



## TOWN OF AMHERSTBURG SPECIAL COUNCIL MEETING

### AGENDA

View Livestream at the time of the proceedings at  
<https://www.amherstburg.ca/livestream>

Monday, April 25, 2022

3:30 PM

Council Chambers

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

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Pages

1. CALL TO ORDER
2. ROLL CALL
3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

## 4. SPECIAL PLANNING REPORTS

### 4.1. Statutory Public Meeting to Consider an OPA and ZBA for 247 Brock

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It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 247 Brock Street (Files OPA #14 & ZBA-06-22), owned by Jones Realty Inc., **BE RECEIVED and SUMMARIZED** in a future report to Council.

### 4.2. Statutory Public Meeting to Consider Draft Plan of Subdivision for Riverview Subdivision

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1. Council recommend to the County of Essex's Manager of Planning Services, that they grant draft approval to a Draft plan of Subdivision (as per Figure 2) for the subject lands, and that the County of Essex be requested to attach the following conditions to the subject draft plan of subdivision approval:

- That the required storm water management plan be prepared by the Applicant and approved by the Town Engineer and ERCA Staff;
- That all identified road allowances be conveyed to the Town;
- That a subdivision agreement be entered into with the Town to ensure that all required municipal infrastructure and services are designed and built by the Applicant to the satisfaction of the Town, and that all required financial contributions (including cash in lieu of parkland) be made and/or secured to the Town, including all required letters of credit, cash securities and insurances;
- That Block 38 be dedicated to the Town for storm water management purposes;
- That Blocks 39, 40 and 41 be conveyed to the Town for drainage purposes;
- That Blocks 42 and 43 be conveyed to the County of Essex for road widening purposes;
- That Block 44 and 45 be conveyed to the County of Essex as

one-foot reserves;

- That the 5 metre wide buffer strip along the easterly boundary of the Plan be subject to an easement to the satisfaction of the Town.

2. Once the County of Essex has granted draft approval to the Applicant's Draft Plan of Subdivision:

- That the required subdivision agreement be prepared and executed to Council's satisfaction;
- That the required zoning by-law amendment, removing the holding zone from the subject lands in accordance with the corresponding land uses recommended in this Staff Report, be prepared by Town Staff and brought to Council for adoption purposes.

3. All comments from the public, and Council with respect to the application for a proposed plan of subdivision (File 37-T-22003) **BE RECEIVED**; and

4. All comments and the above conditions **BE FORWARDED** to the County of Essex (the Approval Authority)

## 5. ADJOURNMENT

That Council rise and adjourn at     p.m.



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

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

Author's Name: Melissa Osborne	Report Date: April 14, 2022
Author's Phone: 519 736-5408 ext. 2137	Date to Council: April 25, 2022
Author's E-mail: <a href="mailto:mosborne@amherstburg.ca">mosborne@amherstburg.ca</a>	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider an OPA and ZBA for 247 Brock

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#### 1. RECOMMENDATION:

It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 247 Brock Street (Files OPA #14 & ZBA-06-22), owned by Jones Realty Inc., **BE RECEIVED and SUMMARIZED** in a future report to Council.

#### EXECUTIVE SUMMARY:

N/A

#### 2. BACKGROUND:

An application has been received from Jones Realty Inc. to amend both the Official Plan and Zoning by-law for lands known as 247 Brock St (refer to Figure 1). This Official Plan and Rezoning, if approved, will amend the existing official plan designation on this property from an "Institutional" to a "Medium Density Residential" designation, and will change the zoning from an "Institutional" zone to a new site-specific Residential Multiple Second Density (RM2) zone. This will allow an existing institutional building to be converted and used for 16 new residential condominium style dwelling units and will permit a new 4 storey 34-unit residential condominium style apartment building to be built. Site-specific lot and building regulations will be incorporated at this location, in accordance with a final site plan to be approved by Council.

The Planning Rationale Report prepared by Lassaline Planning Consultants notes the following as the proposed phasing:

Phase 1 is proposed to be the conversion of an existing 3.5 storey vacant building (former House of Shalom) to a 16-unit residential condominium building with 30 parking spaces, comprised of 20 regular parking spaces, 10 garage spaces, and 2 Barrier Free spaces for a total of 32 parking on an individual parcel.

Phase 2 is proposed with a new, 4 storey building containing 34-unit residential condominiums with 42 parking spaces and 2 Barrier Free (BF) spaces. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.

The existing building was constructed in 1910 as the St. Anthony's Roman Catholic School, prior to the passing of the Town of Amherstburg Comprehensive Zoning Bylaw 1999-52. The building and property can be considered legal non-complying since the building and site were existing prior to the passing of the modern CZB 1999-52.

The owner is proposing to adapt the existing vacant building to 16 residential condos and to add a second building on a separate lot with 34 residential condos to create 50 residential condos within the urban area of the Town of Amherstburg. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.

Attached is a copy of the Planning Rationale Report. The site plan showing the 2 phases is found on page 23 of the report.

### **3. DISCUSSION:**

The Official Plan currently designates the subject lands Institutional (refer to Figure 2). Section 4.6 of the Plan set out the following policies:

#### **INSTITUTIONAL LAND USE DESIGNATION**

The Institutional classification of land shall mean that the predominant use of the land so designated shall be for uses which exist for the benefit of the residents of Amherstburg and which are operated by the municipality or other public organization for this purpose.

The general principles to be considered in the development and control of the use of such land are as follows:

The uses permitted shall include educational facilities including public, separate, and private schools, places of worship, other civic and institutional uses such as fire halls, police stations, libraries and similar uses, public and private open space areas, active and passive recreation facilities, and community facilities are also included within the Institutional designation. In addition, municipal and private utility works such as water towers, sewage treatment facilities, telephone and gas utility operating facilities, and similar uses are also permitted uses.

The Zoning By-law currently zones the lands as Institutional (I) (refer to Figure 3). Section 24 of the By-law set out the following as the scope and permitted uses:

### **SCOPE**

The provisions of this Section shall apply in all Institutional (I) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

### **USES PERMITTED**

No person shall within any I Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following I uses, namely:

- (i) cemeteries;
- (ii) colleges;
- (iii) day nurseries;
- (iv) government buildings;
- (v) hospitals;
- (vi) marina;
- (vii) manse;
- (viii) museums;
- (ix) nursing home;
- (x) parks;
- (xi) places of worship;
- (xii) recreational facilities owned and operated by a public authority;
- (xiii) schools.

Based on the current designation and zoning as outlined above, the proposed residential land use is not permitted. As such, the applicant is applying to amend both the Official Plan and Zoning By-law to permit the intended use. The attached planning report set out the applicant's rationale as to why Council should grant approval to the request. In addition to the Planning Report, the applicant has completed a number of other reports in support of the application, a summary of which are noted in the report. In the event the application was considered favourably, the development would also be subject to draft plan of condominium and site plan approval.

This application has been circulated to several agencies, surrounding properties and internal municipal departments. Attached is a copy of all comments that have been received to date.

The purpose of this meeting is to receive the applicant's presentation and note any comments from the public, agencies, and Council. Following this meeting, staff will review all the comments received and prepare a subsequent report with recommendations for Council's consideration at a future meeting.

#### **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:**

Subject to and further comments or direction from Council, that the presentation and comments on the proposed rezoning be received and referred to a future council meeting.



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Melissa Osborne  
Director, Development 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: Windsor Police**

**Name: Union Gas**

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

**Name: Ontario Power Generation**

**Email: [Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)**

**Name: Essex Region Conservation Authority**

**Phone #: 519 776-5209**

**Name: County of Essex**

**Phone #: 519 776-6441**

**Name: Essex Power  
Phone #: 519 737-9811**

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

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



## Report Approval Details

Document Title:	Statutory Public Meeting to Consider an Official Plan Amendment and Zoning By-law Amendment for 247 Brock St.docx
Attachments:	- 2022 04 25- Statutory Public Meeting to Consider an OPA and ZBA for 247 Brock- ATTACHMENTS.pdf
Final Approval Date:	Apr 20, 2022

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



Melissa Osborne



Tracy Prince

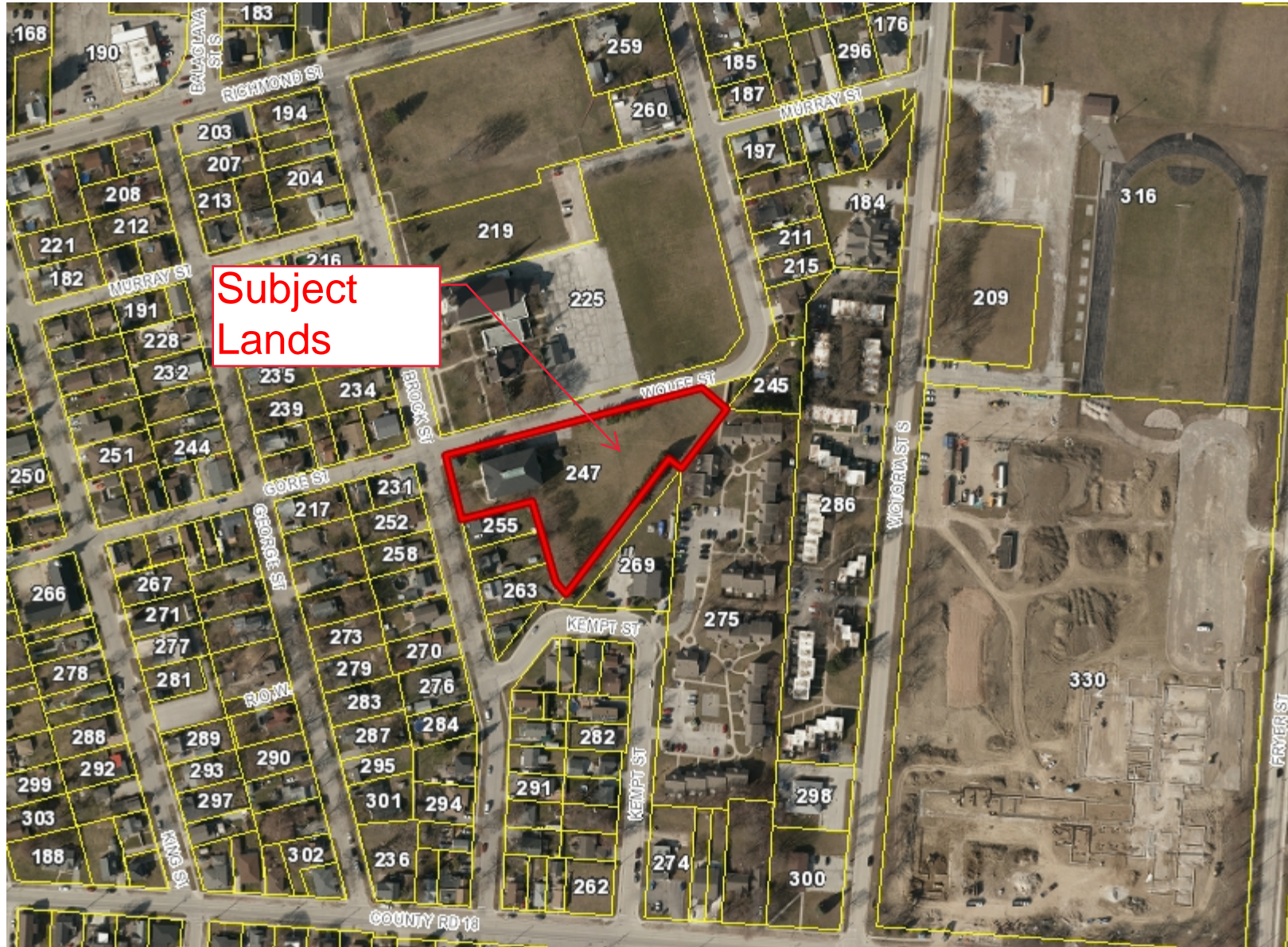
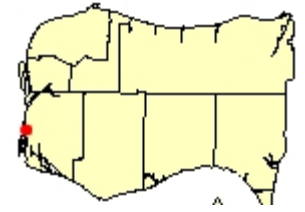


Valerie Critchley – Acting CAO



# 247 Brock St

Figure 1



**Legend**

- Roads
- Parcels
- Streams and Creeks
- Essex

0.2 0 Distance / 0.2 Kilometers

### Notes

This is where you enter your notes about the map.





# LASSALINE

PLANNING CONSULTANTS INC.

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**REPORT:** PLANNING RATIONALE REPORT (PRR)  
**MUNICIPALITY:** TOWN OF AMHERSTBURG  
**MUNICIPAL ADDRESS:** 247 BROCK STREET AT KEMPT ST  
**DEVELOPMENT:** OPA, ZBA, CONDO  
**DATE:** March 8 , 2022

1632 County Road 31  
St. Joachim, ON · NOR 1S0  
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<b>APPENDIX C</b>	<b>HERITAGE BYLAW</b>

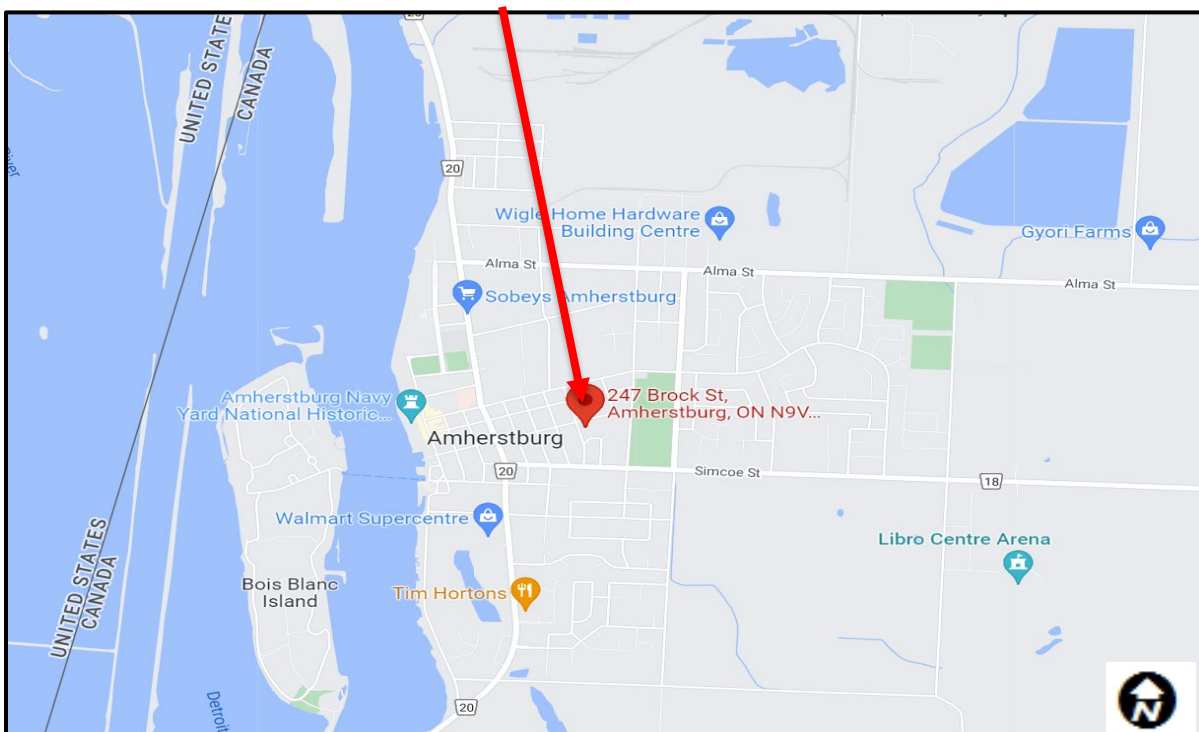
## 1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a planning rationale report regarding the feasibility of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to support the adaptive re-use of an existing building and the development of the vacant portion of subject site.

Phase 1 is proposed to be the conversion of an existing 3.5 storey vacant building (former House of Shalom) to a 16 unit residential condominium building with 30 parking spaces, comprised of 20 regular parking spaces, 10 garage spaces, and 2 Barrier Free spaces for a total of 32 parking on an individual parcel. Phase 2 is proposed with a new, 4 storey building containing 34 unit residential condominiums with 42 parking spaces and 2 Barrier Free (BF) spaces. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.

A pre-consultation was held with the Manager of Planning at the Town of Amherstburg, Jackie Lassaline, BA MCIP RPP, LPC, and Rosati Group. A second pre-consultation was also held with the Manager of Planning at the Town of Amherstburg, Jackie Lassaline, BA MCIP RPP, LPC, and Rosati Group. Jackie Lassaline, BA MCIP RPP, Lassaline Planning Consultants has prepared this planning rationale report to support, explain and justify the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) application.

**FIGURE 1 LOCATIONAL MAP 247 BROCK STREET**



## 1.1 APPLICATION INFORMATION

The landowner, Jones Realty Inc. (c/o Terry Jones), has applied for:

- 1) an Official Plan Amendment (OPA) to have the entire property (both Phase 1 and Phase 2) redesignated from the present 'Institutional' designation to a 'Residential' designation. The OPA will establish the 'Residential: Medium Density' policy framework on the parcel;
- 2) a Zoning Bylaw Amendment (ZBA) to have the entire property (both Phase 1 and Phase 2) rezoned from the present 'Institutional (I)' to a site specific 'Residential Multiple Second Density (RM2)' zone. The ZBA will provide for a site specific regulatory framework for both Phase 1 and Phase 2 developments as two separate independent parcels;
- 3) a Plan of Condominium has been requested at the County of Essex in anticipation of the condominium progressing through Condominium Act review;
- 4) Site Plan Control will be applied for Phase 1 after the adoption of OPA and passing of the ZBA.

## 1.2 PURPOSE OF THE REPORT

The subject property is presently designated 'Institutional' on Schedule B-2, Land Use in the Town of Amherstburg Official Plan and zoned 'Institutional (I)' in Comprehensive Zoning By-law (CZB) 1999-52 for the Town of Amherstburg.

The existing building was constructed in 1910 as the St. Anthony's Roman Catholic School, prior to the passing of the Town of Amherstburg Comprehensive Zoning Bylaw 1999-52. The building and property can be considered legal non-complying since the building and site were existing prior to the passing of the modern CZB 1999-52.

The owner is proposing to adapt the existing vacant building to 16 residential condos and to add a second building on a separate lot with 34 residential condos to create 50 residential condos within the urban area of the Town of Amherstburg. The two parcels are proposed to be developed with a total of 50 residential condominiums and 74 parking spaces.

The proposed development will be placed in context of the Provincial Policy Statement 2020 (PPS) provincial policies. The proposed development will be evaluated and examined through the provincial policy framework for consistency with provincial policy direction.

The subject lands are designated 'Institutional (I)' in the Official Plan (OP) of the Town of Amherstburg. An Official Plan Amendment (OPA) is being requested to change the policy framework applied to the subject property from 'Institutional' to 'Residential' to support the proposed residential development. This rationale report will evaluate the requested amendment in context of the PPS, the County of Essex policy framework and in the Town of Amherstburg Official Plan policy direction for residential land use.

With the request for the change of land use from the previous institutional use to residential use, a Zoning Bylaw Amendment (ZBA) is required to recognize the existing lot configuration, site characteristics, and proposed residential development. This rationale report also examines the requested ZBA in context of the PPS, the County of Essex Official Plan, the Town of Amherstburg OP, and specifically in context of the CZB for the Town. The resultant ZBA will change of the applicable regulatory framework from 'Institutional (I)' to a new site specific 'Residential Multiple Second Density (RM2-#)' zone.

This planning rationale report will demonstrate the consistency of the proposal with the Provincial Policy Statement (PPS) 2020 and how the development is consistent with provincial housing policies, provides for healthy community initiatives, provides for healthy, walkable community policies of the province. Examining both Phase 1 and Phase 2 within the policy framework of the County of Essex and the Town of Amherstburg's Official Plan and establishing conformity of the OPA with the Official Plans. Analysing the site and development characteristics in context of the Comprehensive Zoning Bylaw (CZB) for the Town and determining compliance of the ZBA with the CZB regulatory framework.

This report provides the rationale and support for the requested Official Plan Amendment (OPA) that will change the applicable OP policy framework applied to the property from 'Institutional' to 'Residential: Medium Density' and a site specific Zoning Bylaw Amendment (ZBA) that will rezone the lands from 'Institutional (I)' to 'Residential Multiple Second Density (RM2-#)' zone.

### **1.3 247 BROCK STREET SITE INFO**

The subject lands have a legal description of: Lot 1 E/S Kempt St, 3 E/S Brock Street, 18 W/S, 18 W/S Kempt St, 19 W/S Kempt St, Plan 1 Amherstburg; Pt Kempt St PI 1 Amherstburg closed by R1109842; Pt E Pt 2 Con 1 Malden as in R1143624 Amherstburg.

The subject lands are owned by Terry Jones Realty Inc. c/o Terry Jones. The subject site has a municipal address of 247 Brock Street and is located at the corner of Brock Street and Wolfe Street.



The existing building was built in 1910-1911 and expanded in 1929. The building was constructed originally as the St. Anthony School associated with the St. John the Baptist Roman Catholic Church across the street. The majority of the life of the building was St. Anthony's School from 1912-1972 when it was converted to a youth centre around 1972-1973. The House of Shalom Youth Center continued until approximately 2010-2011 when the center shut down. The building has sat vacant now for over 10 years.

The existing building and site existed prior to the passing of the Official Plan and the Comprehensive Zoning Bylaw and the establishment of the 'Institutional' policy and regulations applied to the land use.

