23 ha +/-

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 Agricultural
 (b) Explanation of how application conforms to the Official Plan Section 3.2.2 (14)

of the OP requires the remnant parcel subsequent to a surplus dwelling ~~severance~~ be rezoned to restrict residential development.

(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 Agricultural (A) Zone

11. Nature and extent of rezoning requested rezone to A-36 restricting residential development

12. Reasons why rezoning is requested condition of consent

13. Current use of subject land agricultural farmland

14. Length of time current use of subject land has continued 100+ yrs

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:

3 grain bins

1 pole barn

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

18. Date subject land acquired by current registered owner March 2021

19. Proposed use of subject land agricultural farmland

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:

none

21. Type of water supply:

- municipally owned and operated piped water supply
- well
- Other (specify) not needed

22. Type of sanitary sewage disposal:

- municipally owned and operated sanitary sewers
- septic system
- Other (specify) not needed

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

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

23. Type of storm drainage:

- sewers
- ditches
- swales
- Other (specify) _____

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

- consent to sever
- approval of a plan of subdivision

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

B / 17 / 21

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:

no

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.

no

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 _____

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.

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

Yes No

Dated at the Town of Amherstburg this 16th day of March, 20 21.

Blake Laramie
(signature of applicant, solicitor or authorized agent)

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

Declared before me at the Town of Amherstburg in the County
of Essex this 16th day of March, 20 21.

Blake Laramie
Applicant, Solicitor or Authorized Agent

Frank Garardo, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 7, 2023
[Signature]
A Commissioner, etc.

**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) **Blake & Suzanne Laramie**
- (c) Brief description LOCATION OF PROPERTY (c) **8121 Alma Street
(Roll No. 3729-610-000-04900)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 59.13 m (194 ft) ± frontage by 71.63 m (235 ft) ± depth with an area of 0.425 ha (1.05 acres) ± which includes a single detached dwelling and one accessory structure, which are considered surplus to the needs of the farming operation. The remaining parcel being 1,257.6 m (4,126 ft) ± frontage by 2999.92 m (984 ft) ± depth with an area of 39.23 hectares (96.95 acres) ± is agricultural land, which includes four accessory structures: one pole barn and three grain bins. The property is designated Agricultural in the Town’s Official Plan and zoned Agricultural in the Town’s Zoning By-law.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 27th day of April, 2021.

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; 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. That all property taxes be paid in full.
 4. 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.
 5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.
 6. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus 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, to the satisfaction of the Building Department.
 7. That should access be required for the retained or severed lot, access be completed in accordance with the provisions of the Drainage Act if it is required to cross a Municipal Drain. If access is required to cross a roadside ditch, it will be completed according to the Town right-of-way. The access shall be provided to each lot to the satisfaction of the municipality and County.
 8. That a minor variance be obtained from the provisions of By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
 9. 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

- (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 size and configuration of the severed surplus dwelling lot is appropriate for this severance as it reduces the amount of land taken from the farming operation and does not remove any of the farming drainage tiles from the farming operation.

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

.....
Anthony Campigotto

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

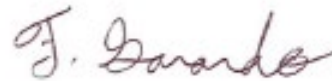
The Planning Act, R.S.O. 1990

(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 April, 2021



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

A motion was put forward to adopt the minutes of March 30, 2021 as presented.

Moved by: Anthony Campigotto

Seconded by: Don Shaw

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	Absent	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

7. Order of Business

7.1 Applications B/17/21 & A/14/21 – Blake & Suzanne Laramie – 8121 Alma Street (Roll No. 3729-610-000-04900)

Public in Attendance: Blake Laramie, Applicant

B/17/21: The applicant is proposing to sever a parcel of land being 59.13 m (194 ft) ± frontage by 71.63 m (235 ft) ± depth with an area of 0.425 ha (1.05 acres) ± which includes a single detached dwelling and one accessory structure, which are considered surplus to the needs of the farming operation. The remaining parcel being 1,257.6 m (4,126 ft) ± frontage by 299.92 m (984 ft) ± depth with an area of 39.23 hectares (96.95 acres) ± is agricultural land, which includes four accessory structures: one pole barn and three grain bins. The property is designated Agricultural in the Town’s Official Plan and zoned Agricultural in the Town’s Zoning By-law.

A/14/21: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i), which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to a severance of a 0.425 ha (1.05 acres) ± surplus dwelling from an existing 39.66 hectares (98 acres) parcel, the retained farm parcel will have an area of 39.23 hectares (96.95 acres). Therefore, the amount of relief requested is 0.77 hectares (1.9 acres).

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

- i) Letter dated April 20, 2021 from the Essex Region Conservation Authority stating:
We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act).

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

With the review of background information and aerial photograph, ERCA has no objection to these applications for Consent and Minor Variance.
- ii) Letter dated April 20, 2021 from the County of Essex stating that:
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. 10. Permits are necessary for any changes to existing structures, or the construction of new entrances. New accesses to be located on Alma Street. No new access from County Road No. 9 will be permitted.
- iii) Email dated April 14, 2021 from the Fire Department states no objection.

- iv) Email dated April 20, 2021 from the Windsor Police Department stating that:
The Windsor Police Service has no concerns or objections with the application for a severance resulting in a variance associated with minimum remaining lot area. The result of this application will create no consequences for police service delivery.
- v) Email dated April 15, 2021 from the Engineering and Public Works Department stating a drainage apportionment is required for the Long Marsh Drain.
- vi) Email dated April 19, 2021 from the Building division stating,
 - *Septic review required*
- vii) Planning Report dated April 20, 2021 from Amy Farkas, Dillon Consulting Limited, on behalf of Frank Garardo, Manager of Planning Services.

Committee Discussion:

The Chair introduced the application and asked if there were any members of the public present for this application. There were none. The Planner, Frank Garardo read the purpose of the application. Blake Laramie presented the concept of the application. Discussion ensued regarding access to the retained farmland and farm buildings. Mr. Laramie confirmed that he has spoken with the Public Works Department regarding the installation of a new access off of the Howard Avenue cut off. The Chair confirmed with the applicant that they are aware of the required conditions. The applicant confirmed knowledge and understanding of the conditions.

The following resolutions were put forth:

That application B/14/21 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
2. The applicant submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate, and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. That 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.
5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.
6. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus 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, to the satisfaction of the Building Department.
7. That should access be required for the retained or severed lot, access be completed in accordance with the provisions of the Drainage Act if it is required to cross a Municipal Drain. If access is required to cross a roadside ditch, it will be completed according to the Town right-of-way. The access shall be provided to each lot to the satisfaction of the municipality and County.
8. That a minor variance be obtained from the provisions of By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.

9. 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: Anthony Campigotto
 Seconded by: Terris Buchanan

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	Absent	
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 size and configuration of the severed surplus dwelling lot is appropriate for this severance as it reduces the amount of land taken from the farming operation and does not remove any of the farming drainage tiles from the farming operation.

That application A/14/21 be approved.

Moved by: Anthony Campigotto
 Seconded by: Don Shaw

-carried-

	Yes/Concur	No/Not Concur
Terris Buchanan	X	
Anthony Campigotto	X	
Josh Mailloux	Absent	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

Reasons of Committee – The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law. The proposed lot addition and surplus dwelling severances do not remove agricultural land from production.

7.2 Application B/22/21 –John & Susan McCallum, c/o Nick B. Soulliere, Agent – 420 Texas Road (Roll No. 3729-420-000-26500)

Public in Attendance: Nick B. Soulliere, Agent on the Application

Application B/13/21: The applicant is proposing to sever a parcel of land with 94 m ± width by 210.6 m ± depth and an area of 19,750 sq m ± for the purpose of a lot addition to merge with the vacant land to the east. The proposed retained parcel being 27.34 m ± frontage by 91.2 m ± depth has an area of 2,495 sq m ± contains one single detached dwelling. The subject lands are designated Low Density Residential in the Town's Official Plan and Residential Type 1A (R1A) Zone in the Town's Zoning By-law.

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

- i) Letter dated April 20, 2021 from the Essex Region Conservation Authority stating:



planning@erca.org

P.519.776.5209

F.519.776.8688

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

May 26, 2021

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

Dear Mr. Garardo:

RE: Zoning By-Law Amendment ZBA-07-21
8121 ALMA ST
ARN 372961000004900; PIN: 015410079
Applicant: ALLEN CATHERINE ALICE ESTATE

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-07-21 to change the zoning of the subject lands noted above from the "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) Zone" for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

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

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

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

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

Mr. Garardo
May 26, 2021

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.

Notwithstanding the above noted references to the PPS policies, we note that the proposed development is either adequately setback and/or physically separated from the natural heritage feature by existing development or infrastructure. Therefore, we do not anticipate any negative impacts associated with the proposal. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, 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, E.P
Resource Planner
/vc



From: [Shane McVitty](#)
To: [Janine Mastronardi](#)
Cc: [Todd Hewitt](#); [Antonietta Giofu](#); [Frank Garardo](#)
Subject: RE: Notices of Public Meeting for two ZBAs, Amherstburg
Date: May 25, 2021 9:41:09 AM

Good Morning,

In general, Public Works does not have any issues with the proposed Zoning By-law Amendment.

ZBA – 12-21

With regards to the stormwater, the increase in building footprints as requested will increase the surface run-off into the receiving storm sewer system and the existing stormwater management pond. The cumulative effects of increased runoff resulting from lots that have been developed in excess of the allowable design tolerances can have detrimental consequences on existing storm water management (SWM) facilities and storm sewer infrastructure. However, in this case, the engineering letter provided by Stantec demonstrates that the existing SWM infrastructure can accommodate the additional run-off that will result from the increase in the impervious areas without negatively impacting the development. As such, EPW does not object to this ZBA.