**FIGURE 2 – IMAGES OF EXISTING BUILDING:**



**FIGURE 3: SITE AERIAL VIEW**

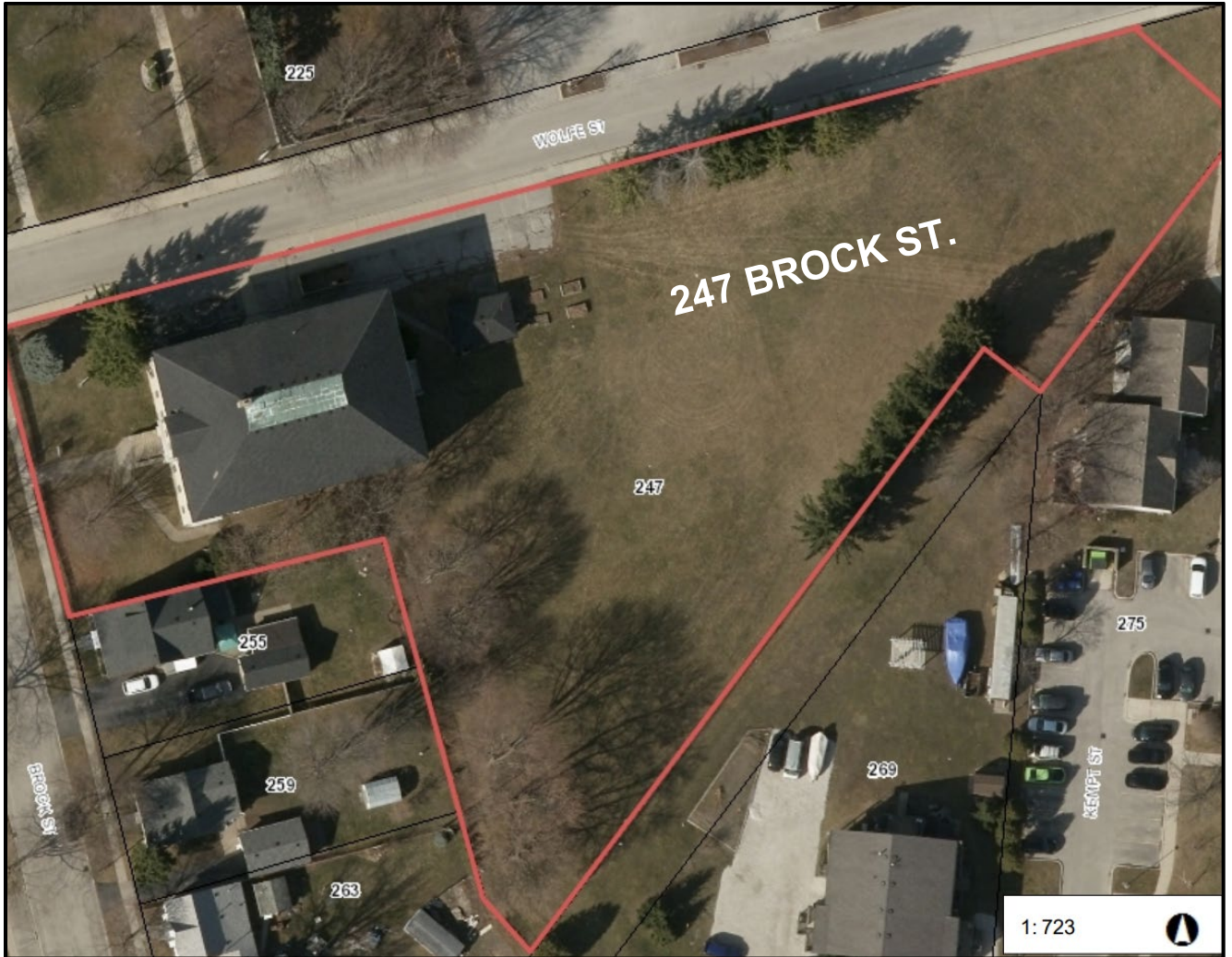
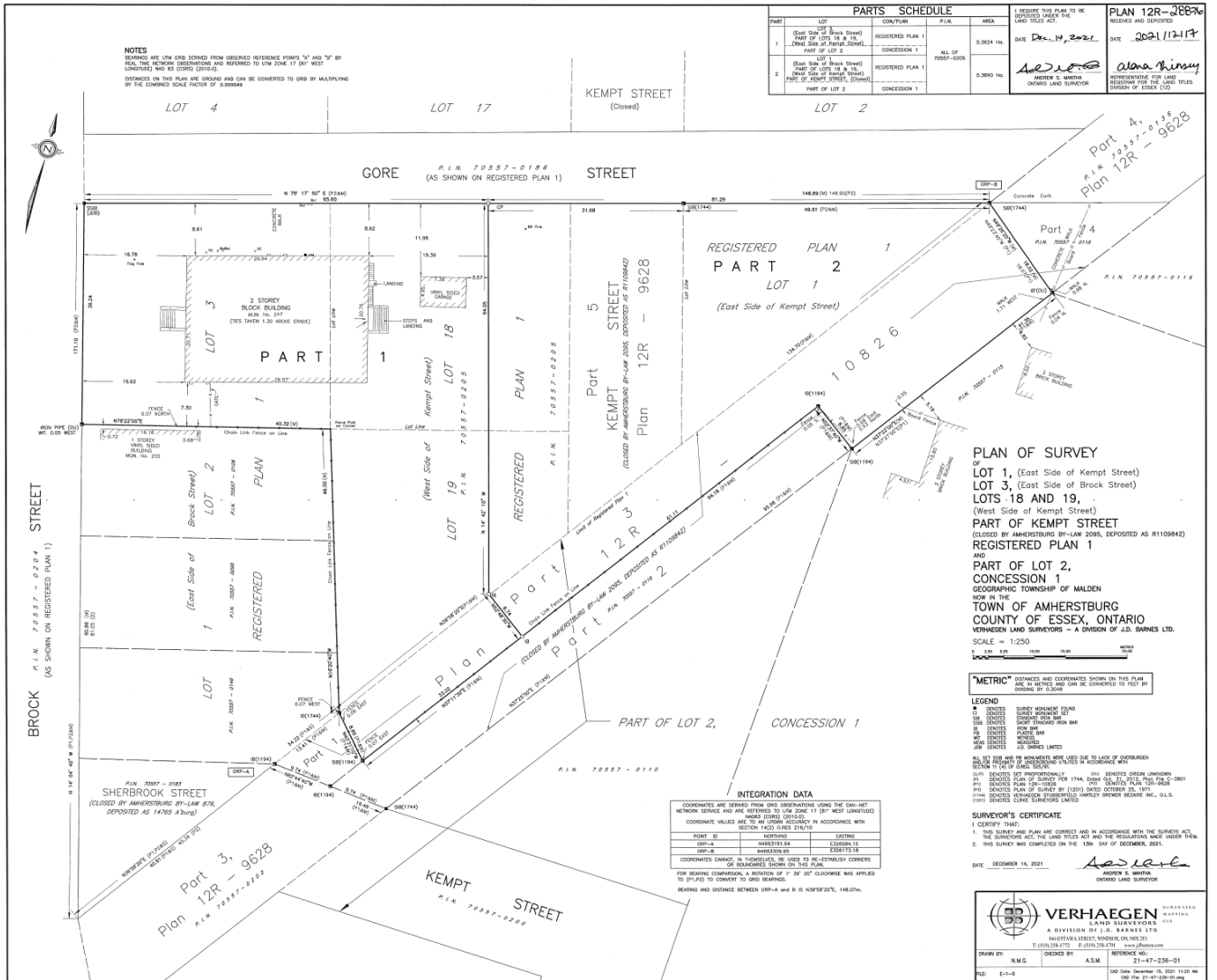


FIGURE 4: SITE SURVEY



## 1.4 SITE CONFIGURATION

The subject site is a large, triangular shaped lot with two road frontages at the corner of Brock Street and Gore Street. The heritage building is located in the corner configuration of the property with the majority of the lands behind the building are vacant. Under the CZB for the definition of frontage for a corner lot being the lesser of the two frontages, Brock Street will remain as frontage for Phase 1, the Loft's of St. Anthony.

Phase 1 and Phase 2 has been established on a registered Reference Plan 12R28876 as Part 1 for the existing established heritage building and Part 2 as vacant lands.

Part 1 of Plan 12R28876 is used as the legal description under the recently passed Heritage Bylaw passed for the preservation of the heritage building.

## 1.5 TOPOGRAPHY

The property is flat and has little to no variation in elevation or grade change. There are no swales or ditches on the property. Refer to Figure 3 above showing site aerial. There are no natural features or natural hazards associated with this property.

## 1.6 VEGETATION

The subject lands are manicured lawn. With the proposed development of both Phase 1 and Phase 2, the Loft's of St. Anthony will be landscaped professionally to create a welcoming amenity space associated with the two residential buildings.

As shown on the above Figure 3: Aerial site plan there are a few existing deciduous trees on the front lawn of the heritage building on Phase 1 property that will be retained. There are 3 maple trees that are not significant trees located in the centre of the property in the location of the garage and parking areas that will need to be removed. There is one mature tree at the rear of the proposed parking area that will be retained.

On Phase 2 lands, there are 4 mature deciduous trees at the rear of the property that will be retained. All other vegetation is scrub bushes/trees that are not of a high quality warranting preservation.

In my professional opinion, the few trees that are existing on site are not identified as significant species at risk. Additional trees will be planted to replace the trees removed and new landscaping will be provided to ensure a development that is aesthetically appealing.

## 1.7 NEIGHBOURHOOD LAND USES:

The new residential development is proposed within a residential neighbourhood that is supported by municipal transit, active transportation walking and biking trails, and is within close walking distance to supportive commercial and institutional amenities.

- a) **North** - St Anthony's Roman Catholic Church;
- b) **East** - medium density residential – townhouse development;
- c) **South** – single detached, two unit, medium density townhouses, low rise apartment;
- d) **West** - single detached residences.

The mixed density neighbourhood is comprised of existing low and medium density residences with 1 to 3.5 storey buildings. The proposed development is compatible in height and massing with the existing neighbourhood. There are other comparable buildings in massing and height on Kempt St behind the subject property. In addition, the proposed new buildings will be distance separated from the existing development providing for visual minimization of the difference in height and massing between the new development and the existing residential development. The medium density proposal will provide for a transition of density between the medium density and the single detached residential.

**FIGURE 5 NEIGHBOURHOOD AERIAL**



## 2.0 HERITAGE INFORMATION

The existing iconic Amherstburg limestone brick façade of St. Anthony's was originally constructed c 1911 as a four room schoolhouse operated as St. Anthony's Catholic School. The school was active from 1911 until 1971 when it closed as a school and was purchased for use as a youth center operating under the name of 'House of Shalom'. The House of Shalom Center was operated as a youth center from 1971 until 2020 when it was closed and sold.

The beautiful, iconic to Amherstburg building was constructed in 1910-1911 with limestone from the local quarry. The building was constructed in a modified Romanesque revival style architecture.

The Heritage Committee crafted a Heritage Bylaw and subsequently the Town of Amherstburg Council passed the Heritage Designating Bylaw 2021-079 for the existing building as a heritage building under Part IV of the Heritage Act. The Bylaw defines the heritage attributes that are to be protected.

The contractor, Rosati Group, has prepared extensive design plans and work plans that will see the conservation and preservation of the defined heritage attributes considered significant for the building. Please refer below to Section 2.2 Heritage Measures for Phase 1 and Section 2.3 Heritage Evaluation of Phase 2.

## 2.1 HERITAGE BYLAW

Refer to Appendix D – Heritage Bylaw

The existing building was evaluated, and features identified as significant with the cumulative features defining the structure as significant heritage worthy of conservation and preservation. The building known as 'St. Anthony's' has been designated under Part IV of the Heritage Act with the following exterior and interior features identified in the Designating Bylaw for preservation:

### **Exterior:**

- Original location and placement on Brock Street, adjacent to St. John the Baptist Roman Catholic church;
- Rectangular, two-storey form on a raised basement;
- Hipped primary roof; gabled (pedimented) frontispiece; metal roofline cornices; secondary metal cornices atop doorways; exterior stone chimney;

- Masonry construction and limestone facades with sandstone detailing; the limestone main exterior stairs;
- Fenestration, symmetrical in arrangement; wooden sash windows; single and double doorways and assemblies with transom lights above.

**Interior:**

- two staircases with wood balustrades;
- interior spatial configuration;
- wood finishes comprising door and window casings, baseboards, and doors throughout.

**2.2 HERITAGE MEASURES PHASE 1**

The above noted heritage features, as identified in the designating bylaw, will be conserved, preserved, and without jeopardizing the heritage features, enhance to form integral parts of the inclusion of the condominium units. In order to preserve the significant heritage structure, it is critical that some deteriorating features and aspects of the building are removed and replaced. These features have been evaluated, vetted, and supported by the Heritage Committee for the Town of Amherstburg.

**TABLE 1: EXTERIOR FEATURES UNDER BYLAW:**

EXTERIOR FEATURES IN BYLAW	PROPOSED MODIFICATIONS
<p><b>1. Original location and placement on Brock Street, adjacent to St. John the Baptist Roman Catholic Church.</b></p>	<ul style="list-style-type: none"> <li>• No change to location, building to remain in existing location – refer to attached site plan below;</li> <li>• Landscaping to be provided that will enhance heritage characteristics of the icon limestone façade.</li> </ul>
<p><b>2. Rectangular, two-storey form on a raised basement;</b></p>	<ul style="list-style-type: none"> <li>• No additional storeys – the building will remain at two storey height;</li> <li>• No major additions to change the rectangular shape;</li> <li>• Exterior addition of an elevator to provide for accessibility compliance and unit functionality;</li> <li>• Elevator materials approved by Heritage Committee to be used include: height of 46.5’ (lower than 54.5’ bldg. height), architectural metal siding, windows tinted charcoal grey, standing seam vertical metal siding on stairwell, and smooth faced architectural stone.</li> </ul>

<p><b>3. Hipped primary roof; gabled (pedimented) frontispiece; metal roofline cornices; secondary metal cornices atop doorways; exterior stone chimney;</b></p>	<ul style="list-style-type: none"> <li>• New black metal shingled roof to match the roof on St. John's Church;</li> <li>• Roof to be amended with dormers to accommodate lofts – roofline will be continuous;</li> <li>• Gabled (pedimented) frontispiece; secondary metal cornices atop doorways; exterior stone chimney to remain and will have minor cleaning and repairs for the purposes of restoration and preservation;</li> <li>• Metal roofline cornices – deteriorated condition - to be replaced with black metal roofline cornice to compliment the roof and maintain historical roofline.</li> </ul>
<p><b>4. Masonry construction and limestone facades with sandstone detailing; the limestone main exterior stairs;</b></p>	<ul style="list-style-type: none"> <li>• Minor cleaning and repairs of all façade's, sandstone detailing and main exterior stairs for the purposes of restoration and preservation;</li> <li>• Iconic to Amherstburg limestone facades, sandstone detailing, and limestone main exterior stairs to remain.</li> <li>• Black railings (wrought iron look) to be included to showcase balconies and provide for compliance with the OBC;</li> <li>• Balconies will be built as stand alone structures and fastened in a way that can be easily removed and will not permanently affect the integrity of the stone façade.</li> </ul>

**FIGURE 6: EXTERIOR: WINDOW AND EXTERIOR DOOR MODIFICATIONS**

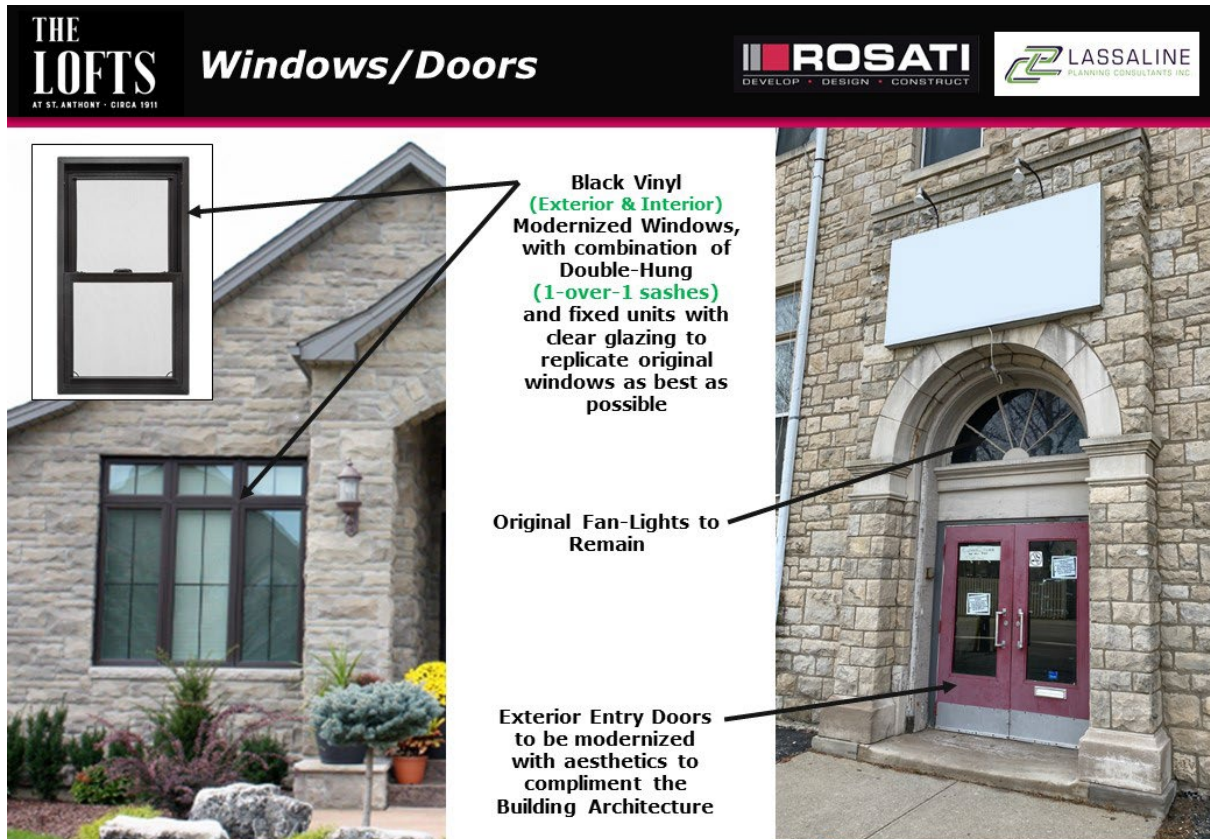




FIGURE 7: PROPOSED FACADES



**THE LOFTS**  
AT ST. ANTHONY - CIRCA 1911

## South View

**ROSATI**  
DEVELOP • DESIGN • CONSTRUCT

**LASSALINE**  
PLANNING CONSULTANTS INC.

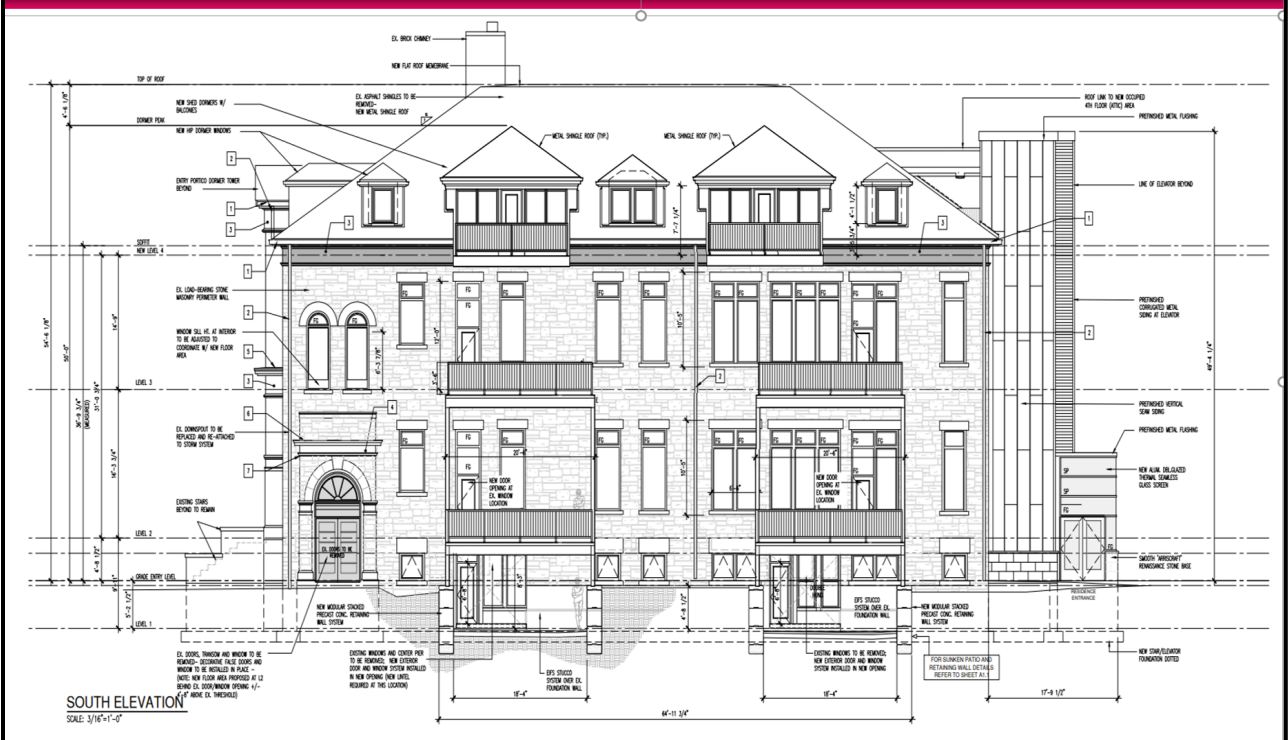


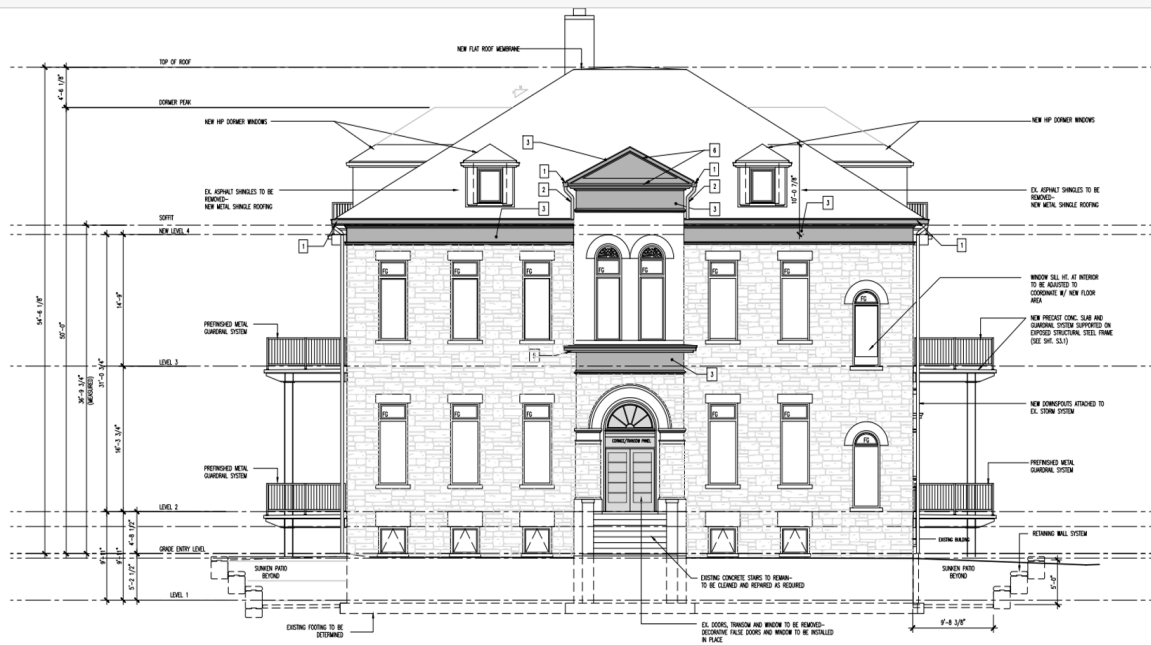
**THE LOFTS**  
AT ST. ANTHONY - CIRCA 1911

## South Elevation

**ROSATI**  
DEVELOP • DESIGN • CONSTRUCT

**LASSALINE**  
PLANNING CONSULTANTS INC.





WEST ELEVATION  
SCALE: 3/16"=1'-0"



**TABLE 2: INTERIOR MODIFICATIONS**

INTERIOR FEATURES IN BYLAW	PROPOSED MODIFICATIONS, IF ANY
<p><b>1. Entrance staircases with wood balustrades;</b></p>	<ul style="list-style-type: none"> <li>• Minor cleaning and repairs for purposes of preserving and conserving the original grand main entrance stairwell;</li> <li>• Minor cleaning and repairs for purposes of preserving and conserving the original decorative railings and balustrades of the grand main entrance and staircase;</li> <li>• Secondary entrance on east side of building to be closed and interior space incorporated into the residential unit. Interior stairwell to be removed. Exterior entrance, and stairs to be maintained.</li> </ul>
<p><b>2. Interior spatial configuration;</b></p>	<ul style="list-style-type: none"> <li>• Corridors to be maintained supporting the continuation of the interior spatial configuration.</li> </ul>

<p><b>3. Wood finishes comprising door and window casings, baseboards, and doors throughout</b></p>	<ul style="list-style-type: none"> <li>• Original stone walls to be re-exposed with minor cleaning and repairs for the purposes of restoration;</li> <li>• Original masonry arches over doorways and doorway mouldings to undergo minor cleaning for the purposes of preserving and conserving the significant interior attributes;</li> <li>• Original hardwood floor to be cleaned, minor repairs for the purposes of restoring and conserving;</li> <li>• New black vinyl windows with combination of double-hung (1 over 1 sashes) and additional header fixed units to replicate original windows;</li> <li>• All window glass to be clear glass (no tint) and energy efficient;</li> <li>• New double hung doors with replicated fan shaped glass transom with view to improving entrance, creating welcoming entrance, and creating safe access;</li> </ul> <p>All existing trimwork is to undergo minor cleaning and repair and restored where possible for re-establishing in the residential units.</p>
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**FIGURE 8: INTERIOR MODIFICATIONS**





The adaptive re-use of the existing building will provide for the preservation and conservation of a 110 year heritage building within the historic Town of Amherstburg. The minor modifications identified are required to ensure the energy efficiency, safety for the inhabitants, and compliance of the adaptive new use of residential with OBC regulations, and for the conservation of the building and features.

It is my professional opinion that the minor modifications identified above will compliment the existing heritage attributes that comprise the historical building while preserving and conserving the heritage characteristics of the building known as the Lofts of St Anthony.

## 2.3 HERITAGE EVALUATION PHASE 2

As shown on the site plan below for the subject lands, Phase 2 is the future stage of development with a building that has not been designed at this juncture. What is considered is the approximately Ground Floor Area (GFA) of approximately 12,005 ft<sup>2</sup> to accommodate approximately 34 residential condominium units. With the proposed GFA at 12,005 ft<sup>2</sup> and a lot area of 41,870 ft<sup>2</sup>, the proposed lot coverage will be at approximately 28.6%.

The building for Phase 2 has been distance separated from the existing heritage building to lessen the impact visually of the new structure on the existing St. Anthony's. Within this distance separation will be landscaping, parking, driveway and other visually softening features. The proposed building is also to be brought forward on the lot to be consistent with the existing the Loft's of St. Anthony for setback from Gore Street to respect the established setback line and streetscape view.

The building proposed for Phase 2 has not yet been designed so it is not possible to state the visual impact on the existing heritage on the adjacent parcel at this juncture. However, as the Phase 2 building is being designed, the impact of the new building on the existing heritage will be a key consideration on the look and massing of the building. As an example, it is the intent of the new, Phase 2 building to have a height of 45 ft, approximately 10 ft below the existing the Loft's of St. Anthony heritage building minimizing the massing effect of the new building on the existing heritage building.

It is the intent of the designer of the new building to continue to showcase the Loft's of St. Anthony and minimize any visual impact on the viewscape and streetscape by the new building. It is also the intent of the owner's representatives to consult with the Heritage Committee for the Town of Amherstburg when addressing the look and details of the elevations for the building.

In my professional opinion, all aspects of the Loft's of St. Anthony's heritage building has been regarded in the conceptualization of Phase 2 development for the site. The new building will be sympathetic and complimentary to the existing heritage of the Loft's of St. Anthony. Respect and regard for the heritage of the Loft's of St. Anthony will continue during the design and subsequent development of the Phase 2 building.

### 3.0 PROPOSED DEVELOPMENT

The present owner of the property, Terry Jones Realty Inc, is proposing a 2 Phased development proposed for the subject lands: Phase 1 is the adaptive re-use of the existing 110 year old building and converting the institutional building from institutional use into a 16 unit residential condominium building referred to as The Lofts at St. Anthony; Phase 2 will be the development of the remainder of the property at a future date with a residential condominium building containing 34 residential condo units.

With the adaptive re-use of the existing 110 year old heritage building to residential condominiums with ownership tenure will require a change in policy framework that will be used to support the residential land use. Phase 2 is proposed for development of an condominium building that is intended as a medium density residential building with ownership tenure. As a condominium development, the residential units will provide for a diversity of accommodation that is needed in the Town.

The existing building is established, and Phase 2 building is proposed within a mixed density residential neighbourhood. The proposed adaptive re-use of the building and the new condominium building as a low rise building with medium density would appear to be compatible to the existing residential neighbourhood in height and massing and would result in a low impact use on the long established residential neighbourhood.

As an adaptive re-use of the existing 3.5 storey building, the interior will be completely re-organized and retrofitted to provide for the 16 residential condominium units and will be sold as condo units called St Anthony's Lofts. The residential units will be sold as condo units as ownership tenure providing for an alternative housing style while supporting a diversification of housing style and tenure.

To provide for an efficient and effective use of the subject lands, Phase 2 is comprised of a second building on a vacant lot to the east of the existing building. The second building will be developed with 34 residential condominium units for a total of 50 new residential units in the project. The condominium units will provide for residential accommodation, an alternative housing tenure and style to the standard single detached residences typically found in Amherstburg.

Referring to pictures above, the present 3.5 storey height of the Lofts of St. Anthony's will not be modified. There are exterior modifications discussed above including an addition of an elevator to the side of the building but has been designed to have a lower profile than the existing building. There will be some exterior improvements to clean and repair the façade and replace any features identified requiring replacement. The Phase 2 building has been designed to be compatible and comparable with the existing building.

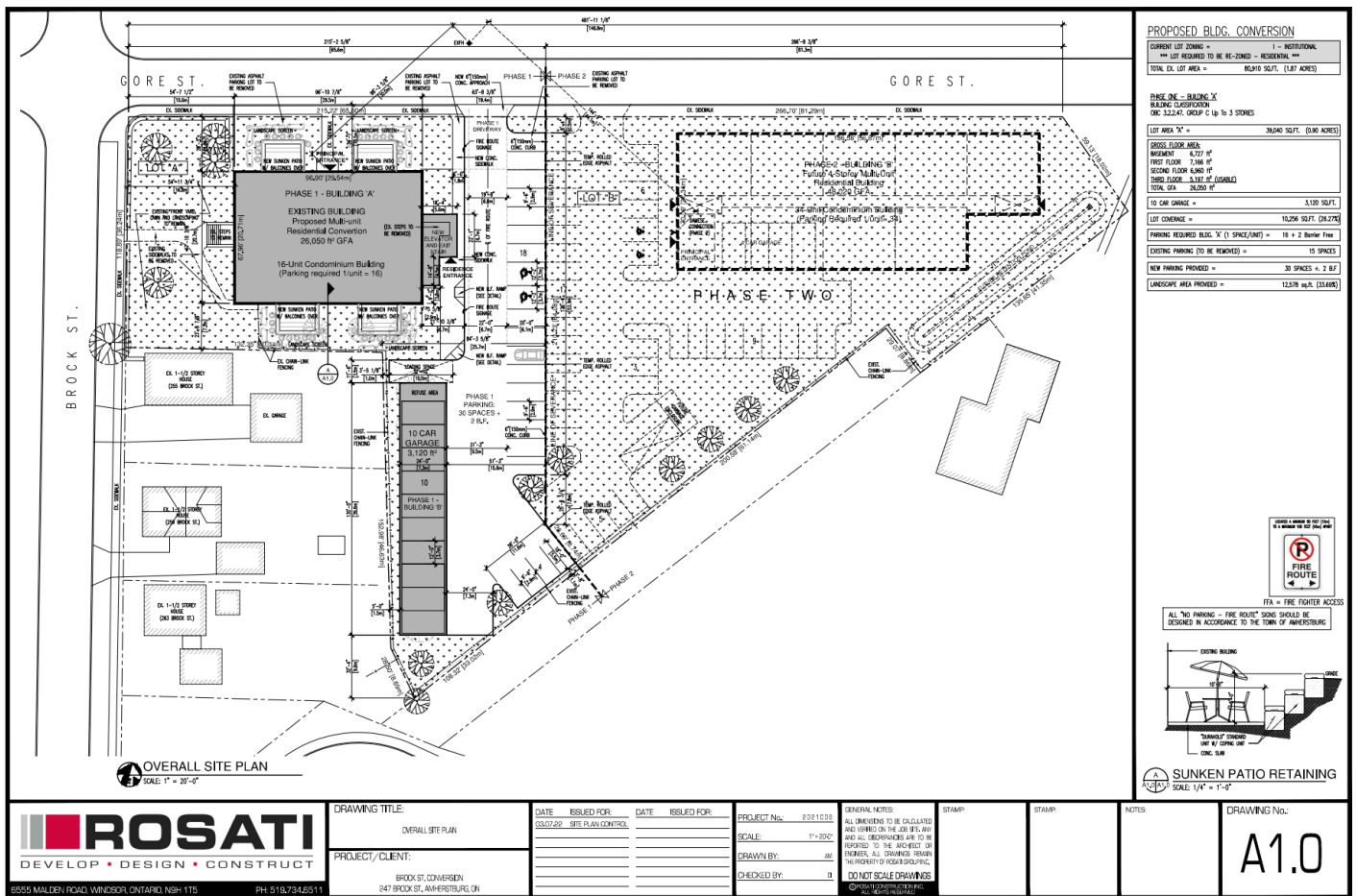


In conclusion, it is my professional opinion that the residential condominiums will provide for an alternative housing style while supporting a diversification of housing style and tenures within the Town. The low rise profile and medium density can be considered compatible with the existing neighbourhood. The proposed landscaping and amenity areas will provide for a welcoming and friendly environment for the new residential buildings.

### 3.1 PHASE 1 PROPOSAL:

Refer to attached Site Plan package attached as separate document

FIGURE 9 – SITE PLAN – PHASE 1 (ST. ANTHONY’S LOFTS):



Under Phase 1, the owner is proposing the conversion of the existing building from the previous youth center institutional use to a residential condominium building. The interior will be completely re-organized and retrofitted to support the proposed 16 residential condominium units. It is the intent of the owner to preserve the historical building and conserve and preserve the heritage features under the heritage designating bylaw both inside and outside of the building as the 110 year old building is adapted to a new use of residential condominiums.

### **3.2 PHASE 2 PROPOSAL:**

**Refer to attached Site Plan package attached as separate document**

Phase 2 will see the construction of a 4 storey building with 34 residential condominiums on the site. The additional building will result in a total of 50 residential condominium units on site. The building will be designed in such a way to compliment and be respectful to the heritage building preserved in Phase 1. The existing building in Phase 1 has a height of 54.5 ft from grade to top of roof peak while the Phase 2 proposed building is being designed and is presently proposed with a height that will be lower than the heritage building in Phase 1 with a height proposed under 45 ft.

### **3.3 OFFICIAL PLAN AMENDMENT AND ZBA:**

The subject property is presently designated 'Institutional' in the Official Plan (OP) for the Town of Amherstburg and is zoned 'Institutional (I)' in the Comprehensive Zoning Bylaw (CZB) for the Town of Amherstburg.

Official Plan policies for the 'Institutional' designation allows for institutional uses such as schools, community centre uses, churches, etc. An Official Plan Amendment (OPA) is required to apply general residential policies to the proposed development. An OPA has been requested to redesignate the lands from 'Institutional' to 'Residential' designation to support the adaptive re-use of the existing building to a residential condominium building with 16 condo units and Phase 2 Future development of a residential condominium building with 34 residential condo units. The OPA will be a redesignation to residential land use with the general residential policy framework applying to the proposed land use: a site specific policy is not required as the proposed land use will conform with the general residential designation policies.

With the requested proposed adaptive re-use of the existing building to a new use of residential and the new condominium building, the site will require a site specific by-law to apply site specific regulations to the unique shaped parcel as well as the proposed adaptive re-use of an existing heritage building and the inclusion of a new condominium building.

It is recommended that the following be considered as site specific provisions:

- 1) Front Yard Setback (Brock St): 16 m;
- 2) Front Yard Setback (Gore St): 4.5 m
- 3) Exterior Side Yard Setback (Gore St): 5.0 m;
- 4) Height of building: 50 m

Both the existing Official Plan policies and Zoning regulations recognize the present land use of institutional on site. An Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) has been requested to recognize the proposed residential land use and site specific characteristics of both the existing and the proposed building and site. With the proposed change of use of the existing building to a condominium and the addition of a new condominium building, the new site specific (RM2-#) zone is also required to recognize the existing unique site provisions.

### **3.4 SITE SERVICING: CIVIL AND SWM REPORT**

**D.C. McCloskey Engineering Ltd.**, Project M21-148, 5745 Wyandotte St East, Suite 200, Windsor ON N8S 1M6, is a qualified civil engineering firm that undertook a Functional Servicing Report for 247 Brock Street proposed development.

#### **“D. CONCLUSIONS & RECOMMENDATIONS**

The results of the analysis conclude the following:

1. The site has the capacity to detain the runoff from the minor and major storm events while not exceeding a maximum total release rate for phase 1 and 2 of 19 Us.
2. Water quality is achieved by installing P-traps in all catchbasins (phase 1 and 2) and installing a Stormtech system in phase 2. This treatment of the runoff in phase 2 will achieve the TSS removal efficiency for normal protection as defined in the MECP design guidelines.
3. Municipal sanitary sewer has adequate capacity for the estimated peak flow of 1.8 Us.

4. Municipal water service has adequate capacity for this development.”

Based on the findings of the Functional Servicing Report the proposed development can be considered to not cause negative impacts to the municipal infrastructure and municipal services (water and sewer) have adequate capacity to accommodate the proposed development. Further, storm water can be managed from the site in both quantity and quality without negative impact on the neighbourhood. No modifications to municipal infrastructure are required to facilitate the proposed development.

### 3.5 TRAFFIC MEMO CONCLUSIONS

**Paradigm Transportation Solutions Limited**, 5A-150 Pinebush Rd, Cambridge ON N1R 8J8, is a qualified transportation engineering firm that undertook a traffic study relating to the proposed development.

#### **EXECUTIVE SUMMARY AND RECOMMENDATIONS:**

“This impact assessment includes an analysis of existing traffic conditions, describes the proposed development, traffic forecasts for five years from the assumed completion of the developments (2030), and recommendations to improve future traffic conditions.

#### **Development Description:**

This TIS considers the development of 247 Brock Street and consists of:

- 247 Brock Street: an existing building converted into a 16 unit mid-rise condominium building and a new 34 unit mid-rise condominium building;
- Access to the proposed development is provided via:
  - an all-moves access to Brock Street; and
  - two all-moves access to Gore Street.

#### **Conclusions:**

**Based on the investigations carried out, it is concluded that:**

- **Existing Traffic Conditions:** All study area intersections are currently operating within acceptable levels of service;
- **Proposed Development:**
  - 247 Brock Street: The full build-out of the site is forecast to generate 10 and 20 trips during weekday AM and PM peak hours, respectively.

- **2030 Background Traffic Conditions:** All study area intersections are forecast to operate at acceptable levels of service;
- **2030 Total Traffic Conditions:** The total traffic conditions are forecast to operate similarly to the background conditions;
- **Remedial Measures:**
  - Left-Turn Lane Warrants: It was found that **no left-turn** lanes are forecast to be warranted.

### Recommendations:

Based on the findings of this study, it is recommended that the proposed development at 219 Brock Street and 247 Brock Street be constructed with no further roadway or intersection improvements.”

Based on the findings of the TIS, the proposed development can be considered to not cause negative impacts to the municipal infrastructure and will not have a negative impact on the traffic of the neighbourhood. No modifications to municipal infrastructure are required to facilitate the proposed development.

## 3.6 PHASE 4 ARCHEAOLOGICAL REPORT CONCLUSIONS

**TMHC Inc.**, 1108 Dundas Street, Unit 105, London ON NSW 3A7, is a qualified, licensed archaeological firm with extensive experience and local knowledge, undertook a Stage 1-4 Archaeological Assessment of the subject property. File AaHs-138 dated August 27, 2021 has been registered with the Ministry of Heritag, Sport, Tourism and Culture.

### SECTION 5, SUMMARY (page 31):

“A Stage I and 2 archaeological assessment was conducted for the roughly 0.75 ha ( 1.85 ac) property at 247 Brock Street in the Town of Amherstburg, Essex County, Ontario. The Stage I assessment revealed that the property had potential for the discovery of archaeological resources and a Stage 2 survey was recommended and carried out. The Stage 2 assessment (test pit assessment at a 5 m interval) resulted in the documentation of archaeological resources at Location I (AaHs-138). The site was found to have further cultural heritage value or interest (CHVI) and Stage 3 testing was recommended.

A Stage 3 archaeological assessment was conducted for Location I (AaHs-138). The Stage 3 work consisted of the excavation of 16 1 m<sup>2</sup> units across the site area, resulting in the collection of 2,236 19th and 20th-century artifacts. Based on the artifacts recovered and their distribution, Location I (AaHs-138) is a domestic site dating to the period between c.1880 and 1917. The site assemblage is likely the product of an accumulation of material variably deposited during the occupations of William Caldwell ( 1894-1899), Alice Primeau ( 1899-1907), the Conway family and their tenants ( 1907-1912) and/or Manley Cahoon ( 1912-1915). Given the age of the site and the lack of integrity, Location I (AaHs-138) is considered sufficiently documented. The site does not meet provincial criteria for Stage 4 assessment and no further work is recommended. **As such, the subject property should be considered free of archaeological concern.”**

In conclusion, the findings of the archaeological report do not warrant any further study of the property. There should be statements provided within the site plan agreement to provide direction should artifacts or remains be discovered during construction.

#### 4.0 PROVINCIAL POLICY STATEMENT (PPS 2020)

When reviewing a planning application to determine if the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statements (PPS): "The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It (PPS) recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."

***"Section 1.1.1 Healthy, liveable and safe communities are sustained by:***

*a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

**COMMENT:**

In my professional opinion, the proposed OPA and ZBA allowing for the adaptive reuse of the presently existing heritage building and the proposed new building will create an efficient and effective use suited and compatible with the existing neighbourhood.

*b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

**COMMENT:**

The condominium buildings will provide for an alternative style and tenure of housing than the standard housing in Amherstburg. The OPA and ZBA will facilitate the provision of a variety and diversity of housing needed within a community to support a healthy community. The residential buildings will be developed as condo ownership providing for an alternative housing style and tenure while supporting a diversification of housing styles and tenures within Amherstburg.

- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

**COMMENT:**

The existing St Anthony's Lofts were built in 1910 as a school with the remainder of the property vacant lands for play area associated with the previous school and subsequent youth center. Considering the previous historical uses, there are no known contaminants on site. There are no environmental or health issues associated with the adaptive re-use of the existing building.

- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

**COMMENT:**

The subject lands are located within the urban area of the settlement area within the Town of Amherstburg. The adaptive re-use of the existing building and the additional building creates an infilling residential development within an established residential neighbourhood; the buildings are distance separated, provide a neighbourhood buffer between existing low and medium density residential, low profile, medium density residences that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood. The property is located within a residential area peripheral to the downtown core and will not result in the unnecessary expansion of the urban settlement area.

- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*



**COMMENT:**

The subject development is proposed as an adaptive reuse of an existing heritage building converted to condos and an additional condo building within a mixed density residential neighbourhood.

The re-development of the existing building with an adaptive re-use of the presently vacant institutional building to condominiums and an additional condominium building with a total of 50 units to create a medium density development is best suited as an unobtrusive infill in the existing mixed density residential neighbourhood. The proposal supports the establishment of alternative housing tenure and style while being neighbourhood compatible.

**COMMENT:**

The utilization of the vacant building for the inclusion of 16 residential condominium units and the development of an condo building with 34 residential condominium units will result in with an appropriate intensification of use.

Site services are available to the site. The location will allow for an efficient and effective development while providing for a cost effective utilization of existing municipal infra-structure. As noted in the Engineering report, there is municipal capacity to accommodate the proposed land use and the development will not result in an expansion of municipal infrastructure.

The adaptive re-use of the existing building for condominiums and the new condominium building combined with the location in the periphery to the downtown area of the municipality will result in the support and cost effective utilization of municipal services such as the transit system, walking trail and bike trail infrastructure.

Proposed OPA will provide for residential policies and ZBA will recognize the site specific regulations and support the establishment of the residential development.

**COMMENT:**

In my professional opinion, the proposed residential adaptive re-use of the heritage building, and the re-development of the property is consistent with and supports the cost-effective re-use of the property while minimizing land consumption and supports the efficient and effective utilization of municipal infrastructure.

- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

**COMMENT:**

Building accessibility will be established in compliance with the OBC for all the residential units.

- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs*

**COMMENT:**

The existing building is connected to municipal services and the proposed new condominium building will be connected to municipal infrastructure. As noted in the Civil Works report there is capacity available in the municipal infrastructure to accommodate the proposed 50 unit condos. The proposed adaptive re-use and the new condo building is considered an efficient and effective utilization of municipal infrastructure.

*h) promoting development and land use patterns that conserve biodiversity; and*

**COMMENT:**

The requested development is for an adaptive re-use of an existing building and the additional building is located on vacant lands. The proposed development assists with the conservation and preservation of biodiversity by providing for wise intensification with redevelopment of existing lands as infilling in an urban centre.

*i) Preparing for the regional and local impacts of a changing climate.*

**COMMENT:**

The building is located within a neighbourhood providing services and commodities within walking distance. There are employment opportunities within walking distance to the site, supporting the work/live initiative. In my professional opinion the proposal considers the changing climate by reducing the dependence on the vehicle while supporting walking, biking and healthy community initiatives of the Municipality and Province.

***“Section 1.1.3.2 Land use patterns within settlement areas shall be based on:***

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
  - 4. prepare for the impacts of a changing climate;*
  - 5. support active transportation;*
  - 6. are transit-supportive, where transit is planned, exists or may be developed; and*
  - 7. are freight-supportive; and**
  
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3. where this can be accommodated.”*

**COMMENT:**

The proposed adaptive re-use of an existing, under utilized building and the further development of vacant lands as infilling development as noted above, is an efficient use of the land.

The proposed development is an efficient use of the existing municipal services and can be considered an appropriate use of the subject lands. There is no need to expand municipal services to accommodate the proposed development.

In my professional opinion, the proposed residential development is an efficient, effective development for the site and supportive of the PPS policies ensuring compatible new development with the existing neighbourhood.

***“Section 1.1.3.3 Settlement Areas***

*Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”*

**COMMENT:**

The subject lands are within a short walking distance to the downtown and within a neighbourhood where municipal transit is available. The OPA/ZBA will support the evolution of an under utilized vacant building for a residential condominium and vacant lands for a residential condominium building to provide needed residential accommodation within a residential neighbourhood in the periphery to the downtown.

***“Section 1.1.3.4 Settlement Areas***

*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”*

**COMMENT:**

The development of the subject lands supports, promotes and facilitates an appropriate land use for the neighbourhood while allowing for an intensification of land use and providing needed residential condominium units as alternative tenure and style of housing. As an adaptive re-use of an existing, under utilized building and the managed intensification by development of vacant lands can be considered an appropriate re-development. There are no public health issues or risks associated with the proposed development.

**COMMENT:**

**In my professional opinion, the requested OPA and ZBA is consistent with the 2020 PPS by supporting the sound and efficient adaptive re-use of an existing heritage building and for the managed intensification and growth associated with the inclusion of residential land use for the subject site. Providing for a site specific ZBA regulation that support the redevelopment of these lands for residential condominiums, in my professional opinion supports the Healthy Community initiatives and is therefore consistent with the Provincial Policy Statements.**

## 5.0 COUNTY OF ESSEX OFFICIAL PLAN:

The County of Essex Official Plan provides policies directing land use within the entirety of the County of Essex. The policies are consistent with the Provincial Policy Statements and provides additional policy direction for development within the County of Essex.

*“3.2.1 General Directive Schedule “A1” of this Plan identifies the location and precise boundaries of the “Settlement Areas” within the County. Schedule “A2” details the structure of the “Settlement Areas”, by differentiating between Primary and Secondary.*

*It is the vision and purpose of this Plan to direct the majority of future growth and development into the Primary Settlement Areas in order to strengthen the County’s settlement structure, focus public and private investment in fewer areas and to preserve the lands designated “Agricultural” and “Natural Environment” for the purposes outlined in the policies of this Plan.”*

### **COMMENT:**

The subject lands are located within the Principal Settlement Area of the Town of Amherstburg.

In my professional opinion, the proposed OPA/ZBA conforms with S.3.2.1 of the County Official Plan.

### **“3.2.2 Goals**

*The following goals are established for those lands designated as “Settlement Areas” on Schedule “A1”:*

- a) Support and promote public and private re-investment in the Primary Settlement Areas.*
- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities*
- c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.”*

**COMMENT:**

The investment to re-develop the subject lands is focused within the settlement area of the Town of Amherstburg.

The proposed development will provide for alternative housing and tenure by supporting diversification of the housing market by providing condominium accommodation and ownership.

The proposed development is for a medium density development in a mixed density neighbourhood. The development will support managed appropriate intensification of residential land use.

In my professional opinion, the proposed OPA/ZBA conforms with S.3.2.2 Goals of the County Official Plan.

***“3.2.4.1 Policies apply to Primary Settlement Areas:***

- b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups and be designed to be walkable communities with public transit options (or long-term plans for same).”*

**COMMENT:**

The OPA/ZBA will support the repurposing of the existing heritage building and adapting it to a new use from the original school to a residential condominium. The property will be further developed with an additional condominium building. Both buildings will provide alternative housing style and tenure within an area that is walkable to the downtown for commercial amenities.

In my professional opinion, the proposed OPA/ZBA conforms with S.3.2.4.1 of the County Official Plan.

**COMMENT:**

**The proposed development will provide for needed alternative residential housing within the Primary Settlement area of Town of Amherstburg.  
In my professional opinion, the proposed OPA/ZBA conforms with the County Official Plan.**

## 6.0 TOWN OF AMHERSTBURG OFFICIAL PLAN:

The subject lands are presently designated 'Institutional' in the Town of Amherstburg Official Plan. The following policies relate to the permitted uses within the 'Institutional' designation:

### ***"4.6 INSTITUTIONAL LAND USE DESIGNATION***

*The Institutional classification of land shall mean that the predominant use of the land so designated shall be for uses which exist for the benefit of the residents of Amherstburg and which are operated by the municipality or other public organization for this purpose. The general principles to be considered in the development and control of the use of such land are as follows: The uses permitted shall include educational facilities including public, separate, and private schools, places of worship, other civic and institutional uses such as fire halls, police stations, libraries and similar uses, public and private open space areas, active and passive recreation facilities, and community facilities are also included within the Institutional designation. In addition, municipal and private utility works such as water towers, sewage treatment facilities, telephone and gas utility operating facilities, and similar uses are also permitted uses.*

#### **COMMENT:**

The proposed adaptive re-use of the existing building from a youth centre to a residential condominium use and the inclusion of a new residential condominium use does not conform with the permitted uses under the existing 'Institutional' designation permitted under S. 4.6 of the OP. An OPA is required to change the OP designation to 'Residential' to allow for the proposed development.

An Official Plan Amendment (OPA) has been requested to redesignate the subject lands 'Residential' to apply the following policies to the proposed residential land use. The 'Residential' designation of the Official Plan permits low, medium or high profile residential buildings in the Mixed Use designation. The owner proposes to adapt the existing structure from the previously under utilized and unoccupied institutional use to residential condominiums while also providing for an additional residential condominium on adjacent lands.