ZBA – 07-21

No comments from EPW

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: May 21, 2021 4:00 PM

To: Giovanni (John) Miceli <jmiceli@amherstburg.ca>; Antonietta Giofu <aGiofu@amherstburg.ca>; Todd Hewitt <thewitt@amherstburg.ca>; Angelo Avolio <aavolio@amherstburg.ca>; Michelle Lavin <mlavin@amherstburg.ca>; Shane McVitty <smcvitty@amherstburg.ca>; Ron Meloche <rmeloche@amherstburg.ca>; Paula Parker <pparker@amherstburg.ca>; Antonio Marra

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2021-035**

**By-law to amend Zoning By-law No. 1999-52
S/S Alma Street (Conc 8, Pt Lot 94), 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 43 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from A to A-36" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) 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.

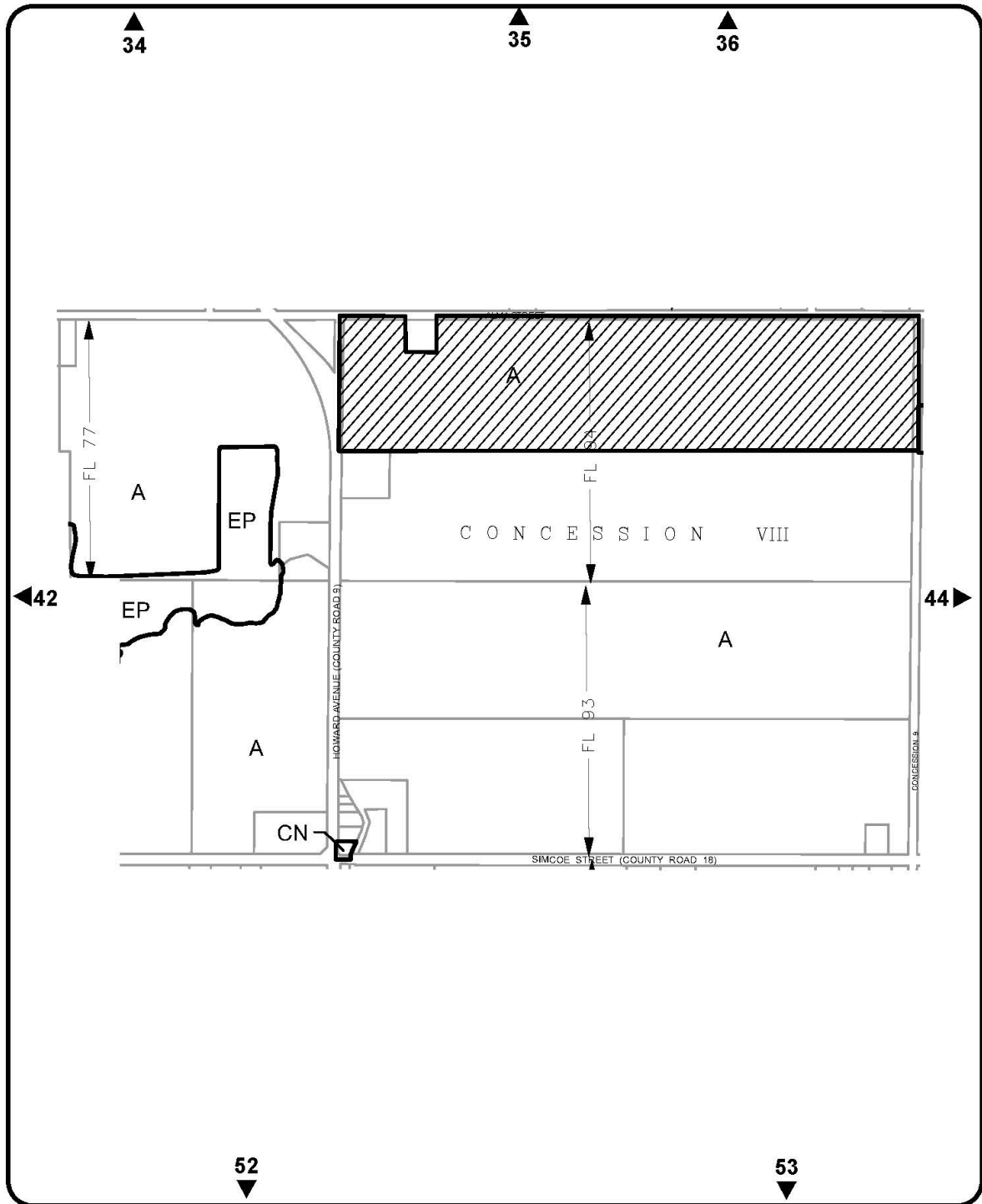
Read a first, second and third time and finally passed this 28th day of June, 2021.

MAYOR- ALDO DICARLO


CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2021-035
A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'
MAP 43
ZONING BY-LAW NO. 1999-52

A to A-36 

MAYOR- ALDO DICARLO

CLERK- PAULA PARKER