#### **“4.2 RESIDENTIAL USES 4.2.1**

*It is the intention of this Plan to ensure that sufficient lands have been placed in various Residential designations to accommodate the anticipated population in a suitable variety of locations, densities, and unit types. This Plan also intends to ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, and incorporates energy efficient aspects in its design. The Plan also intends to encourage the development of economical housing in a suitable environment. Existing housing and existing residential areas shall be preserved and improved.”*

#### **COMMENT:**

The requested OPA will support the redevelopment of the site for residential development that will provide for alternative housing style and tenure. The provision of 16 new condominiums provides for alternative housing tenure and style to the present single detached residences that are typically available for sale in Amherstburg. The addition of a new condominium building will provide for alternative tenure and accommodation that is greatly needed within the Town.

The adaptive re-use of the existing building and the additional building creates an infilling residential development within an established mixed density residential neighbourhood; the buildings are distance separated, provide a neighbourhood buffer between existing low and medium density residential, low profile, medium density residences that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood. The buildings will also provide for transitioning from the existing medium density housing to the single detached housing located with distance separation.

The adaptive re-use of the existing building to new residential condominium will also support the preservation of significant heritage for the Town of Amherstburg.

The proposed development will provide for alternative housing tenure and style that is compatible in density and form to the existing mixed density neighbourhood.

In my professional opinion, the proposed OPA/ZBA conforms with S.4.2.1 of the Town of Amherstburg Official Plan.

### **“Section 1.7.5 Identified Areas for Residential Development**

*The main areas identified for residential development are:*

- (1) the old Town of Amherstburg;*
- (2) lands immediately to the south of the old Town (up to the Big Creek fill regulation which is now known as the Limit of the Regulated Area);*
- (3) lands to the north of Texas Road (up to the Edgewater sewage treatment facility);*
- (4) McGregor;*
- (5) Bois Blanc Island; and,*
- (6) Amherst Point.*

*These areas are where the greatest concentration of development has already occurred, or has been planned for, and are areas located within sanitary sewer service areas. The old Town of Amherstburg has the greatest concentration of support services such as parks, open space, schools, churches, social services, medical services, commercial facilities and employment opportunities.”*

#### **COMMENT:**

The proposed OPA/ZBA will be applied to the subject lands located within the periphery to the downtown core of the ‘old Town of Amherstburg’.

In my professional opinion, the proposed OPA/ZBA conforms with S.1.7.5 of the Town of Amherstburg Official Plan.

### **“4.3 RESIDENTIAL LAND USE DESIGNATIONS**

*The Residential classification of land shall mean that the predominant use of land so designated shall be for varying densities and types of residential land uses. Under the Residential classification, there are six Residential designations:*

- (1) Low Density Residential*
- (2) Medium Density Residential*
- (3) High Density Residential*
- (4) Office Residential*
- (5) Heritage Residential*
- (6) Modular Home Residential.”*

**COMMENT:**

The Official Plan Amendment (OPA) will redesignate the subject lands from the present 'Institutional' designation to an appropriate 'Residential' designation. This will support the adaptive reuse and subsequent heritage preservation of the proposed heritage building.

In my professional opinion, the proposed OPA/ZBA conforms with S.4.3 of the Town of Amherstburg Official Plan.

***“Section 4.3.2 Medium Density Residential Areas***

*The uses permitted in areas designated Medium Density Residential shall be limited to single, duplex, triplex, conversions, and horizontal multiples, home occupation uses and public uses. In addition to these permitted uses, **low-rise apartment buildings with a maximum height of five stories are permitted.***

***The maximum density shall not exceed 70 units per gross hectare.”***

**COMMENT:**

Phase 1 building is an existing heritage building with 54.5 ft and 3.5 storey height. Proposed Phase 2 building will be slightly shorter with 45 ft height (top of parapet) to ensure the Phase 2 building is shorter than the existing heritage building out of respect to the heritage of the existing structure. Phase 2 building will be 4 storeys in height.

The redesignation will allow for the development of the Phase 2 subject lands with a new residential land use. The two phases at 50 units for the 0.7516 ha lands will result in a Medium Density Residential development at 66 units/ha for the subject lands.

In my professional opinion, the proposed OPA/ZBA conforms with S.4.3.2 of the Town of Amherstburg Official Plan.

### ***“Section 4.3.2 Medium Density Residential Areas***

*The general location shall be in conformity with Schedules “A” and “B”.*

*The Medium Density Residential area may have separate zoning categories in the implementing Zoning By-Law.*

*Where a large dwelling would be converted to contain a number of additional dwelling units, this activity would be permissible provided that:*

- (1) Required parking spaces can be provided on the site, other than within the required front yard;*
- (2) There is no change in the exterior character of the dwelling;*
- (3) Adequate buffering and transition can be provided to surrounding lower density development; and,*
- (4) There is no change in the character of existing development, using the criteria outlined above to determine the effect of the proposal. If the proposed development will result in a change in the character, an Official Plan amendment will be required, with a study being required and a public hearing being held to determine if the Official Plan amendment should be undertaken.”*

**COMMENT:**

The existing heritage building has historically been used as a school and then a youth centre, not a residence. With the adaptive re-use of this institutional building, the above criteria was considered for the conversion of the large building to a residential use.

(1) Parking has been calculated for Phase 1 and Phase 2 in compliance with Parking Standards established in the CZB. The provision of parking exceeds the bylaw requirements and will be provided as follows:

Phase 1 - 16 residential units; required 1/unit = 16 spaces; provided = 30 reg, 2 BF

Phase 2 - 34 residential units; required 1/unit = 34 spaces; provided = 42 reg, 2 BF

(2) The building is designated under Part IV of the Heritage Act. The exterior of the building requires some minor modifications to accommodate deteriorated items such as windows however these will be replaced with replicas of the existing feature. There will be minor modifications to the exterior to modernize the building with items such as elevator shafts to accommodate accessibility. The minor modifications have been approved by the Heritage Committee. The minor modifications have been minimized to reduce visual impact and in my professional opinion, do not change the character of the building.

(3) The lot configuration and size support buffering and distance separation from existing residential uses creating a compatible development within the neighbourhood;

(4) An OPA has been requested to support the adaptive re-use of the heritage building from institutional to residential. The OPA will support the heritage preservation, provide for needed alternative residential uses, and will establish a land use appropriate for the site and the neighbourhood.

In my professional opinion, the proposed OPA/ZBA conforms with S.4.3.2 of the Town of Amherstburg Official Plan.

**COMMENT:**

**In my professional opinion, the requested OPA/ZBA conforms with the relevant policies of the Official Plan for the justification noted above.**

## 7.0 ZONING BY-LAW REGULATIONS

The subject lands are zoned 'Institutional (I)' in the Comprehensive Zoning By-law for the Town of Amherstburg.

The land use of residential is a not a permitted use in the 'Institutional (I)' zone presently applied to the subject lands. The change of use from a school to a residential use doesn't comply with the existing regulatory framework applied to the property.

A Zoning Bylaw Amendment (ZBA) has been requested to rezone the subject lands to 'Residential Multiple Second Density (RM2)' zone under the Comprehensive Zoning Bylaw 1999-52 for the Town of Amherstburg.

In addition to recognizing the proposed residential land use outlined for Phase 1 and 2, it is critical to place site specific regulations on the site to recognize the existing heritage aspects of the building setbacks and site context for Phase 1 and the proposed new building for Phase 2. Establishing site specific regulations for Phase 1 to maintain the heritage situate of the building will support the conservation and preservation of the heritage building. As well, it is critical to reflect the uniqueness of the regulations on the vacant parcel to ensure heritage aspects such as established front yard setback is respected for the future Phase 2 development.

**TABLE 3: EXTERIOR FEATURES UNDER BYLAW:**

PROVISION	'RESIDENTIAL (RM2)' REGS	PHASE 1	PHASE 2
LOT AREA	840 m <sup>2</sup>	3,626 m <sup>2</sup>	3,889 m <sup>2</sup>
LOT FRONTAGE	30 m	36.5 m	56.9 m
REAR YD SETBACK	7.5 m	<b>6.7 m</b>	8.3 m
FRONT YD SETBACK	7.5 m	16 m	<b>4.5 m</b>
INTERIOR SIDE YD	6 m	4.2 m	<b>4.0 m</b>
EXTERIOR SIDE YD	6 m	10 m	N/A
LANDSCAPED OPEN SPACE	30%	33.7%	
HEIGHT (MAX)	22 m	13.7 m	16.7 m
LOT COVERAGE	40%	18%	28.7%
PARKING	1 sp/unit	16 spaces req'd 30 reg + 2 BF	34 spaces req'd 42 reg + 2 BF

**COMMENT:**

**In my professional opinion, the requested ZBA complies with the intent of the CZB to recognize site specific regulations for the existing building and provide for site specific provisions for the Phase 2 building to recognize the heritage aspects of the property. After passing of the ZBA, the proposed development will comply with the regulatory framework under the CZB for the Town of Amherstburg.**

## 8.0 CONCLUSIONS

In my professional opinion, the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) purports to apply 'Residential' Official Plan policy framework and will provide a new site specific regulatory framework to allow for an appropriate land use for the subject site. As an adaptive re-use of the existing under utilized building, the residential condominium uses are compatible with the neighbourhood and appropriate utilization of the existing building and proposed future building with the existing neighbourhood.

The OPA/ZBA will support the preservation of significant heritage building in the Old Town of Amherstburg. As well, the ZBA will support the preservation of the viewscape of the heritage building by providing for site specific bylaw regulations to ensure the respect and sympathy the new building will provide to the existing heritage while allowing for new infilling development.

The existing building and proposed building height and massing will provide for a buffering with the existing mixed density housing from the single detached residences in this older established neighbourhood of the Old Town of Amherstburg. The proposed development of both Phase 1 and Phase 2 will provide for needed alternative housing supporting diversity in housing in the Town. The OPA/ZBA will support the Town's residential policy initiatives to supply alternative housing through the adaptive re-use of the existing infrastructure and the new building being proposed. The initiative also supports the municipality's initiative to provide for a healthy, walkable community.

## 8.1 GOOD PLANNING

With the adaptive re-use of the existing 110 year old heritage building to residential condominiums with ownership tenure will require a change in policy framework that will be used to support the residential land use. Phase 2 is proposed for infilling development of a condominium building that will be designed to be supportive and respectful of the existing heritage building on the adjacent lands.

The OPA will establish 'Residential' policies for the subject lands to direct and support the proposed residential land use. The new development is intended as a medium density residential condominium development providing alternative housing tenure and style to the typical single detached residences found in the town.

The existing building is established while the Phase 2 building is proposed as infilling resulting in a medium density development within a mixed density residential neighbourhood. The proposed condominium development provides a diverse housing option as an alternative to the single detached residence.



The proposed adaptive re-use of the building to 16 condominiums and the new 34 unit condominium building, in my professional opinion, is compatible with the existing residential neighbourhood and would result in a low impact use on the long established residential neighbourhood.

Phase 1 is proposed as an adaptive re-use of the existing 3.5 storey building with the interior re-organized and retrofitted from the institutional use to provide for the 16 residential condominium units and will be sold as condominiums providing for alternative tenure and housing style.

To provide for an efficient and effective use of the subject lands, Phase 2 is comprised of a second building on a vacant lot to the east of the existing building. The second building will be developed with 34 residential condominium units for a total of 50 new residential units in the project on the subject lands. The additional 34 condominium units will provide for an alternative housing tenure and style while supporting a diversification in housing in Amherstburg.

Referring to pictures above, the present 3.5 storey height of the Lofts of St. Anthony's will not be modified. There are exterior modifications discussed above including an addition of an elevator to the side of the building but has been designed to have a lower profile than the existing building. There will be some exterior improvements to clean and repair the façade of the existing heritage building and replace any features identified requiring replacement. The new building has been designed to be compatible with the existing heritage building.

The proposed modifications and adaptive re-use of the building from the present vacant institutional building to needed residential condo use will support the rejuvenation of the existing building, will support the preservation of a heritage building, will provide for a compatible development as an adaptive re-use and infilling residential use in an existing residential neighbourhood, will provide an aesthetically pleasing development, will assist with rejuvenating the neighbourhood, and will provide for needed alternative residential housing tenure supporting the diversification of housing accommodation in the Town of Amherstburg.

In my professional opinion, the requested OPA and ZBA makes sound planning and the necessary amendments are supportable.

### 8.3 CONCLUSIONS

Given the foregoing assessment and our evaluation of the proposal in relation to the PPS 2020, the County of Essex Official Plan, The Town of Amherstburg Official Plan and the Comprehensive Zoning By-law, in my professional opinion the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is consistent with polices of the PPS, OP, and regulations found in the Zoning By-law.

In addition, it is our opinion that the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of site while also implementing the proposals included in this Planning Justification Report dated March 7, 2022.

In summation, the proposal conforms with the proposed Official Plan Amendment (OPA) that will see the subject lands re-designated to 'Residential' and the proposal complies with the Zoning Bylaw Amendment (ZBA) that will appropriately establish a site specific regulatory framework under the 'Residential Multiple Second Density (RM2)' zone. The OPA and ZBA provides a good solution for the preservation of the heritage of the designated property while providing for needed residential accommodation and supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested OPA and ZBA:

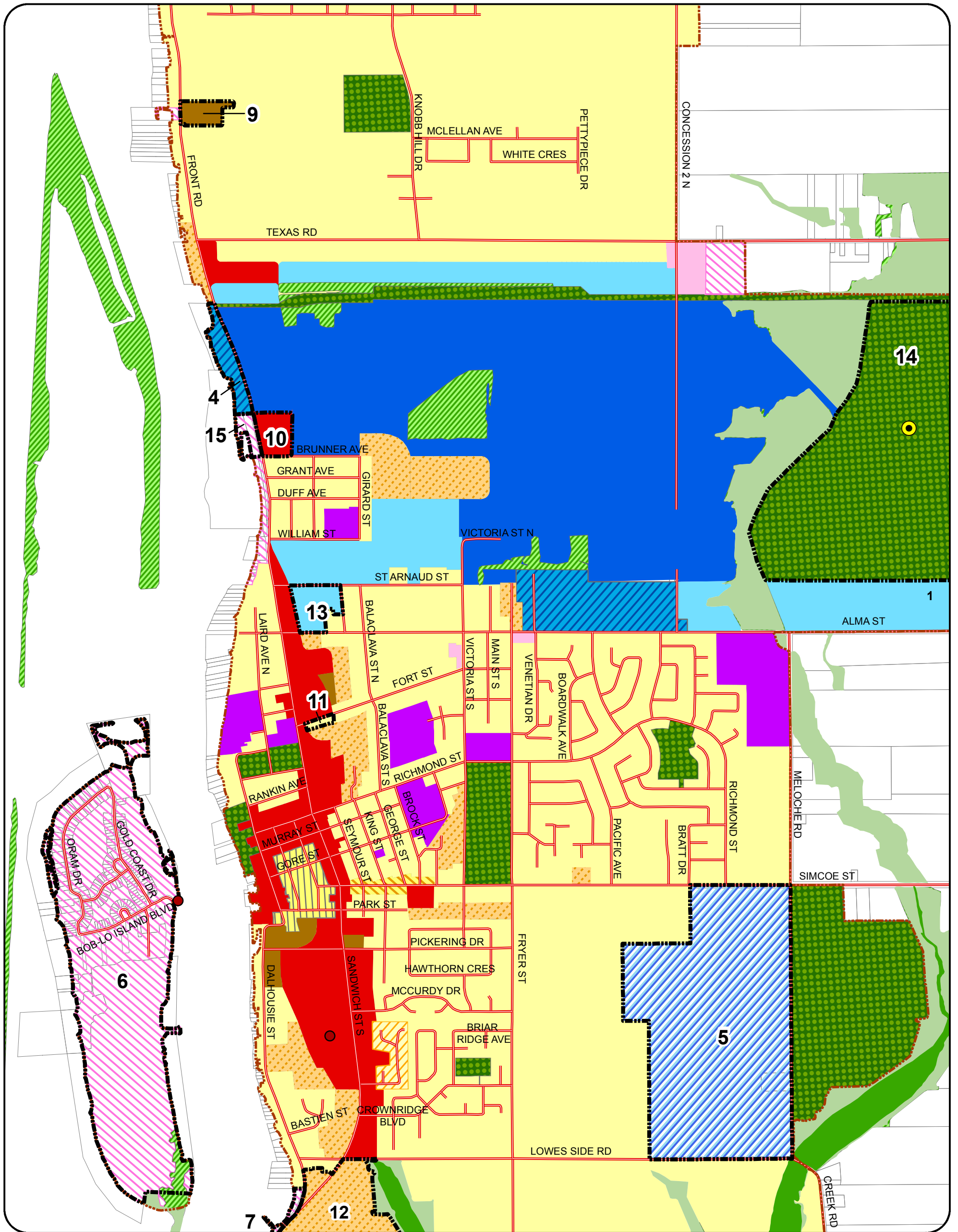
- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) maintains the intent of the relevant policies of the Town of Amherstburg Official Plan and when the OPA is adopted, it will conform with the established policy framework of the OP;
- 3) maintains the intent of Town of Amherstburg CZB and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB;
- 4) makes sound planning.

I hereby certify that this report was prepared by Jackie Lassaline RPP MCIP, a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994.

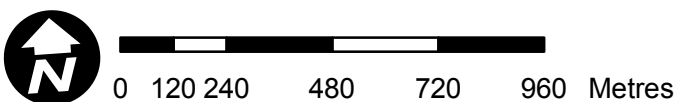
Lassaline Planning Consultants Inc.

Jackie Lassaline BA MCIP RPP  
Principal Planner

# APPENDIX A – OFFICIAL PLAN SCHEDULE A



**TOWN OF AMHERSTBURG  
OFFICIAL PLAN**  
**SCHEDULE "B-2"**  
**LAND USE PLAN**



**Legend**

- |                                   |                          |                           |
|-----------------------------------|--------------------------|---------------------------|
| Agricultural                      | Heritage Residential     | Recreational Development  |
| Settlement Area Boundary          | Modular Home Residential | Open Space                |
| Provincially Significant Wetlands | Neighbourhood Commercial | Special Policy            |
| Natural Environment               | General Commercial       | Closed Landfill Site      |
| Woodlots                          | Special Industrial       | Open Landfill Site        |
| Low Density Residential           | Light Industrial         | Sewage Treatment Facility |
| High Density Residential          | Heavy Industrial         |                           |
| Medium Density Residential        | Extractive Industrial    |                           |
| Office Residential                | Institutional            |                           |

# APPENDIX B – ‘RESIDENTIAL MULTIPLE SECOND DENSITY (RM2)’

## SECTION 11 RESIDENTIAL MULTIPLE SECOND DENSITY (RM2) ZONE

### (1) SCOPE

The provisions of this Section shall apply in all Residential Multiple Second Density (RM2) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

### (2) USES PERMITTED

No person shall within any RM2 Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RM2 uses, namely:

- (i) multiple dwelling;
- (ii) continuum-of-care facility;
- (iii) home occupation;
- (iv) accessory uses;
- (v) public use.

### (3) ZONE REQUIREMENTS

No person shall within any RM2 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

(a)	Lot Area (Minimum)	840 m <sup>2</sup>
(b)	Lot Frontage (Minimum)	30 m
(c)	Front Yard Depth (Minimum)	7.5 m
(d)	Interior Side Yard Width (Minimum) or half the height of the building, whichever is greater.	6 m
(e)	Exterior Side Yard Width (Minimum) or half the height of the building, whichever is greater.	6 m
(f)	Rear Yard Depth (Minimum)	7.5 m
(g)	Lot Coverage (Maximum) including parking structures	40%
(h)	Landscaped Open Space (Minimum)	30%
(i)	Dwelling Unit Area (Minimum)	
	(i) Bachelor dwelling unit	35 m <sup>2</sup>
	(ii) Dwelling unit containing one bedroom	50 m <sup>2</sup>

- |       |   |                   |
|-------|---|-------------------|
| (iii) | Dwelling unit containing two bedrooms   | 65 m <sup>2</sup> |
| (iv)  | Dwelling unit containing three bedrooms   | 80 m <sup>2</sup> |
| (v)   | Dwelling unit containing more than three bedrooms<br>- 80 m <sup>2</sup> plus 10 m <sup>2</sup> for each bedroom in excess of 3 |                   |
| (j)   | Height (Maximum)  | 22 m              |
| (k)   | Privacy Yards (Minimum)   | 7 m               |
|       | A privacy yard shall be provided adjoining each exterior wall of every dwelling unit that contains habitable room window.       |                   |
| (l)   | Building Separation (Minimum)   |                   |
| (i)   | between two primary windows   | 15 m              |
| (ii)  | between a primary window and a secondary window   | 12 m              |
| (iii) | between a primary window and an ancillary window  | 9 m               |
| (iv)  | between a primary window and a blank wall   | 7.5 m             |
| (v)   | between two secondary windows   | 9 m               |
| (vi)  | between a secondary window and an ancillary window  | 6 m               |
| (vii) | between a secondary window and a blank wall   | 4 m               |
| (m)   | Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.                           |                   |

(4) SPECIAL PROVISIONS

(a) RM2-1 (UNION HALL)

Notwithstanding any provisions of this By-law to the contrary, within any area designated RM2-1 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Uses Permitted
1. an assembly hall;
  2. offices accessory to a permitted use;

# APPENDIX C – HERITAGE BYLAW 2021-079



THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NUMBER 2021-079

**A By-law to designate the property known as the “St. Anthony School” as being of cultural heritage value or interest.**

**WHEREAS** the *Ontario Heritage Act* authorizes the Council of a municipality to enact By-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;

**AND WHEREAS** authority was granted by Council to designate the property located municipally at 247 Brock Street and known as the “St. Anthony School”, as being of cultural heritage value or interest;

**AND WHEREAS** the St. Anthony School is legally described as:

LT 1 E/S KEMPT ST, 3 E/S BROCK ST, 18 W/S KEMPT ST, 19 W/S KEMPT ST PL 1  
AMHERSTBURG; PT KEMPT ST PL 1 AMHERSTBURG CLOSED BY R1109842; PT EPT LT 2  
CON 1 MALDEN AS IN R1143624; AMHERSTBURG

**AND WHEREAS** the Council of the Town of Amherstburg has caused to be served upon the owners of the land and premises known as the St. Anthony School and upon the Ontario Heritage Trust, Notice of Intent to designate the property and has caused the Notice of Intent to be published in a newspaper having general circulation in the municipality as required by the Ontario Heritage Act;

**AND WHEREAS** the property's cultural heritage value or interest, its important physical heritage attributes, and therefore its reasons for designation are summarized and set out in Schedule “A” to this bylaw;

**AND WHEREAS** a more fulsome description of the history and cultural heritage value of the St. Anthony School is set out in Schedule “B”;

**AND WHEREAS** the St. Anthony School is visually represented in Schedule “C”;

**AND WHEREAS** any future interventions or changes to the property shall follow commonly used heritage-conservation best practices, as set out in Schedule “D”;

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. The property at 247 Brock Street, known as the St. Anthony School and more particularly described in Schedule “A” is hereby designated as being of cultural heritage value or interest, for the reasons set out in Schedules “A” and “B”.


2. Any future interventions or changes to the property shall follow commonly used heritage-conservation best practices, as set out in Schedule “D”.

3. The Town Solicitor is authorized to cause a copy of this by-law to be registered in the proper Land Registry Office against the property located at 247 Brock Street and legally described as:

LT 1 E/S KEMPT ST, 3 E/S BROCK ST, 18 W/S KEMPT ST, 19 W/S KEMPT ST PL 1  
AMHERSTBURG; PT KEMPT ST PL 1 AMHERSTBURG CLOSED BY R1109842; PT EPT LT 2  
CON 1 MALDEN AS IN R1143624; AMHERSTBURG

4. The Town clerk is authorized to cause a copy of this bylaw to be served upon the owner of the property located at 247 Brock Street, and upon the Ontario Heritage Trust and to cause notice of this bylaw to be published in a newspaper having general circulation in the Town of Amherstburg as required by the *Ontario Heritage Act*.

Read a first, second, and third time and finally passed the 13 day of December, 2021.



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MAYOR – ALDO DICARLO



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CLERK – VALERIE CRITCHLEY

## SCHEDULE "A" - STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND HERITAGE ATTRIBUTES

### Description of Property

247 Brock Street, Amherstburg, Ontario

LT 1 E/S KEMPT ST, 3 E/S BROCK ST, 18 W/S KEMPT ST, 19 W/S KEMPT ST PL 1 AMHERSTBURG; PT KEMPT ST PL 1 AMHERSTBURG CLOSED BY R1109842; PT EPT LT 2 CON 1 MALDEN AS IN R1143624; AMHERSTBURG

known as the "St. Anthony School"

### Statement of Cultural Heritage Value of Interest

Built 1910-11, and expanded in 1929, the building has design value unique as a substantial and important example of Romanesque Revival-style architecture in the Town of Amherstburg; Classical Revival-style elements also distinguish the building.

The building also has physical value being unique for its extensive use of local limestone, which was not a commonly used building material in the Town despite being a local material. It is one of only a small number of limestone buildings in the town, and among the most substantial.

Originally St. Anthony School, the property has historical value in the community as an important and integral educational institution. From 1912 to 1972 the building was a hub of educational activity, serving as a Roman Catholic Separate School, initially to serve lower grades.

The property has contextual value being historically and visually linked to its surroundings adjacent to St. John the Baptist Roman Catholic church. With the church building, the property recalls the significant historical presence of the Roman Catholic church in the town.

With the school building's prominent and distinctive physical presence on a corner lot visually linked to the adjacent church, the building stands out in an otherwise residential neighbourhood.

### Heritage Attributes

The primary exterior heritage attributes (character-defining elements) of the property are its:

#### Exterior:

- Original location and placement on Brock Street, adjacent to St. John the Baptist Roman Catholic church;
- Rectangular, two-storey form on a raised basement;
- Hipped primary roof; gabled (pedimented) frontispiece; metal roofline cornices; secondary metal cornices atop doorways; exterior stone chimney;
- Masonry construction and limestone facades with sandstone detailing; the limestone main exterior stairs;
- Fenestration, symmetrical in arrangement; wooden sash windows; single and double doorways and assemblies with transom lights above.

#### Interior:

- two staircases with wood balustrades;
- interior spatial configuration;
- wood finishes comprising door and window casings, baseboards, and doors throughout.

## SCHEDULE “B” – STATEMENT OF SIGNIFICANCE

### Description

Built 1910-11, with a 1929 extension, St. Anthony School is two-storey, limestone-clad building designed in the Romanesque Revival style, with Classical Revival style influences. The property is in a historic residential area adjacent to St. John the Baptist Roman Catholic Church.

### Heritage Value

St. Anthony School has design value unique as a substantial and important example of Romanesque Revival-style architecture in the Town of Amherstburg; Classical Revival-style elements also distinguish the building. Aligning the building with the Romanesque Revival style are elements such as its rough-faced stone finish and rounded-arch windows, while classical-style cornices, the pedimented frontispiece, and doorway fanlights further contribute to the composition.

The original building is the work of a renowned Detroit architect, Peter Dederichs. Dederichs designed numerous buildings for the Roman Catholic Dioceses of Detroit, including the impressive 1885 St. Mary's Roman Catholic Church. In Canada Dederichs also designed many buildings for the Roman Catholic Church, most notably the 1907-08 Gothic Revival-style chapel at Assumption Roman Catholic College in Windsor. The 1929 addition was designed by the prolific Windsor firm of Pennington & Boyde, who were favoured architects of the Roman Catholic church in the region, and who designed a broad spectrum of residential, institutional, ecclesiastical and commercial buildings in the southwestern Ontario.

The building also has physical value being unique for its extensive use of Amherstburg limestone, which was not a commonly used building material in the Town despite being a local material. Berea sandstone was used for the detailing and smooth finishes. It is one of only a small number of limestone buildings in the town, and among the most substantial.

Originally known as St. Anthony School, the property has historical value in the community as an important and integral educational institution. From 1912 to 1972 the building was a hub of educational activity, serving as a Roman Catholic Separate School, initially to serve lower grades. When the addition was completed in 1929, the school was able to serve children up to Grade Eight. From 1974 – 2020 the building became the House of Shalom, a non-denominational youth centre.

The property has contextual value being historically and visually linked to its surroundings adjacent to St. John the Baptist Roman Catholic church. With the church building, the property recalls the significant historical presence of the Roman Catholic church in the town.

With the school building's prominent and distinctive physical presence on a corner lot visually linked to the adjacent church, the building stands out as a landmark in an otherwise residential neighbourhood.

SCHEDULE "C" – IMAGES OF THE ST. ANTHONY SCHOOL  
247 BROCK STREET PHOTOGRAPHS



Historic view of West (main) and North Facades, no date, Marsh Collection Society PC100.14



West (Main) façade of 247 Brock Street (August 9, 2021)



North façade of 247 Brock Street (August 9, 2021)



South façade of 247 Brock Street (September 2, 2021)



East facades of 247 Brock Street (August 9, 2021)



An example of one of the two staircases of 247 Brock Street (August 9, 2021)

## **SCHEDULE “D” – “THE STANDARDS”**

### **(Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010)**

#### **General Standards for Preservation, Rehabilitation and Restoration**

1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an historic place that requires minimal or no change to its character-defining elements.
6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

#### **Additional Standards Relating to Rehabilitation**

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

#### **Additional Standards Relating to Restoration**

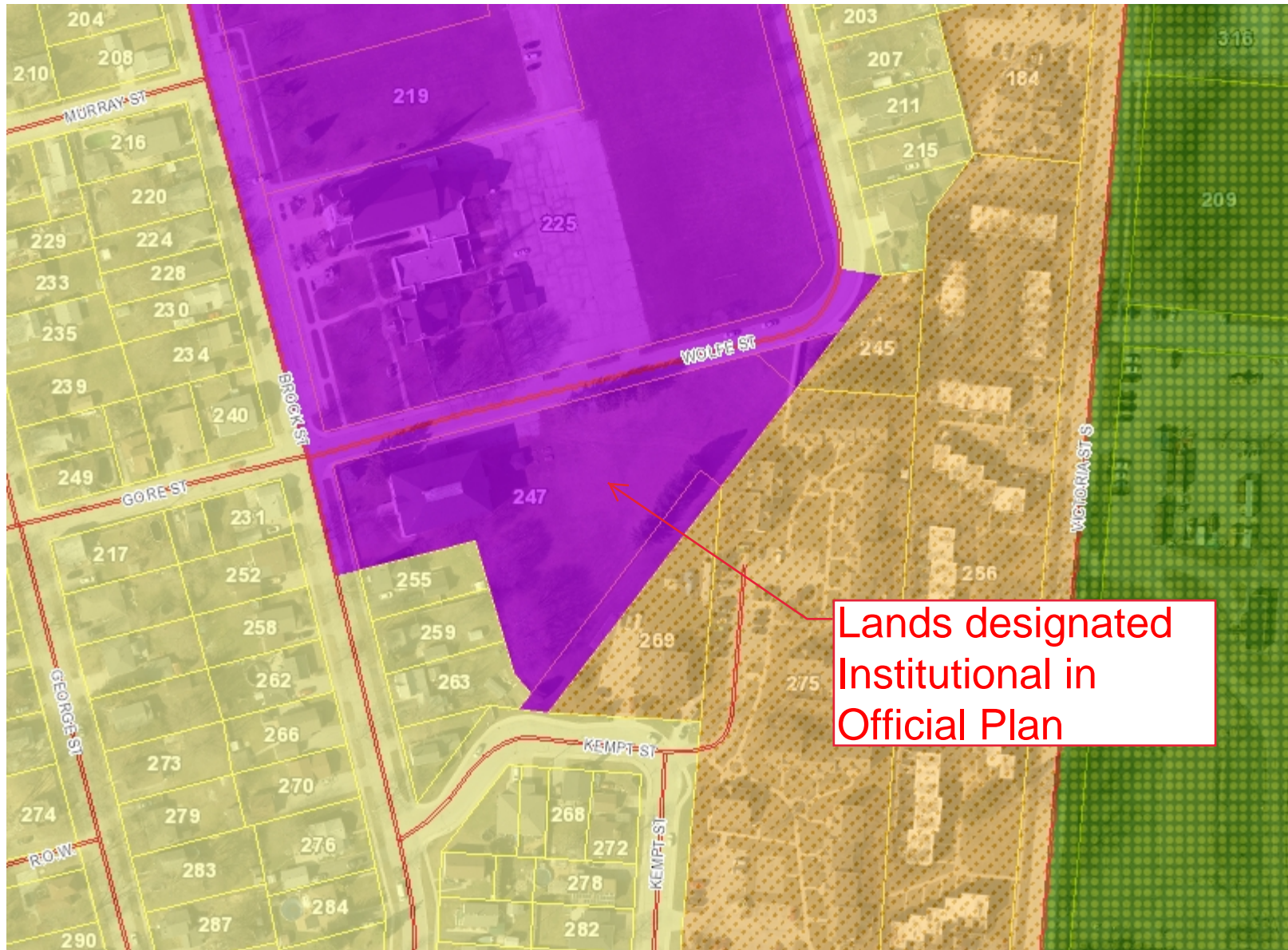
13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.





# Official Plan designation

Figure 2



### Legend

- Roads
- LANDFILL
  - closed
  - open
- STP
- CLS
- Special Policy
- Settlement Area Boundary
- Medium Density Residential
- PSW
- Natural Environment
- Sewage Lagoon
- Woodlots
- Low Density Residential
- High Density Residential
- Residential Office
- Heritage Residential
- Modular Home Residential
- Neighbourhood Commercial
- Special Policy Industrial
- Light Industrial
- Heavy Industrial
- General Commercial
- Extractive Industrial
- Institutional
- Natural Enviro Woodlots P
- Open Space
- Recreational Development

Lands designated Institutional in Official Plan

0.1 0 Distance / 0.1 Kilometers

### Notes

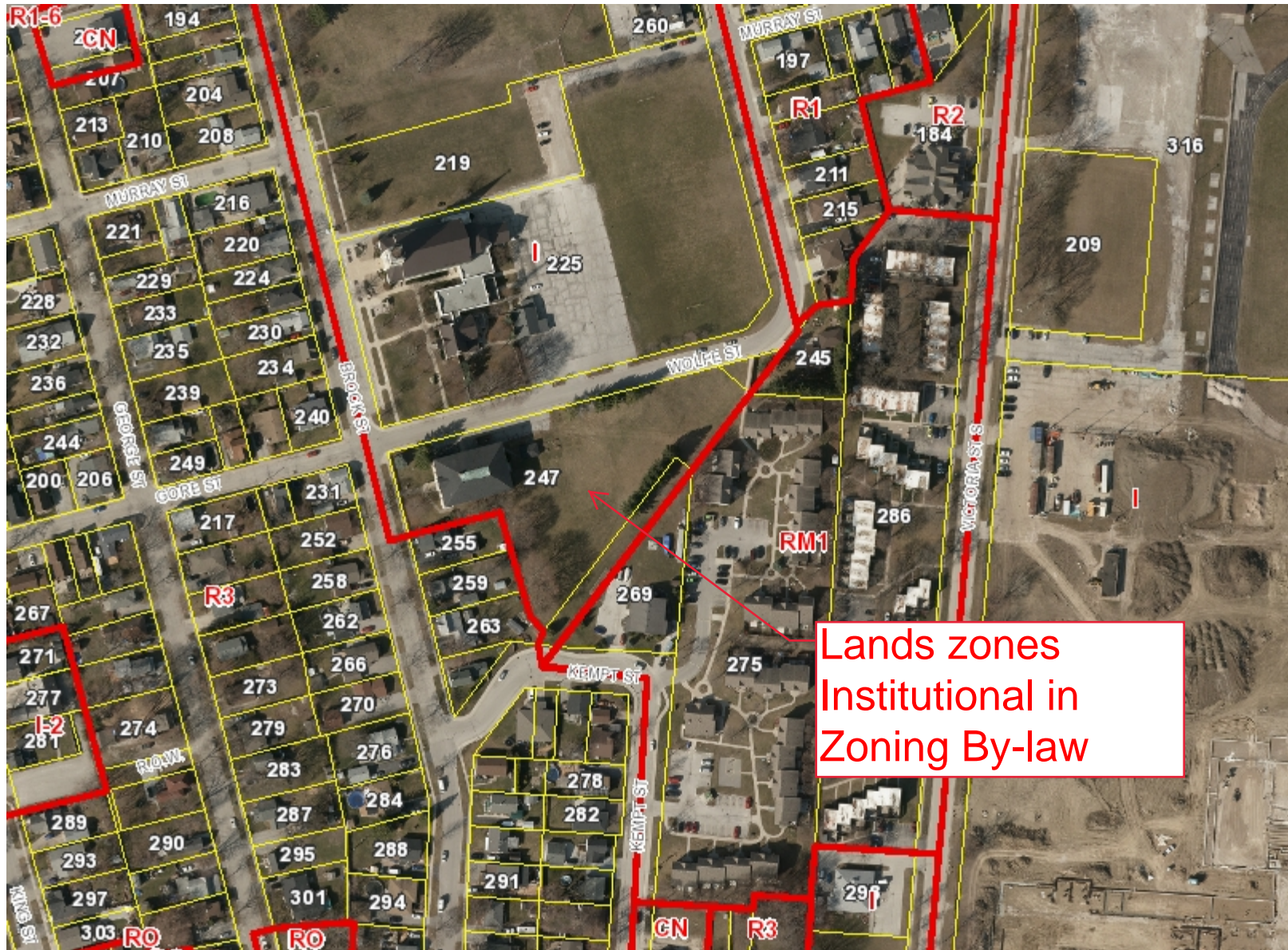
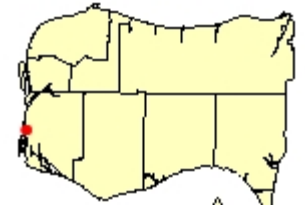
This is where you enter your notes about the map.





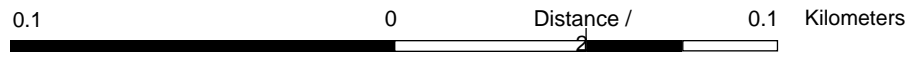
# Zoning

Figure 3



- Legend**
- Roads
  - Zoning
  - Parcels
  - Streams and Creeks
  - Essex

**Lands zones  
Institutional in  
Zoning By-law**



**Notes**  
This is where you enter your notes about the map.

1: 2,595





## Summary of Correspondence Received on OPA and ZBA for 247 Brock Street

Below is a summary of the comments received by the Planning Services Division on OPA No. 14 and ZBA/06/22.

### Infrastructure Services Department:

It is the expectation that the future development of this property will be subject to the Site Plan Control process and it will be at that time that Infrastructure Services will provide comments regarding site servicing, right-of-way issues, drainage, storm water management, etc. It should be noted, however, that IS has been in discussion with the developers with regards to their site servicing and development needs.

### Windsor Police Services:

- The Windsor Police Service has no concerns or objections with this application to allow an existing institutional building to be converted and used for 16 new residential condominium style dwelling units, construction of a new 4 storey 34-unit residential condominium style apartment building. The subject property is within an established residential neighbourhood and police access for responding to calls and providing mobile patrols will not be inhibited by the changes proposed.
- All site-specific features associated with this redevelopment that relate to public safety and security will be addressed, in detail, during the site plan review stage of the application.

### Essex Region Conservation Authority:

The ERCA has reviewed the Notice of Public Meeting (attached) for a proposed OPA and ZBA for the above noted property and the correspondence from the County (attached) regarding the proposed Plan of Condominium(s) for the following development proposal: *Phase 1 is proposed to be the conversion of an existing 3.5 storey vacant building (former House of Shalom) to a 16 unit residential condominium building with 30 parking spaces, comprised of 20 regular parking spaces, 10 garage spaces, and 2 Barrier Free spaces*

*for a total of 32 parking on an individual parcel. Phase 2 is proposed with a new, 4 storey building containing 34 unit residential condominiums with 42 parking spaces and 2 Barrier Free (BF) spaces. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.*

Please be advised, that, the subject property, is not a regulated property, under ERCA's jurisdiction and therefore will not require a permit from the Authority.

We therefore recommend, that Stormwater Management, be completed to the satisfaction of the Municipality. The ERCA does recommend, 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"*.

No Natural Heritage or Source Water Protection concerns or issues, have been identified at this location.

It is recommended, that, the Municipality, should consult with the Province, to see if a *Record of Site Condition (RSC)* is required, if a more sensitive land use, is being proposed at this location (*i.e. residential from institutional*), subject to the applicable legislation. (*This Official Plan and Rezoning, if approved, will amend the existing official plan designation on this property from an "Institutional" to a "Medium Density Residential" designation, and will change the zoning from an "Institutional" zone to a new site-specific Residential Multiple Second Density (RM2) zone.*)

## Canada Post:

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

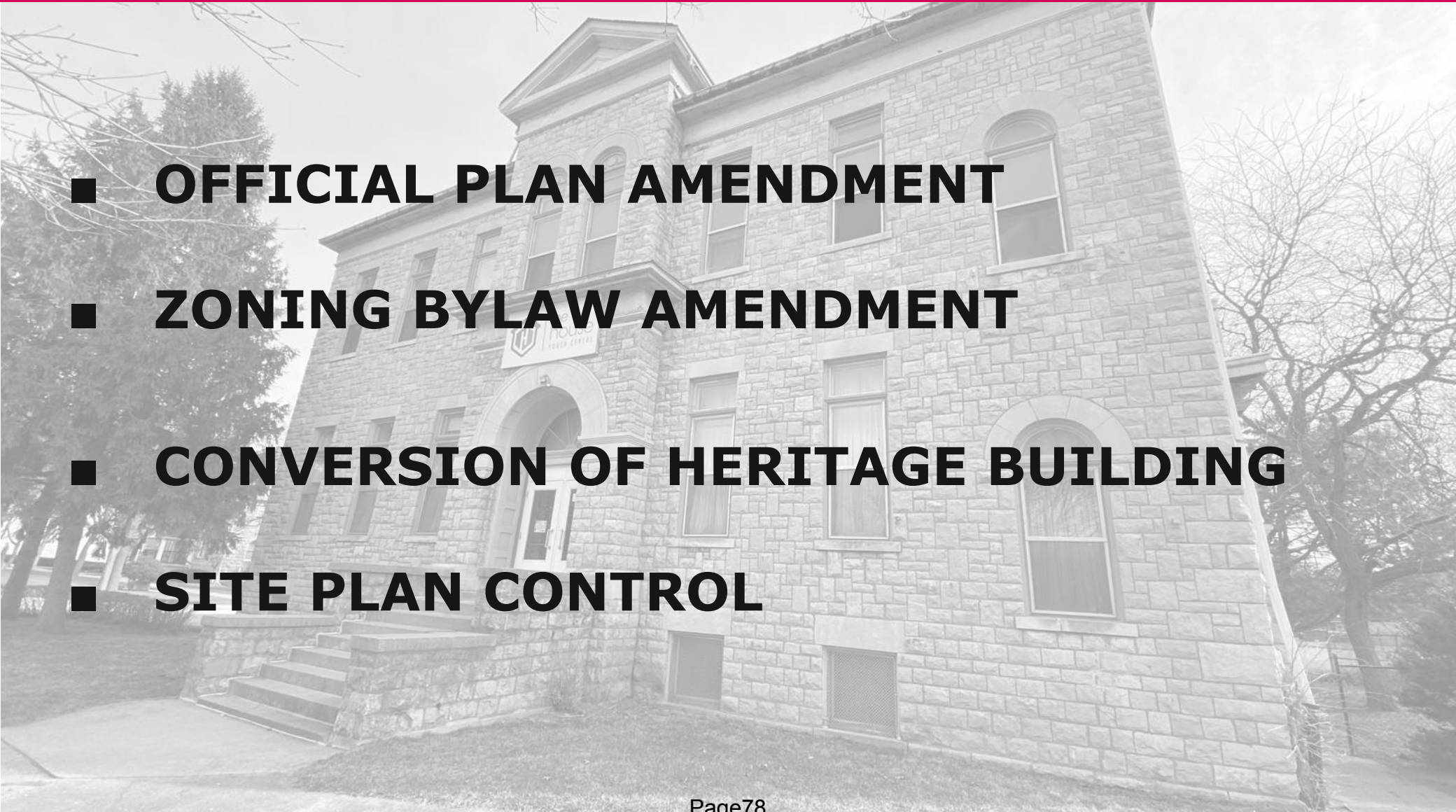
**247 BROCK STREET, AMHERSTBURG  
OPA / ZBA COUNCIL MEETING – April 25, 2022**



# THE LOFTS

AT ST. ANTHONY • CIRCA 1911

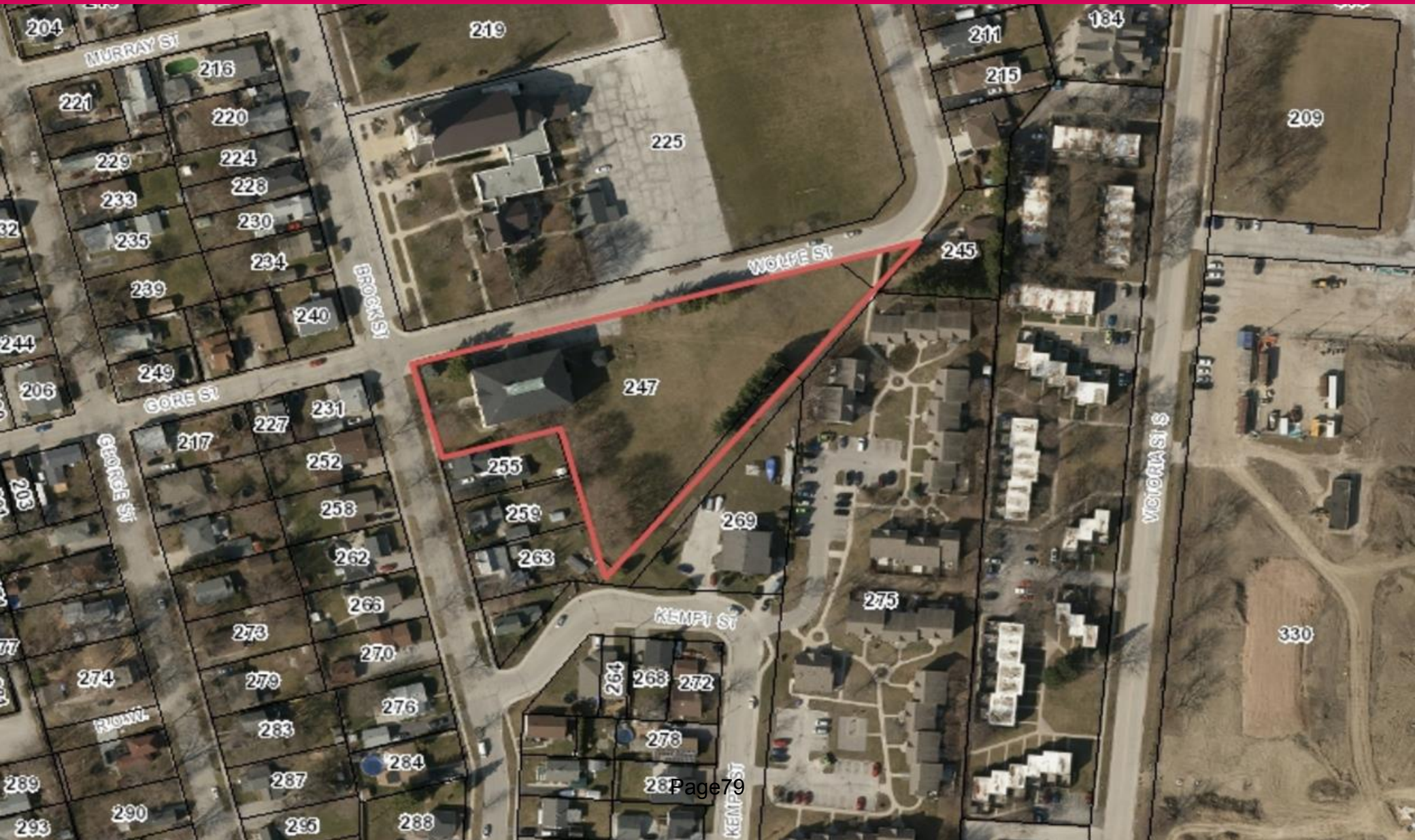


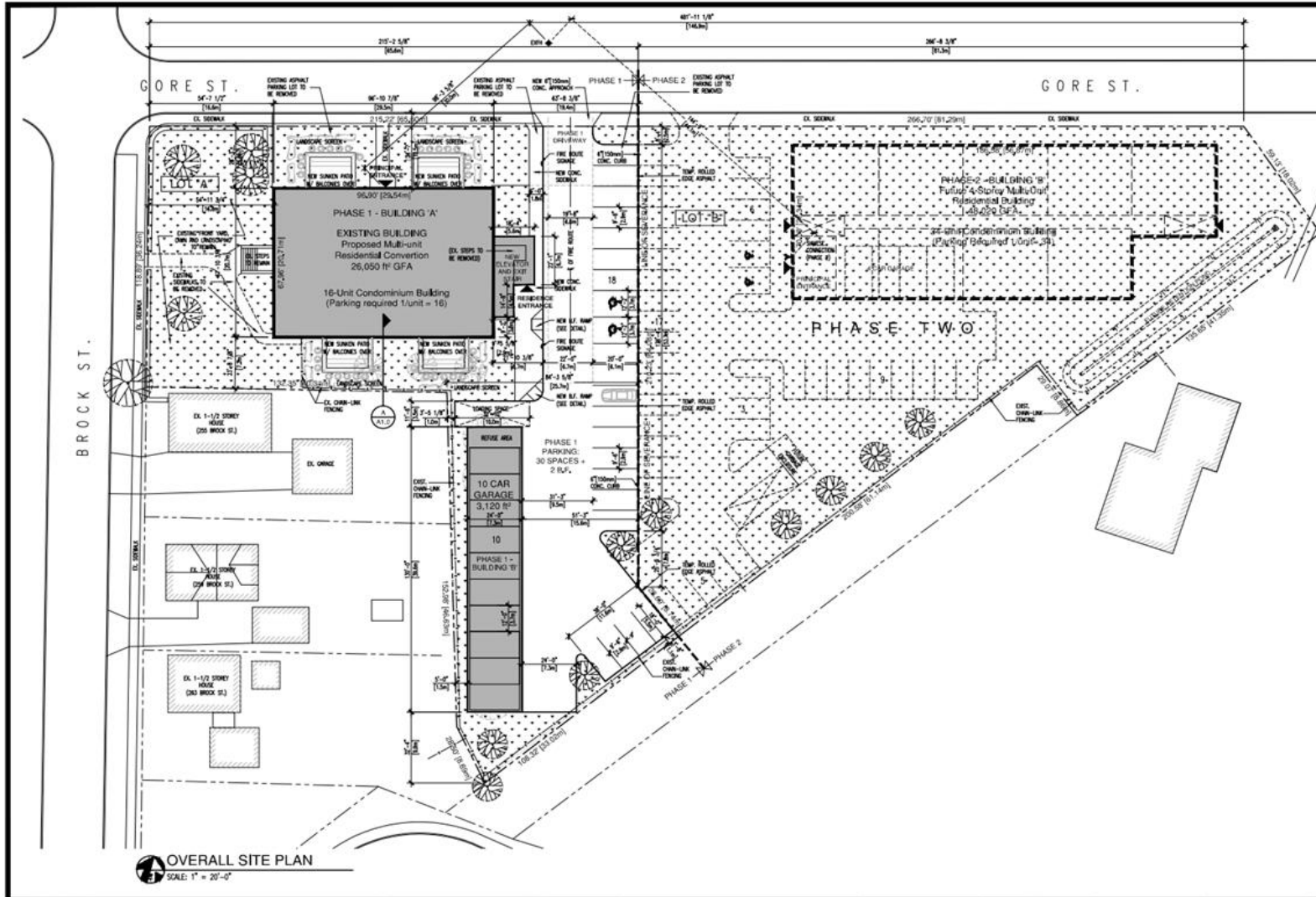
- 
- **OFFICIAL PLAN AMENDMENT**
  - **ZONING BYLAW AMENDMENT**
  - **CONVERSION OF HERITAGE BUILDING**
  - **SITE PLAN CONTROL**

# THE LOFTS

## 247 BROCK STREET

AT ST. ANTHONY · CIRCA 1911





**PROPOSED BLDG. CONVERSION**

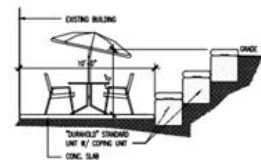
CURRENT LOT ZONING =	I - INSTITUTIONAL
** LOT REQUIRED TO BE RE-ZONED =	RESIDENTIAL **
TOTAL EX. LOT AREA =	80,910 SQ.FT. (1.87 ACRES)

**PHASE ONE - BUILDING 'A'**  
BUILDING CLASSIFICATION: EX. 3.3.2.1.1. GROUP C Up to 3 STORES

LOT AREA "A" =	39,040 SQ.FT. (0.90 ACRES)
GROSS FLOOR AREA:	
BASEMENT	6,727 sq'f
FIRST FLOOR	7,166 sq'f
SECOND FLOOR	4,940 sq'f
THIRD FLOOR	5,197 sq'f (DISABLED)
TOTAL GFA	24,030 sq'f
10 CAR GARAGE =	3,120 SQ.FT.
LOT COVERAGE =	10,254 SQ.FT. (26.27%)
PARKING REQUIRED BLDG. "X" (1 SPACE/UNIT) =	16 + 2 Barrier Free
EXISTING PARKING (TO BE REMOVED) =	15 SPACES
NEW PARKING PROVIDED =	30 SPACES + 2 B.F.
LANDSCAPE AREA PROVIDED =	12,578 sq.ft. (33.68%)



ALL "NO PARKING - FIRE ROUTE" SIGNS SHOULD BE DESIGNED IN ACCORDANCE TO THE TOWN OF AMHERSTBURG





# THE LOFTS

AT ST. ANTHONY • CIRCA 1911

# NORTH-WEST VIEW

**ROSATI**  
DEVELOP • DESIGN • CONSTRUCT

**LASSALINE**  
PLANNING CONSULTANTS INC.



# THE LOFTS

AT ST. ANTHONY • CIRCA 1911

# SOUTH-WEST VIEW

**ROSATI**  
DEVELOP • DESIGN • CONSTRUCT

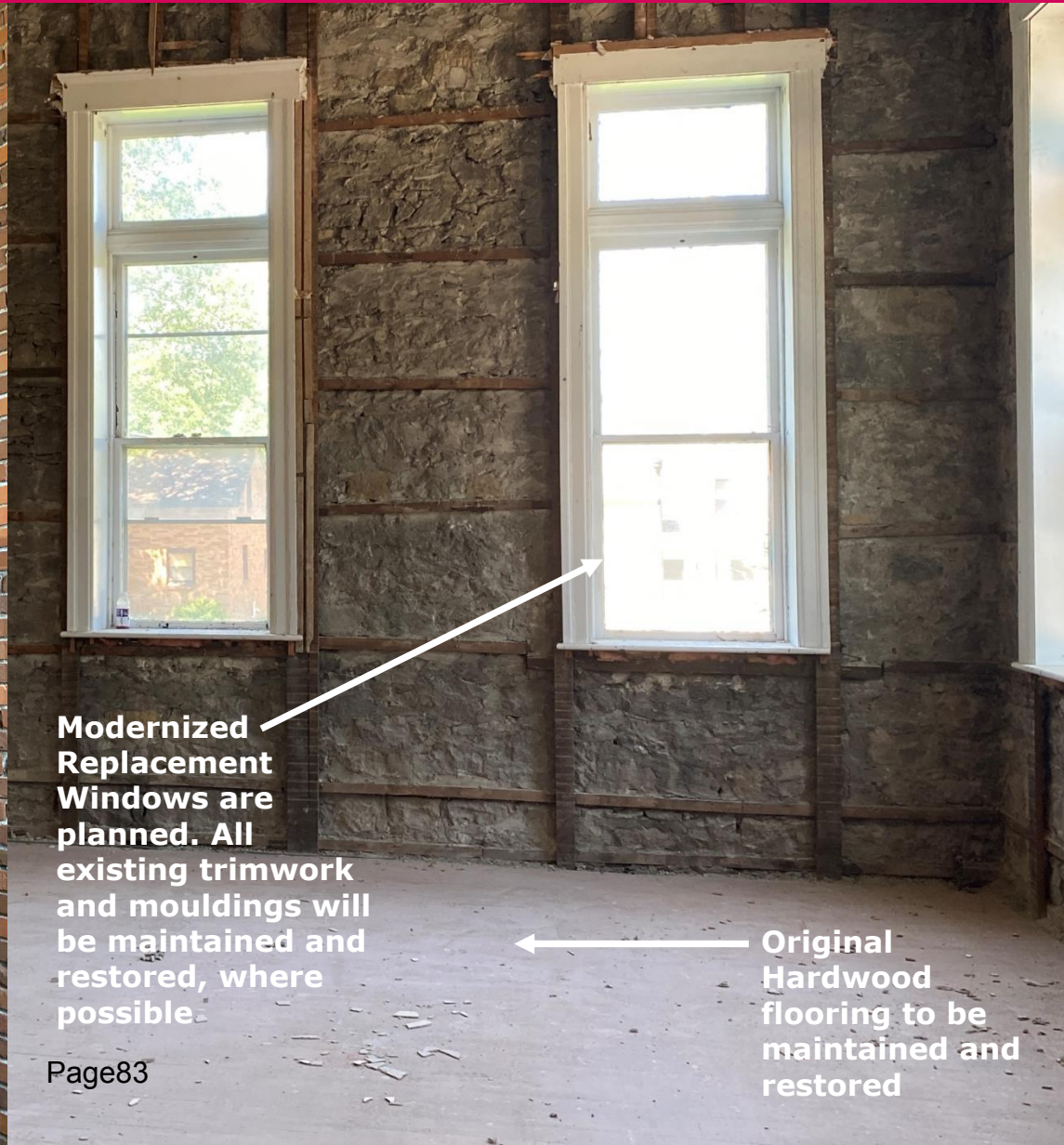
**LASSALINE**  
PLANNING CONSULTANTS INC.





Original stone walls to be re-exposed and restored

Original Main Entrance Stairwell to be maintained, including decorative railings and balustrades



Modernized Replacement Windows are planned. All existing trimwork and mouldings will be maintained and restored, where possible.

Original Hardwood flooring to be maintained and restored



**Original masonry walls are re-exposed and restored.**

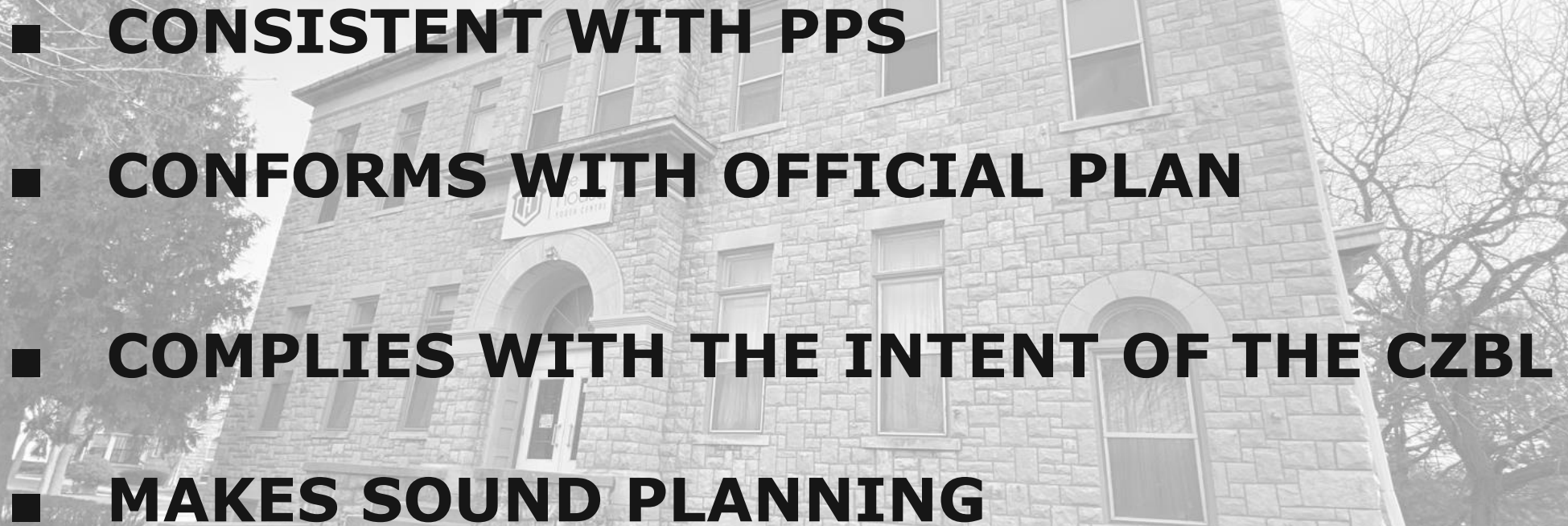
**Original masonry arches and doorway mouldings are being maintained and/or restored**



**Original stone walls and masonry arches are being uncovered and restored**

**Original masonry walls are re-exposed and restored.**

- 
- **PROVINCIAL POLICY STATEMENTS**
  - **OFFICIAL PLAN POLICIES**
  - **ZONING BY-LAW**

- 
- **CONSISTENT WITH PPS**
  - **CONFORMS WITH OFFICIAL PLAN**
  - **COMPLIES WITH THE INTENT OF THE CZBL**
  - **MAKES SOUND PLANNING**

**THE  
LOFTS**

**247 Brock Street**

AT ST. ANTHONY · CIRCA 1911

**Thank you.**

**JACKIE LASSALINE** BA MCIP RPP  
**PRINCIPAL PLANNER**





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

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

Table with 2 columns: Author's Name, Report Date, Author's Phone, Date to Council, Author's E-mail, Resolution #.

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider Draft Plan of Subdivision for Riverview Subdivision

1. RECOMMENDATION:

It is recommended that:

- 1. Council recommend to the County of Essex's Manager of Planning Services, that they grant draft approval to a Draft plan of Subdivision... (i) That the required storm water management plan be prepared by the Applicant... (ii) that all identified road allowances be conveyed to the Town; (iii) that a subdivision agreement be entered into with the Town... (iv) that Block 38 be dedicated to the Town for storm water management purposes; (v) that Blocks 39, 40 and 41 be conveyed to the Town for drainage purposes; (vi) that Blocks 42 and 43 be conveyed to the County of Essex for road widening purposes; (vii) that Block 44 and 45 be conveyed to the County of Essex as one-foot reserves; (viii) that the 5 metre wide buffer strip along the easterly boundary of the Plan be subject to an easement to the satisfaction of the Town. 2. Once the County of Essex has granted draft approval to the Applicant's Draft Plan of Subdivision:



- (i) that the required subdivision agreement be prepared and executed to Council's satisfaction;
  - (ii) that the required zoning by-law amendment, removing the holding zone from the subject lands in accordance with the corresponding land uses recommended in this Staff Report, be prepared by Town Staff and brought to Council for adoption purposes.
3. That all comments from the public, and Council with respect to the application for a proposed plan of subdivision (File 37-T-22003) **BE RECEIVED**; and
  4. That all comments and the above conditions **BE FORWARDED** to the County of Essex (the Approval Authority).

### **EXECUTIVE SUMMARY:**

N/A

### **2. BACKGROUND:**

The County of Essex (the Approval Authority) has received Application No. 37-T-22003 for approval of a Plan of Subdivision on Part of Lot 24, Concession 1 (Anderdon), generally located on the east side of Front Rd N (County Rd 20) and to the north of Thrasher Drive (refer to Figure 1). The property has a width of 201.09 m and a varied depth with a total area of 4.46 hectares.

The applicant is proposing the creation of 37 single detached residential lots at this location. The Draft Plan has been revised from 38 lots to 37 lots (refer to Figure 2). The lands are designated Low Density Residential which allows for residential development in the Town's Official Plan.

The County of Essex on March 11, 2022, requested as per Section 51(20) of the Planning Act, that the Town of Amherstburg give notice and hold a public meeting to advise the public that the application for draft Plan of Subdivision has been received and is being processed.

### **3. DISCUSSION:**

The Official Plan currently designates the subject lands Low Density Residential. Section 4.3.1 of the Plan set out the following applicable policies:

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

Notwithstanding the above policy, vacant tracts of land greater than 5 hectares in size and designated Low Density Residential may be developed for Medium or High Density Residential uses if they can meet the criteria outlined in Subsection 4.3.1(3).

(1) Maximum Density

Although the existing densities within areas designated Low Density Residential are in the order of 6 to 12 units per hectare, smart growth encourages a more cost effective development pattern to better utilize services and the land base. In a desire to promote more efficient use of the land, the maximum density for single detached developments shall be 15 units per hectare and the maximum density for semidetached development and conversions shall be 22 units per hectare. The overall maximum density shall not exceed 19 units per gross hectare.<sup>1</sup> In keeping with the Provincial Policy Statement regarding intensification, in the older established portions of Amherstburg, a reduced lot frontage may be considered in the Zoning By-law where sufficient lot depth is available to accommodate new low density residential units/lots.

In areas where the criteria of Subsection 4.3.1(3) have been achieved, the density policies for the Medium Density Residential designation or the High Density Residential designation shall apply.

Low Density Residential may be placed in separate zoning categories in the implementing Zoning By-Law.”

This lot creation application conforms the policies contained within the Town’s Official Plan. These lands are zoned in site-specific holding Residential Type 1B (h-R1B-2) and holding Environmental Protection (h-EP) zones.

These site-specific zoning categories were put in place by the Council (ZBA #2020-019) on September 14, 2020 in support of the proposed residential development. The zoning for these land were changed from the “Agricultural (A) Zone” to “holding Special Provision Residential Type 1B (h-R1B-2) Zone”, “Residential Type 1A (R1A) Zone” to “ holding Special Provision Residential Type 1B (h-R1B-2) Zone” and “Agricultural (A) Zone” to “holding Environmental Protection (h-EP) Zone” located on Map 10, Schedule ‘A’ of the Town Zoning By-law 1999-52. Once the holding zone is removed, these site-specific zone categories will permit 37 new single unit dwellings to be built at this location, with a maximum lot coverage of 35% and the preservation of the 5.0 m berm.

Attached to this report is a copy of the Planning Justification Report and the Planning Justification report Addendum prepared by Pillon Abbs Inc. which outlines details with respect to the proposed plan of subdivision.

Also attached is a copy of the comments received to date by the Town from agencies and comments from internal municipal departments.

**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:**

Based on the above and subject to any further comments and/or direction from Council, it is recommended that Council support the County of Essex granting draft plan approval to the subject lot creation application, and that the comments received together with the recommended conditions as noted in Section 1 of this Staff Report be forwarded to the County of Essex (Approval Authority).



Melissa Osborne  
Director, Development 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: Windsor Police**

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

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

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

**Name: County of Essex**  
**Phone #: 519 776-6441**

**Name: Essex Power**  
**Phone #: 519 737-9811**

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

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

## Report Approval Details

Document Title:	Statutory Public Meeting to Consider Draft Plan of Subdivision for Riverview Subdivision.docx
Attachments:	- 2022 04 25- Statutory Public Meeting to Consider a DPS for Riverview- ATTACHMENTS.pdf
Final Approval Date:	Apr 20, 2022

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



Melissa Osborne



Tracy Prince

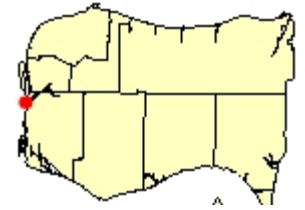


Valerie Critchley – Acting CAO



# Subject Lands

Figure 1



- Legend
- Roads
  - Parcels
  - Streams and Creeks
  - Essex

0.2 0 Distance / 0.2 Kilometers

### Notes

This is where you enter your notes about the map.



FIGURE 2

ELEVATIONS

ELEVATIONS SHOWN ON THIS PLAN ARE IN FEET TO CANADIAN GEODETIC DATUM

BENCH MARK

BOUNDARY MARK 3030 ELEVATION 179.548  
TABLET SET IN SOUTH FOUNDATION WALL ON TWO STOREY FRAME RESIDENCE  
ALONG COUNTY ROAD 20, 35.0M NORTH OF BRIDGE OVER FOWLER NEW YORK  
CENTRAL CANAL

SITE BENCH MARK

TOP OF FIRST RESTAURANT IN FRONT OF MEAL No. 1244 ELEVATION 179.614

CURVE	STATION	ARC	CHORD	CHORD BEARING
C1	17.50	79.24	20.62	N82°53'51"W
C2	18.00	18.40	16.19	N82°53'51"W
C3	18.00	18.40	16.19	N17°47'40"W
C4	17.50	9.20	9.18	N82°53'51"W
C5	17.50	12.32	11.67	N89°36'28"W
C6	17.50	14.32	14.15	N80°31'08"W
C7	17.50	12.81	12.52	N74°43'30"W
C8	17.50	13.95	13.12	N37°49'10"E
C9	17.50	6.28	6.17	N27°23'30"W
C10	17.50	4.88	4.57	N22°31'30"W
C11	20.00	37.42	28.58	N46°53'05"E
C12	20.00	12.11	12.88	N24°28'30"E
C13	20.00	4.00	4.00	N44°56'30"E
C14	20.00	13.73	13.48	N74°27'10"E
C15	17.50	3.59	3.58	N37°47'59"W

ADDITIONAL INFORMATION

REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, R.S.O. 1990

- (A) AS SHOWN ON PLAN
- (B) AS SHOWN ON PLAN
- (C) AS SHOWN ON PLAN
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- (V) AS SHOWN ON PLAN
- (W) AS SHOWN ON PLAN
- (X) AS SHOWN ON PLAN
- (Y) AS SHOWN ON PLAN
- (Z) AS SHOWN ON PLAN

SUMMARY

TOTAL NUMBER OF LOTS 37  
TOTAL NUMBER OF BLOCKS 6  
TOTAL AREA OF SITE 4.404 Hectares  
DENSITY 8.31 Lots per Hectares

POINT ID	HORTHING	EASTING
OP-A	N46°29'26"W	133580.24
OP-B	N46°29'26"W	133580.24
OP-C	N46°29'26"W	133580.24

P.L.N. 01546 - 0277

Zoning 'A'

Part 1, Plan 12R-25131  
P.L.N. 01546 - 1128

P.L.N. 01546 - 1129

P.L.N. 01546 - 1129

P.L.N. 01546 - 0910

Locally Known As  
THRASHER DRIVE  
(STREET 'X' PER PLAN 12M-670)

Part 1, Plan 12R-5740  
Part 1, Plan 12R-1518

Part 1, Plan 12R-16372  
P.L.N. 01546 - 0259

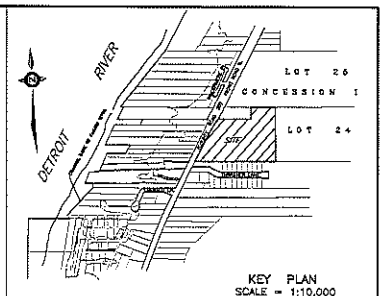
Part 1, Plan 12R-25248

Part 1, Plan 12R-25248

Part 1, Plan 12R-25248

Part 1, Plan 12R-25248

Part 1, Plan 12R-25248



DRAFT PLAN OF SUBDIVISION OF PART OF LOT 24, CONCESSION 1 GEOGRAPHIC TOWNSHIP OF ANDERSON NOW IN THE TOWN OF AMHERSTBURG COUNTY OF ESSEX, ONTARIO

VERHAEGEN LAND SURVEYORS SCALE = 1:750

- LEGEND AND NOTES
- (1) BENCH MARK
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OWNER'S CERTIFICATE  
I HEREBY AUTHORIZE THE PLACING OF THIS DRAFT PLAN FOR APPROVAL  
DATE Nov 22/2021  
2865523 ONTARIO LIMITED

SURVEYOR'S CERTIFICATE  
I CERTIFY THAT:  
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN.  
DATE NOVEMBER 23, 2021  
ANDREW MAHNA  
ONARIO LAND SURVEYOR

VERHAEGEN LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.  
444 OTTAWA STREET, WINDSOR, ON N9K 2E1  
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# PLANNING JUSTIFICATION REPORT

## ZONING BY-LAW AMENDMENT and PLAN OF SUBDIVISION for RESIDENTIAL DEVELOPMENT

1267 Front Road North  
Amherstburg, Ontario

January 11, 2021  
(as Revised)

Prepared by:



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# 1.0 INTRODUCTION

I have been retained by the applicant to provide a land use Planning Justification Report (PJR) in support of a proposed residential development located at 1267 Front Road North (herein the "Site") in the Town of Amherstburg, Ontario.

The purpose of this report is to review the relevant land use documents including Provincial Policy Statement (PPS) 2020, the County of Essex Official Plan (COP), Amherstburg Official Plan (OP) and the Amherstburg Zoning By-law (ZBL).

The subject property is presently designated 'Low Density Residential' and identified in the 'Settlement Area' in the Official Plan. The subject lands are dual zoned 'Residential Type 1A (R1A)' zone and 'Agricultural (A)' zone in the Comprehensive Zoning By-law for the Town of Amherstburg.

It is proposed to rezone the Site to a site specific 'holding Special Provision Residential Type 1B (h-R1B-2) Zone' with a 5m buffer strip rezoned to 'holding Environmental Protection (h-EP) Zone'. An increase in lot coverage from 30% to 35% is also proposed.

The site specific Zoning By-law Amendment (ZBA), to be approved by the Town of Amherstburg and Plan of Subdivision to be adopted by the Town of Amherstburg and approved by the County of Essex, is required in order to create 38 lots for the purpose of single unit detached dwellings.

Pre-submission meetings were completed by the applicant. Comments have been incorporated into the proposed application.

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Legal Description

The Site is made up of one (1) parcel located on the east side of Front Road North (Essex County Road 20). The Site is locally known as 1267 Front Road North, Town of Amherstburg.

The Site currently is vacant (see Figure 1 – Air Photo).



Figure 1 – Air Photo

## **2.2 Physical Features of the Site**

### **2.3.1 Size and Site Dimension**

The Site consists of a total area of 4.545 ha. It has irregular depth and frontage.

### **2.3.2 Structures**

There are no structures located on the Site.

### **2.3.3 Vegetation**

There are existing trees on the Site, including hedge rows along the east side and south side of the Site.

### **2.3.4 Topography**

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

### **2.3.5 Other Physical Features**

The soil is primary Perth soil classified as Class C soil.

### **2.3.6 Municipal Services**

The property has access to municipal water, storm and sanitary services.

### **2.3.7 Nearby Amenities**

There is nearby shopping in the form of plazas and malls as well as employment, churches, recreation opportunities and local/regional amenities within the existing Settlement Area.

There are several schools within a 10 km radius, where students are bused, including Anderdon Public School, St. Joseph Catholic Elementary School, Western Secondary School and Stella Maris Catholic Elementary School.

The Site will be pedestrian friendly and will connect to future county active transportation network via County Road 20.

## 2.3 Surrounding Land Uses

Overall, the Site is located within an existing residential area. Surrounding Land Uses include the following:

- a) **North** – Residential and Agricultural uses
- b) **East** – Agricultural uses
- c) **South** – Residential (Thrasher Drive)
- d) **West** – Residential and Agricultural uses

# 3.0 DEVELOPMENT PROPOSAL

## 3.1 Proposal

The applicant proposes to develop the Site for residential purposes.

A total of 38 lots are proposed to be used for single detached dwellings (see Figure 2 – Draft Plan).

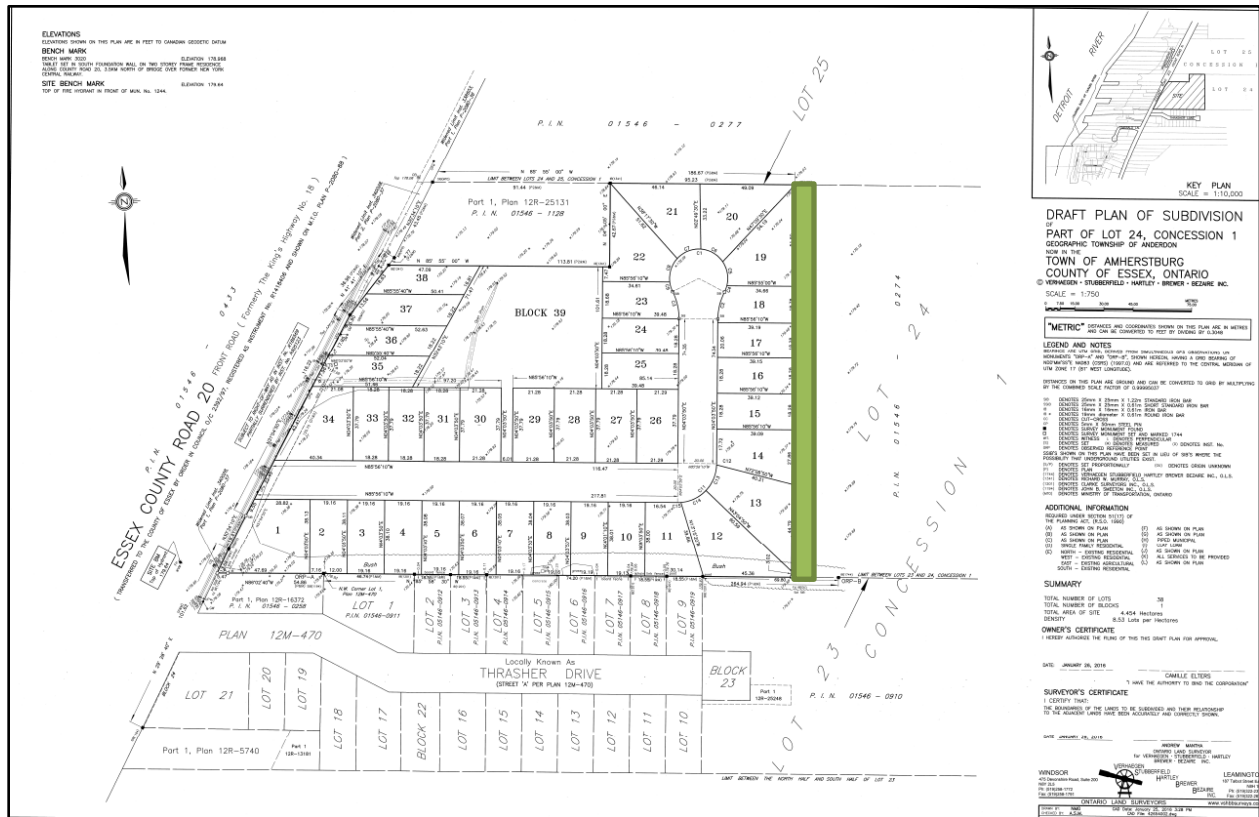


Figure 2 – Draft Plan

The total density of this development will be 8.53 lots per ha. The proposed lots will all face a proposed interior street which will end in a cul-de-sac.

Block 39 will be used from storm water management.

The developer will be providing parkland in accordance with the Planning Act.

A north-south 5m buffer strip will be provided on the east side of the Site (shown in green on Figure 2 – Draft Plan).

## **3.2 Public Consultation Strategy**

The Planning Act requires that the applicant submit a proposed strategy for public consultation with respect to an application, as part of the complete application requirements.

As part of a public consultation strategy, the applicant proposes that an open house be conducted in addition to the required public meeting.



## **4.0 PROPOSED APPLICATION & AMENDMENT**

The proposed development requires an application for a site specific Zoning By-law Amendment (ZBA) and Plan of Subdivision. The following explains the applications.

### **4.1 Zoning By-Law Amendment (ZBA)**

A site specific ZBA is required in support of the proposed residential development.

The zoning for the Site is proposed to be changed from the “Agricultural (A) Zone” to “holding Special Provision Residential Type 1B (h-R1B-2) Zone, “Residential Type 1A (R1A) Zone” to “holding Special Provision Residential Type 1B (h-R1B-2) Zone” and “Agricultural (A) Zone” to “holding Environmental Protection (h-EP) Zone” to permit the development of a plan of subdivision with 38 single detached dwellings with a maximum lot coverage of 35%.

Permitted uses would be subject to Section 7(2) of the ZBL, which would include single unit residential uses, home occupations, accessory uses and public use.

The ZBA is detailed and the justification set out in Section 5.1.3 of this PJR.

### **4.2 Plan of Subdivision**

Once the ZBA has been approved, the applicant will proceed by way of Plan of Subdivision to create the residential lots.

The proposed development will be subject to any development agreements, which will include any required fees or securities.

### **4.3 Supporting Studies**

At the time of writing this report, the following documents have been completed in support of the applications.

#### **4.5.1 Stormwater Management**

A Storm Water Management (SWM) Report, dated December 19, 2019 was prepared by BairdAE.

This report addresses the appropriate stormwater management quantity and quality control requirement and outlines the sediment and erosion control measures based on the Essex Region Conservation Authority (ERCA) and municipal guidelines.

No issues were found in regard to the overall servicing of the Site. An erosion and sediment control strategy will be prepared.

Maintenance and ownership of the SWM will be addressed as part of the Plan of Subdivision.

#### **4.5.2 Natural Heritage**

A Species at Risk (SARS) Screening, dated February 26, 2016 and Scoped Environmental Impact Assessment (EIA), Secondary Addendum, dated November 23, 2018 was prepared by BioLogic Incorporated.

The report provided a natural heritage assessment of the Site.

The following is recommended:

- the south hedgerow provided limited to no beneficial habitat for target species and sufficient habitat and linkage was being created along the east and north boundary (including park block area north of the SWM), and
- efforts to maintain a 5m north-south hedgerow along the east boundary of the Site.

All information has been sent to the Ministry of Natural Resources and Forestry (MNR) who has provided clearance on the natural heritage assessment.

Ownership of the hedgerow will be addressed as part of the Plan of Subdivision.

#### **4.5.3 Archeological**

A Stage 1-2 Archeological Assessment was conducted on November 24, 2015 and December 15, 2015 by Earthworks Archeological Services.

The entirety of the Site was subject to property inspection.

The Stage 2 archaeological survey recovered 4 isolated pieces of lithic debitage. Due to their isolated nature and non-exotic or period specific chert type, none of the archaeological locations meet the requirements for additional archaeological assessment as determined by Section 2.2 of the Standards and Guidelines for Consultant Archaeologists. As a result, no additional archaeological assessments are required.

All information has been sent to the Ministry of Tourism, Culture and Sport (MTCS) and clearance on the archeological assessment has been received.

#### **4.5.4 Traffic**

A Traffic Impact Study (TIS), dated January 24, 2019 was prepared by BairdAE.

The purpose of this assessment was to quantify the traffic operations implications of the proposed residential subdivision development on peripheral roadways and intersections, particularly the impact on County Road 20.

It was concluded that the proposed development will not have a measurable effect on traffic operations. Accordingly, it is the engineers' opinion that the proposed development will not adversely affect capacity or safety on the adjacent traffic network.

## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	.....Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	The Town has directed growth where the Site is located which will contribute positively to promoting efficient land use and development patterns.
1.1.1	Healthy, liveable and safe communities are sustained by:  a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older	The proposed development is consistent with the policy to build strong healthy and livable communities as it provides for new residential uses in the form of low density development.  There are no environmental or public health and safety concerns as the area is well established, adjacent to the existing Thrasher Subdivision.

PPS Policy #	Policy	Response
	<p>persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity;</p>	<p>The development pattern does not require expansion of the settlement area.</p> <p>The Site has access to full municipal services.</p> <p>Accessibility of units will be addressed at the time of building permit.</p> <p>Public service facilities are available nearby, such as local schools, churches and recreation.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>

PPS Policy #	Policy	Response
	and i) preparing for the regional and local impacts of a changing climate.	
1.1.2	<p>Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.</p>	<p>The proposed development will help the Town meet the full range of current and future residential needs.</p> <p>The Site will provide for residential within an existing settlement area.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal enhances the vitality of the municipality (live, work and play), as the proposal is within the existing settlement area.
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) are appropriate for, and efficiently use, the infrastructure and public service</p>	<p>The total density of the proposed development is considered appropriate as most of the existing neighbourhood is low density residential in the form of single unit dwellings.</p> <p>The lot sizes are consistent with neighbouring lots and will be in compliance with the</p>

PPS Policy #	Policy	Response
	<p>facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</p> <p>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</p> <p>d) prepare for the impacts of a changing climate;</p> <p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed;</p> <p>and</p> <p>g) are freight-supportive</p>	<p>proposed (R1B) zone applied to the adjacent subdivision.</p> <p>The design and style of building will be similar to the adjacent subdivision, which will blend well with the scale and massing of the surrounding area.</p> <p>Residents will have immediate access to shopping, employment, trails, future active transportation, recreational areas and institutional uses within the existing Settlement Area.</p>
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The Site can be accommodated for the proposed residential development as it is an appropriate use of a vacant parcel.</p>
1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The development is consistent with the surrounding neighbourhood.</p> <p>There will be no risks to the public.</p>

PPS Policy #	Policy	Response
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	<p>The proposed development is within a designated growth area of the Town.</p> <p>The density will allow for the efficient use of land, infrastructure and public services.</p>
1.4.1	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.</p>	<p>The proposed development will provide for a housing type and density that will blend with the existing neighbourhood.</p> <p>Municipal services are available.</p>
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing	The proposed density of 8.53 lots per ha is compatible with the surrounding neighbourhood and will

PPS Policy #	Policy	Response
	<p>options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <p>a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> <li>1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and</li> <li>2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;</li> </ol>	<p>provide the efficient use of land that has been deemed to be underutilized.</p> <p>The proposed building height is appropriate.</p> <p>The proposed density will have a positive impact on the area as it will blend well with the existing built form and will be designed at an appropriate scale and mass.</p> <p>The Site is close to amenities with the existing settlement area.</p> <p>There is suitable access to infrastructure.</p>



PPS Policy #	Policy	Response
	<p>c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;</p> <p>d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;</p> <p>e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and</p> <p>f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.</p>	
1.5.1	<p>Healthy, active communities should be promoted by:</p> <p>a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;</p> <p>b) planning and providing for a full range and equitable</p>	<p>The development will have pedestrian connections with proposed sidewalks and public streets.</p> <p>The Site is located close to amenities within the existing settlement area.</p>

PPS Policy #	Policy	Response
	<p>distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;</p> <p>c) providing opportunities for public access to shorelines; and</p> <p>d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.</p>	
1.6.1	<p>Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p> <p>Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:</p> <p>a) financially viable over their life cycle, which may be demonstrated through asset management planning; and</p> <p>b) available to meet current and projected needs.</p>	<p>The development can proceed on full municipal services.</p> <p>Stormwater management is accommodated on site.</p> <p>Electrical distribution will be determined through detailed design.</p>
1.6.6.2	<p>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and</p>	<p>The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.</p>

PPS Policy #	Policy	Response
	<p>minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.</p>	
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</li> <li>d) mitigate risks to human health, safety, property and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces; and</li> <li>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</li> </ul>	<p>SWM calculations and report have been provided. A storm retention pond has been designed for the subdivision to accommodate the proposed development.</p> <p>The SWM pond will be designed as a landscape feature and will provide for a gathering place for the residents of the subdivision, promoting the healthy community while reducing the impact of the development on the area.</p> <p>Landscaping features such as benches and extensive trees will be provided to create the destination aspect of the feature.</p> <p>There will be no risk to health and safety.</p>
1.6.7.1	<p>Transportation systems should be provided which are safe, energy efficient,</p>	<p>The subject property is in close proximity to major roadways, including Front</p>

PPS Policy #	Policy	Response
	facilitate the movement of people and goods, and are appropriate to address projected needs.	Road North (County Road 20).
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible	The proposed development contributes to the Town's requirements for development within a built-up area.  The area is not serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development contributes to the Town's requirement for development within a built-up area.  The proposed density, scale and building height will blend with the adjacent land use pattern.
2.1.1	Natural features and areas shall be protected for the long term.	There is no negative impact on the existing natural features.  Recommendations in the EIS will be implemented, including fencing along the hedge row.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	Heritage resources has been assessed for this Site.  The Stage 1-2 Archaeological Assessment provided no additional recommendations.
3.0	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS and the Province’s vision for long-term prosperity and social well-being.

### 5.1.2 County of Essex Official Plan (COP)

The County of Essex is the upper tier municipality to the Town of Amherstburg. The County’s Official Plan (COP) is dated February 19, 2014 as modified by the Ministry of Municipal Affairs and Housing (MMAH) April 28, 2014.

The purpose of the COP is to implement the PPS. The COP provides a cross-boundary policy framework from which more detailed land use planning can be continued by the local municipalities. Local OPs will implement and be in conformity with the COP by providing more detailed strategies, policies, and land use designations for planning and development at the local level.

The subject lands are within the “Primary Settlement Areas” designation as shown on Schedule “A2” Settlement Structure Plan attached to the COP.

The following provides a summary of the relevant COP policy considerations as it relates to the proposed application.

COP Policy #	Policy	Response
1.5	<p>The long-term prosperity and social well-being of the County depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy....</p> <p>c) To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas.</p> <p>e) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.</p>	<p>The proposed development will support the County’s goal for a “healthy county” by supporting an opportunity for people to live work and play.</p> <p>Residents will have a choice to enjoy nearby amenities, within the existing settlement area.</p> <p>The proposed development is within the existing settlement area located in the Town of Amherstburg.</p>

COP Policy #	Policy	Response
	<p>f) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.</p> <p>h) To create and maintain an improved balance between residential and employment growth in each of the Primary Settlement Areas, as detailed in Section 3.2 of this Plan, by increasing employment opportunities closer to where people live.</p>	
2.5.1	Within Essex County two Source Protection Plans have been prepared in compliance with the Clean Water Act, 2006.	The Site is subject to Source Water Protection and the required ERCA compliance will be addressed, as part of the required development agreement.
2.5.3	Stormwater management reports/plans, acceptable to the County, local municipalities, local Conservation Authorities, and the Ministry of the Environment will generally be required in advance of draft approval of applications .....	SWM area will be provided on Site.
2.7	It is the policy of this Plan that the County will identify, recognize, and conserve archaeological and built heritage resources, and cultural heritage landscapes.	An archeological assessment has been completed which concluded no concerns.
2.8	<p>Development proposals will be considered in the context of all forms of transportation subject to the following objectives and policies:</p> <p>a) To facilitate the safe, energy efficient and economical movement of</p>	<p>The Site will have access to a major transportation corridor.</p> <p>A TIS has been prepared which concluded no impact.</p>

COP Policy #	Policy	Response
	<p>people and goods throughout the County.</p> <p>f) To plan for and protect corridors for transportation, transit and infrastructure.</p>	
2.8.1 - Roads	<p>When considering matters of land use planning, the County shall:</p> <p>a) Take into consideration the need to improve regional traffic flow in the vicinity of the City of Windsor.</p>	A TIS has been prepared which concluded no impact.
2.10	The County encourages new development to proceed on the basis of full municipal sewage services and municipal water services and local municipalities are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.	The development has access to full municipal services.
2.13	....support energy efficiency, improved air quality, and the use of green infrastructure by considering the following during planning and development review functions....	The proposed development will be designed to incorporate compact form, efficient use of land.
3.2.2 – Settlement Areas	b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.	<p>The proposed development is within an existing settlement area of the Town of Amherstburg.</p> <p>The land area is sufficient to accommodate the proposed development.</p> <p>The Site is generally level which is conducive to easier vehicular movements.</p>

COP Policy #	Policy	Response
	<p>c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.</p> <p>e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.</p> <p>f) To increase the opportunity for job creation within each local municipality by attracting and maintaining industries and businesses closer to where County residents live.</p>	<p>The Site will be pedestrian friendly and will connect to future county active transportation network via County Road 20.</p> <p>Full municipal services are available.</p>
3.2.4.1 – Primary Settlement Areas	<p>a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.</p> <p>b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types and alternative housing forms for special needs groups, and be designed to be walkable communities with public</p>	<p>The proposed development is within the primary settlement area.</p> <p>The Site has access to full municipal services.</p> <p>Local amenities are in close proximity of the proposed development, including schools, parks and shopping which are located within the existing settlement area.</p>



COP Policy #	Policy	Response
	<p>transit options (or long-term plans for same).</p> <p>d) All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.</p> <p>i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.</p>	
3.2.7	The County encourages well-planned intensification development projects in the "Settlement Areas" to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community.	The proposed residential and commercial development will create an opportunity to use an under-utilized property.
3.2.8	The County supports the provision of affordable housing for low and moderate income households....	The proposed residential use will offer residents a housing choice, which will help the County achieve housing targets on new development.
3.4.2	The County encourages and supports the enhancement of the natural heritage system. The natural heritage system contains potential linkages and corridors as well as	SARS and EIS has been completed and clearance received from the Ministry of Natural Resources and Forestry (MNRF).

<b>COP Policy #</b>	<b>Policy</b>	<b>Response</b>
	expansions to the core existing natural heritage features.	Recommendations will be implemented, including fencing along the south hedgerow.

Therefore, the proposed development conforms to the COP and an amendment is not required.

### 5.1.3 Amherstburg Official Plan (OP)

The Town of Amherstburg Official Plan (OP) was adopted by Council on April 14, 2009 (By-law No. 2009-30) and approved by the County of Essex on July 15, 2009. Office consolidation version is dated February 3, 2014.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the Town.

The following provides a summary of the relevant Town of Amherstburg OP policy considerations as related to the proposed development.

The lands are designated “Low Density Residential” according to Schedule “A” – Land Use Plans.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

<b>OP Policy #</b>	<b>Policy</b>	<b>Response</b>
2.1	<p>In order to effectively accommodate the current and future inhabitants of the Town of Amherstburg in an orderly and logical manner the following general development policies and principles shall be applied to all land use designations and development within the Town.</p> <p>The Town of Amherstburg will endeavour to ensure that:            (1) the various School Boards are satisfied that adequate provision to accommodate any additional school children be made;</p>	<p>The local public and separate school boards will be notified. The number of lots will not create significant increase in the school boards population to warrant a concern.</p> <p>The developer will be providing parkland in accordance with the Planning Act.</p> <p>The TIS indicates minimum traffic generated by the proposed development.</p> <p>Adequate water services, sewer services, hydro services, road network are</p>

OP Policy #	Policy	Response
	<p>(2) sufficient community facilities such as parks or recreational facilities can be provided;</p> <p>(3) any increases in traffic can be accommodated by the road network without causing unacceptable congestion, accident hazard, or nuisance to adjacent residential areas;</p> <p>(4) residential amenities are maintained;</p> <p>(5) development has regard for the natural environment and ensures that it is demonstrated there are no negative impacts on the features or their functions; (Modification #2) and</p> <p>(6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available without undue additional cost.</p>	<p>available to service the subdivision.</p>
2.3	<p>Prior to the approval of any development or amendment to this Plan or the Zoning By-Law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:</p> <p>(1) soil and drainage conditions are suitable to permit the proper siting of buildings;</p> <p>(2) the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development;</p>	<p>Characteristics of the site consist of flat, level ground.</p> <p>The subject lands have access to County Road 20.</p> <p>All municipal services are available to the plan with sufficient capacity to accommodate the proposed residential development.</p>

OP Policy #	Policy	Response
	<p>(3) the road system is adequate to accommodate projected increases in traffic;</p> <p>(4) the land fronts on a public road (unless specifically noted as an approved private road) which is of a reasonable standard of construction;</p> <p>(5) lot frontage and area is suitable for the proposed use and conforms to the standard required by the implementing By-Law; and,</p> <p>(6) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing adjacent use or on the natural environmental features and functions.</p>	
4.2.2	<p>The following goals that apply to this Site are established for the various Residential areas:</p> <p>(1) To ensure that new development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;</p> <p>(2) To encourage the development of a greater variety of housing types;</p> <p>(4) To encourage the provision of an adequate supply of draft approved and/or registered lots and blocks on new plans of subdivision and/or registered lots which have been created in accordance with the policies of this Plan;</p> <p>(5) To provide the opportunity to increase the housing</p>	<p>The proposed development will be created by Plan of Subdivision.</p> <p>The residential use proposed with assist in meeting housing supply for the Town.</p>

OP Policy #	Policy	Response
	<p>supply through residential intensification in appropriate and selected Residential designations. Residential intensification may include infilling, accessory apartments, conversions and redevelopment;</p> <p>(6) To encourage an adequate supply of new building lots to meet the anticipated demand for additional housing units over the next 20 year planning period as the capacity of the Town's services permit.</p>	
4.2.3	<p>Applicable to All Residential Designations</p> <p>(1) Residential Lot Creation The creation of new lots for residential purposes will primarily occur by plan of subdivision.</p> <p>(2) Supply It shall be a policy of this Plan that residential proposals be evaluated with the intent being to achieve a housing mix. The provision of a ten (10) year supply or at least 1700 residential dwelling units or individual lots through a combination of draft approved and/or registered lots and blocks on plans of subdivision and/or registered lots which have been created in accordance with Section 5.1 of this Plan shall be maintained and developed as permitted by the capacity of the Town's services.</p> <p>(3) Established Low Density Residential Areas In established low density residential areas, the</p>	The development is within a Low Density Residential Area.

OP Policy #	Policy	Response
	<p>indiscriminate mixing of different housing types shall not be permitted, in the interest of protecting the stability of existing neighbourhoods.</p> <p>Redevelopment proposals will, to the satisfaction of Council, ensure that the residential character of the area will be maintained or enhanced and not present a burden to existing facilities and services.</p> <p>(4) Vacant Residentially Designated Areas In vacant areas proposed for residential development, a suitable mix of housing types should be provided while ensuring that the overall density restrictions are not exceeded and that conflicts do not occur between housing types.</p> <p>Internal road networks should be designed to ensure good access to the major road network while discouraging through traffic. Section 4.3.1, Low Density Residential outlines the criteria that must be met to allow lands designated Low Density Residential to be developed as Medium or High Density Residential without an amendment to this Plan.</p> <p>The Town shall ensure that an adequate supply of land designated for residential development to meet the demand for housing for a twenty-year period is maintained.</p>	

OP Policy #	Policy	Response
	<p>The Town shall review annually the supply of vacant land designated for residential development in draft approved and/or registered lots and blocks on plans of subdivision against the objective to maintain a minimum continuous ten-year supply.</p>	
4.3.1	<p>Low Density Residential Areas - Areas designated as Low Density Residential shall be limited to single detached, semi-detached, duplex, or converted dwelling units, home occupation uses and public uses. Notwithstanding the above policy, vacant tracts of land greater than 5 hectares in size and designated Low Density Residential may be developed for Medium or High Density Residential uses if they can meet the criteria outlined in Subsection 4.3.1(3).  (1) Maximum Density - Although the existing densities within areas designated Low Density Residential are in the order of 6 to 12 units per hectare, smart growth encourages a more cost effective development pattern to better utilize services and the land base. In a desire to promote more efficient use of the land, the maximum density for single detached developments shall be 15 units per hectare and the maximum density for semi-</p>	<p>The proposed plan has been designed with 38 lots with a density of 8.53 units per hectare.</p> <p>This development proposal fits within the mid-range of the low density residential development and conforms with the policies of the OP policies.</p>

OP Policy #	Policy	Response
	detached development and conversions shall be 22 units per hectare. The overall maximum density shall not exceed 19 units per gross hectare.	
6.7	It is a policy of this Plan that a Planning Impact Analysis will be used to evaluate applications for an Official Plan Amendment and, depending on the magnitude of the development, a Zoning By-law Amendment, to determine the appropriateness of the proposed change and to identify what measures are needed to reduce any adverse impacts on surrounding land uses. The Planning Impact Analysis will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. Proposals for changes in the use of land which require the application of a Planning Impact Analysis will be evaluated on the basis of: (1) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area on the character and stability of the surrounding neighbourhood; (2) The height, location and spacing of any buildings in the proposed development,	This PJR provides for a detailed assessment.



OP Policy #	Policy	Response
	<p>and any potential impacts on surrounding land uses;</p> <p>(3) The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contributes to the visual character of the surrounding area;</p> <p>(4) The proximity of any proposal for medium density residential development to public open space and recreational facilities, community facilities, municipal services, transit services, and the adequacy of these facilities and services to accommodate the development proposed;</p> <p>(5) The size and shape of the parcel of land on which a proposed development is to be located, and the ability of the site to accommodate the intensity of the proposed use;</p> <p>(6) The location of vehicular access points and the likely impact of traffic generated by the proposal on streets, on pedestrian and vehicular safety, including impact on the primary to secondary evacuation routes identified in the Amherstburg Emergency Plan, and on surrounding properties;</p> <p>(7) The exterior design and layout of buildings and the integration of these uses with present and future land uses in the area;</p>	

OP Policy #	Policy	Response
	<p>(8) The location of lighting and screening, and the adequacy of parking areas;</p> <p>(9) The provisions for landscaping and fencing;</p> <p>(10) The location of outside storage, garbage and loading facilities;</p> <p>(11) Conformity with the provisions of the Site Plan Control By-Law;</p> <p>(12) The design and location of signs, and the compliance of signs with the Sign Control By-Law;</p> <p>(13) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.</p>	
7.12	<p>It shall be the policy of the Council to recommend to the County of Essex for approval, only those plans of subdivision which comply with the proposals of this Plan and which, to the satisfaction of Council, can be supplied with adequate public utilities and services such as schools, fire protection, water supply, sanitary sewers, (including treatment facilities), and storm drainage facilities as required by this Plan, and which by reason of such approval, would not adversely affect the economy of the Town.</p>	<p>The proposed development can be provided with all necessary utilities, municipal services, fire services and police services.</p>

Therefore, the proposed development conforms to the OP. An amendment to the OP is not required to facilitate the proposed development.

### 5.1.3 Amherstburg Zoning By-law (ZBL)

The Town of Amherstburg Zoning By-Law (ZBL) #1999-52 was approved by Council on December 13, 1999. Office consolidated version dated April, 2013.

A ZBL implements the PPS, the County OP and the Town OP by regulating the specific use of property and provide for its day-to-day administration.

According to the ZBL for the Town of Amherstburg, the Site is currently zoned 'Residential Type 1A (R1A)' zone and 'Agricultural (A)' zone.

It is proposed to rezone the Site to a site specific 'holding Special Provision Residential Type 1B (h-R1B-2) Zone' with a 5m buffer strip rezoned to 'holding Environmental Protection (h-EP) Zone'. An increase in lot coverage from 30% to 35% is also proposed.

A review of the R1B zone provisions, as set out in Section 7 (3) of the ZBL is as follows:

	<b>Lot frontage</b>	<b>Lot Area</b>	<b>Building Coverage</b>	
<b>(R1B) zone</b>	18 m	690 m <sup>2</sup>	30% (current)	35% (proposed)
<b>LOT 1</b>	28.82 m	1,436 m <sup>2</sup>	431 m <sup>2</sup>	574 m <sup>2</sup>
<b>LOT 2</b>	19.16 m	730.36 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 3</b>	19.16 m	730.06 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 4</b>	19.16 m	729.78 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 5</b>	19.16 m	729.50 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 6</b>	19.16 m	729.26 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 7</b>	19.16 m	728.92 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 8</b>	19.16 m	728.67 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 9</b>	19.1 m	728.94 m <sup>2</sup>	219 m <sup>2</sup>	292 m <sup>2</sup>
<b>LOT 10</b>	19.16 m	727.58 m <sup>2</sup>	218 m <sup>2</sup>	291 m <sup>2</sup>

<b>LOT 11</b>	19.16 m	920.13 m <sup>2</sup>	276 m <sup>2</sup>	368 m <sup>2</sup>
<b>LOT 12</b>	19.16 m	1338.89 m <sup>2</sup>	401 m <sup>2</sup>	535 m <sup>2</sup>
<b>LOT 13</b>	19.16 m	1266.69 m <sup>2</sup>	379 m <sup>2</sup>	506 m <sup>2</sup>
<b>LOT 14</b>	19.16 m	901.28 m <sup>2</sup>	270 m <sup>2</sup>	360 m <sup>2</sup>
<b>LOT 15</b>	18.28 m	714.86 m <sup>2</sup>	214 m <sup>2</sup>	286 m <sup>2</sup>
<b>LOT 16</b>	18.28 m	715.43 m <sup>2</sup>	214 m <sup>2</sup>	286 m <sup>2</sup>
<b>LOT 17</b>	20.06 m	716 m <sup>2</sup>	214 m <sup>2</sup>	286 m <sup>2</sup>
<b>LOT 18</b>	18.78 m	707.58 m <sup>2</sup>	212 m <sup>2</sup>	283 m <sup>2</sup>
<b>LOT 19</b>	18.6 m	1154.69 m <sup>2</sup>	346 m <sup>2</sup>	462 m <sup>2</sup>
<b>LOT 20</b>	18.7 m	1141.03 m <sup>2</sup>	342 m <sup>2</sup>	456 m <sup>2</sup>
<b>LOT 21</b>	18.34 m	1060.74 m <sup>2</sup>	318 m <sup>2</sup>	424 m <sup>2</sup>
<b>LOT 22</b>	18.74 m	1078.75 m <sup>2</sup>	323 m <sup>2</sup>	431 m <sup>2</sup>
<b>LOT 23</b>	18.68 m	701.59 m <sup>2</sup>	210 m <sup>2</sup>	281 m <sup>2</sup>
<b>LOT 24-25</b>	18.28 m	721.69 m <sup>2</sup>	216 m <sup>2</sup>	288 m <sup>2</sup>
<b>Lot 26</b>	21.29 m	804.54 m <sup>2</sup>	241 m <sup>2</sup>	322 m <sup>2</sup>
<b>Lot 27-30</b>	21.28 m	804.03 m <sup>2</sup>	241 m <sup>2</sup>	322 m <sup>2</sup>
<b>Lot 31-33</b>	18.28 m	690.68 m <sup>2</sup>	207 m <sup>2</sup>	276 m <sup>2</sup>
<b>Lot 34</b>	40.15 m	1160.29 m <sup>2</sup>	348 m <sup>2</sup>	464 m <sup>2</sup>
<b>Lot 35</b>	18.22 m	827.64 m <sup>2</sup>	248 m <sup>2</sup>	331 m <sup>2</sup>
<b>Lot 36</b>	18.22 m	836.79 m <sup>2</sup>	250 m <sup>2</sup>	334 m <sup>2</sup>
<b>Lot 37</b>	18.22 m	831.09 m <sup>2</sup>	249 m <sup>2</sup>	332 m <sup>2</sup>
<b>Lot 38</b>	18.63 m	719.13 m <sup>2</sup>	215 m <sup>2</sup>	287 m <sup>2</sup>

The lots are designed at a minimum to meet the standards of the regulatory frame work established by the (R1B).

Lot coverage at 30% will allow for small building footprint. The applicant is requesting the increase of the maximum allowable lot coverage from the presently allowable 30% to an appropriate use of the lots at 35% coverage.

The proposed development will comply with all other zone provisions set out in the R1B Zone.

## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate buffering from abutting land uses,
- The Site is generally level which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- The Site provides for drainage,
- There are no anticipated traffic concerns,
- There are no environmental concerns,
- There are no archaeological concerns,
- There are no hazards, and
- The location of the proposed development is appropriate in that it will blend well with the residential uses in the surrounding area.

#### **6.1.2 Compatibility of Design**

The proposed development will be strategically located to provide efficient ease of access.

The proposed development will be limited to low density development, which is a compatible density with the surrounding area.

The Site is compatible with the surrounding area in terms of scale, massing, height and siting and the proposed use will integrate well with the adjacent neighbourhood.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the Town to provide residential development, which contributes to housing targets set out in the PPS and the OP.

Residential use on the Site represent an efficient development pattern that optimizes the use of land. The Site is currently vacant and is underutilized.

The fact that the proposal is supported by provincial and municipal planning policy, and the Site is suitable for the intended use on a number of criteria attests that the proposal represents good planning.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environment impacts. EIA recommendations will be implemented.

#### **6.1.5 Municipal Services Impacts**

There will be no negative impacts on the municipal system as the residential development is limited to low density and will not add to the capacity in a significant way.

The topography, soil and environmental characteristics of the Site are able to accommodate an appropriate development that will minimize adverse environmental impacts.

#### **6.1.6 Social and/or Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, open space and community amenities with the settlement area.

The development is adjacent to an existing neighbourhood and contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use pattern which sustains the financial well-being of the municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

Based on the Site area the proposed development will result in a total net density, which is appropriate for the neighbourhood.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal development opportunity.

## 6.2 Conclusion

The proposal to use the Site for residential is appropriate and the application for ZBA and Plan of Subdivision should be approved by the Town of Amherstburg and the County of Essex as it is suitable for residential use, is consistent with the PPS, conforms with the intent and purpose of the COP and OP, is consistent with the ZBL and represents good planning.

### Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner (RPP), within the meaning of the Ontario Professional Planners Institute Act, 1994.

**Tracey Pillon-Abbs, RPP**  
**Principal Planner**





# **PLANNING JUSTIFICATION REPORT ADDENDUM**

## **PLAN OF SUBDIVISION for RESIDENTIAL DEVELOPMENT**

**1267 Front Road North  
Amherstburg, Ontario**

**February 8, 2022**

**Prepared by:**



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# 1.0 INTRODUCTION

I have been retained by the owner/applicant, 1583954 Ontario Ltd and 2365622 Ontario Limited (c/o Camille Elters and Ken Knapp) to provide a land use Planning Justification Report (PJR) Addendum in support of a proposed residential development located at 1267 Front Road North (herein the “Site”) in the Town of Amherstburg, Ontario.

Further to the PJR dated January 11, 2021, the purpose of this addendum is to provide an update on the proposed development as it pertains to the approved Zoning Bylaw Amendment (ZBA), updated support studies, and the revised concept plan.

# 2.0 SITE

The Site is made up of one (1) parcel located on the east side of Front Road North (Essex County Road 20). The Site is locally known as 1267 Front Road North, Town of Amherstburg.

The Site currently is vacant (see Figure 1 – Air Photo).



Figure 1 – Air Photo

1267 Front Road North Amherstburg, Ontario

# 3.0 DEVELOPMENT PROPOSAL

The applicant proposes to develop the Site for residential purposes.

A revised Draft Plan has been prepared. The Plan has been changed from 38 lots to 37 lots which are proposed to be used for single detached dwellings (see Figure 2 – Revised Draft Plan).

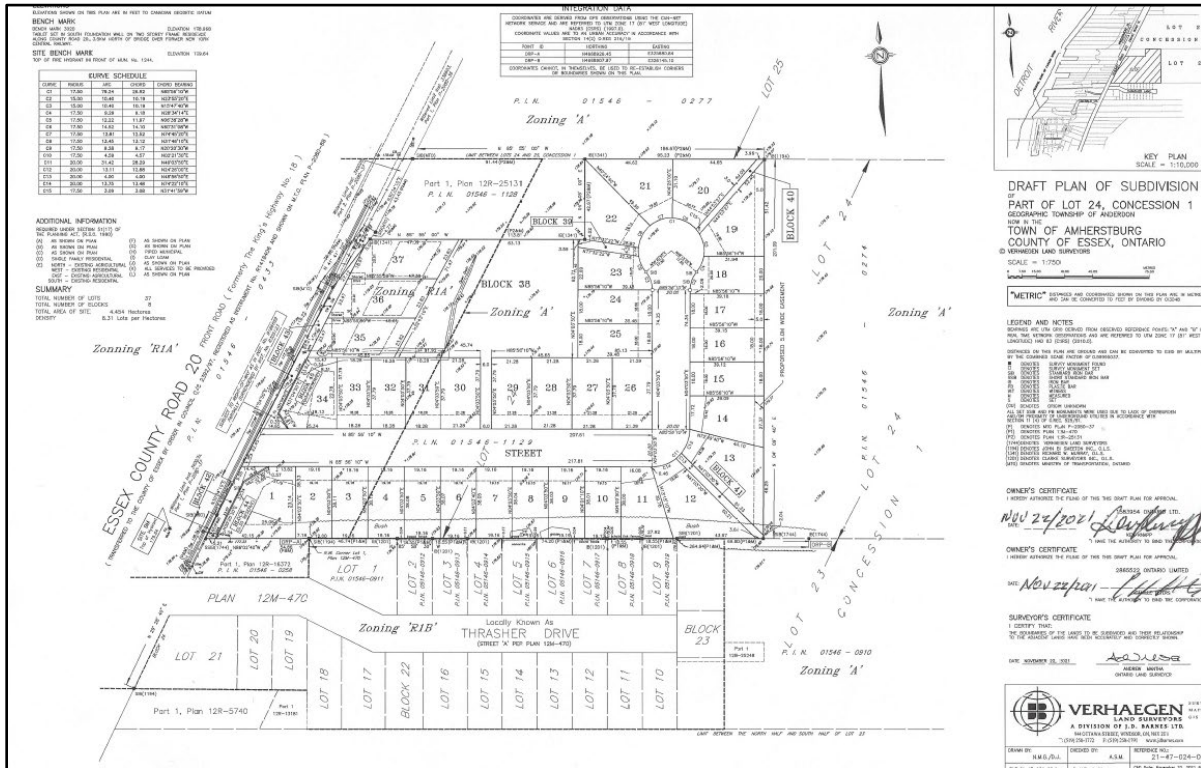


Figure 2 – Revised Draft Plan

The total density of this development has been changed from 8.53 units per ha to 8.31 units per ha.

Block 38 will be used for storm water management. Blocks 39, 40 and 41 have been added to accommodate drainage.

A proposed 5.0 m deep north-south easement, located along the east of the Site has been provided as a buffer area, owned by the individual property owners, will include the recommended biology mitigations (berm, tree plantings, fence, etc). Maintenance of the buffer area will be the responsibility of the individual property owners.

## **4.0 PROPOSED APPLICATION**

The proposed development requires an application for Plan of Subdivision. The County of Essex is the approval authority.

A site specific ZBA has been approved by the Town of Amherstburg (ZBA #2020-019) on September 14, 2020 in support of the proposed residential development.

The zoning for the Site was changed from the “Agricultural (A) Zone” to “holding Special Provision Residential Type 1B (h-R1B-2) Zone, “Residential Type 1A (R1A) Zone” to “ holding Special Provision Residential Type 1B (h-R1B-2) Zone” and “Agricultural (A) Zone” to “holding Environmental Protection (h-EP) Zone” located on Map 10, Schedule ‘A’ of the Town Zoning By-law #1999-52 to permit the development of single unit dwellings with a maximum lot coverage of 35% and the preservation of the 5.0 m berm.

Permitted uses are subject to Section 7(2) of the ZBL, which would include single unit residential uses, home occupations, accessory uses and public use.

A lot area and lot frontage certificate has been provided by an Ontario Land Surveyor (OLS). All lots comply with the Town of Amherstburg zoning provisions.

The proposed development will be subject to any development agreements, which will include any required fees or securities.

## **5.0 SUPPORTING STUDIES**

A Storm Water Management (SWM) Report, dated June 17, 2021, was prepared by BairdAE.

This report addresses the appropriate stormwater management quantity and quality control requirement and outlines the sediment and erosion control measures based on the Essex Region Conservation Authority (ERCA) and municipal guidelines.

## 6.0 CONCLUSION

The proposal to use the Site for residential is appropriate and the application for Plan of Subdivision should be approved as it is suitable for residential use, is consistent with the PPS, conforms with the intent and purpose of the COP and OP, is consistent with the ZBL and represents good planning.

### Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner (RPP), within the meaning of the Ontario Professional Planners Institute Act, 1994.

  
**Tracey Pillon-Abbs, RPP**  
**Principal Planner**





## Summary of Correspondence Received on Draft Plan of Subdivision for Riverview Subdivision

Below is a summary of the comments received by the Planning Services Division on County of Essex File No. 37-T-22003.

### Infrastructure Services Department:

Sanitary, stormwater management, traffic and water have all been addressed

### Windsor Police Services:

The following are comments on the proposed draft plan of subdivision with a particular focus on public safety impact. These comments are in two general categories as follows:

1. The importance of establishing and maintaining proper emergency vehicular access/response capability
2. All other important public safety and security implications relating to the application to ensure a development that is safe for all

### **EMERGENCY VEHICULAR ACCESS**

The Windsor Police Service has no objections to the proposed roadway layout and vehicular access connections proposed for this land development from the existing roadway (Essex County Road 20). The road layout proposed will enable Windsor Police to properly access the affected properties when required for either general patrolling or incident response purposes for this newly developed neighbourhood.

### **SPECIFIC SAFETY ISSUES & CONSIDERATIONS**

The following issues, in no particular order, are hereby raised for consideration, with the goal being to optimize public safety in a practical manner:

- Pedestrian safety is very important in all residential neighbourhoods. This includes appropriate sidewalk infrastructure, if possible, to connect to adjacent areas and proper street lighting as well. LED lights are ideal, as this type of light source

produces a high quality of illumination that subsequently maximizes visibility and elevates feelings of safety.

- There is a parcel of land proposed for the storm water management facility (block 38). Given this parcel of land, in part, will likely become a passive green space, it is important that it be properly constructed/modified and maintained to help discourage any risks to its use in an unlawful or undesirable way (such as trespassing, loitering, etc.). The orientation of this lot as shown on the draft plan leverages good physical pedestrian access via the 6m wide linear green space extension of block 35 southward from the larger area back to the new roadway and also via the 4m wide linear block 39 that connects the larger space to the new cul-de-sac. It is very important these two naturalized (grassed) linear connections be kept completely open to maintain what limited, ongoing natural surveillance capacity will remain. Therefore, these grassed linear pathways really should be kept clear of other shrubs that would otherwise constrict the net line of sight. It is our understanding the municipality will also maintain these connected spaces. This is a key to maintaining them for lawful usage. It would be prudent to encourage residential properties that abut this storm water management space to have fences that will mitigate trespassing risk into rear yards.
- Ensuring prompt and effective response capability by police responders is directly correlated to accurately locating the right address where an emergency call for assistance is required. Therefore, it is very important that each separate dwelling have a prominently displayed address number that is at least 5" high, is of a contrasting colour to the backdrop onto which it is mounted, and can be easily seen from the adjacent roadway by police without obstruction. This will optimize the address identification by Police/Fire/Ambulance during an emergency response.
- From the drawings it appears there are other linear greenway features (blocks 40 & 41) that are intended as naturalized drainage swales. Since these would also be accessible for pedestrian-oriented use, their value is directly correlated to how safe they are for users. Principally speaking, the key to ensuring these spaces are used lawfully is regular, ongoing maintenance and safely separating such spaces (with fencing) from abutting residential properties (most notably lots 12, 13, 19, and 20).

### Enbridge Gas Inc.:

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.





planning@erca.org

P.519.776.5209

F.519.776.8688

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

March 14, 2022

Rebecca Belanger  
Manager, Planning Services  
County of Essex  
360 Fairview Avenue West, Suite 302  
Essex, Ontario, N8M 1Y6

Dear Ms. Belanger:

RE: Request for Comments / Draft Conditions for Draft Plan of Subdivision: 37-T-22003  
Riverview Subdivision  
Town of Amherstburg  
1267 FRONT RD N  
Owner: 1583954 ONTARIO LTD  
Legal Description: ANDERDON CON 1 PT LOT 24  
ARN: 372946000012000 PIN: 015461129

Our office has reviewed this proposal, based on the mandate of the Essex Region Conservation Authority.

The proposed draft plan of subdivision, intends, to subdivide and create new lots and blocks, that would allow, the construction, of approximately 37 new single detached dwellings. Block 38 will be used for stormwater management. Blocks 39, 40 and 41, have been added to accommodate drainage. A proposed 5.0 m deep north-south buffer, located along the east of the site, has been provided, to be owned by the individual property owners, will include the recommended biology mitigations (berm, tree plantings, fence, etc.). Maintenance of the buffer area, will be the responsibility of the individual property owners. The Municipality has already zoned, this buffer area, in an environmentally protective zone (EP zone).

**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).

An ERCA Application for Development Review #691-21 has been approved, on September 2, 2021, for a stormwater management design for the subdivision.

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37-T-22003

The County is advised and not shown on the draft plan, is a requirement for a berm/swale, also to be located, on the south, north, in addition, to the east side of the development, for drainage purposes, also to be owned by the individual property owners/maintained. Therefore, it is recommended, to the County, that, the Municipality consider, an easement be granted, in the Municipality's favour, in consultation with the ERCA, to protect the vegetation in perpetuity and to ensure the berm/swale, remains intact for drainage purposes.

The County is also advised that Block 40 on the draft plan, should be 4 m in width, not 3 m in width, as per the design submitted for 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.

An *Environmental Impact Assessment (EIA)* was completed for this property (*Scoped Environmental Impact Assessment (EIA) for Riverview Residential Development, prepared by BioLogic Inc, dated April 17, 2017(EIA-07-16)*), as amended, through the Letter to Proponent and Addendum (*Scoped Environmental Impact Assessment (EIA) Secondary Addendum - Riverview Residential Development, prepared by BioLogic Inc, dated November 23, 2018*). Prior to site alteration of any kind, and before obtaining final development approval from the County of Essex, the Owners shall be required to complete and implement the recommendations contained in the Letter to Proponent and Addendum, all of which shall be completed to the satisfaction of the ERCA and the Municipality.

In addition to the above requirements, it appears the Municipality's Zoning Bylaw, already contains provisions, which will place lands, identified, as buffer area, in an appropriate environmental protection zone (EP Zone), to protect vegetation from development in "perpetuity".

**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)**

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. The ERCA requires, that stormwater quality and stormwater quantity, will need to be addressed, in a detailed stormwater management report and be in accordance with the guidance provided by the "*Stormwater*



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*Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003)" and the "Windsor-Essex Region Stormwater Management Standards Manual".*

An ERCA Application for Development Review #691-21 has been approved, on September 2, 2021, for a stormwater management design for the subdivision.

### **FINAL RECOMMENDATION**

We therefore request inclusion of the following draft conditions, be included, in the Notice of Decision and implementing Subdivision Agreement:

1. That the subdivision agreement, between the Owner and the Municipality, contain provisions, to the satisfaction of the Municipality and the Essex Region Conservation Authority, that stipulates, that prior to obtaining final approval, for any phase of the development, that the Owner, will finalize an engineering analysis, to identify stormwater quality and quantity measures, as necessary to control any increase in flows in downstream watercourses, in accordance with the *Windsor-Essex Region Stormwater Management Standards Manual* and any other relevant municipal/provincial, standards or guidelines, in consultation, with the ERCA;
2. That the subdivision agreement between the Owner and the Municipality contain provisions, that requires, that the Owner installs the stormwater management measures, for any phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
3. Prior to site alteration of any kind, and before obtaining final development approval from the County of Essex, the Owners shall be required to complete and implement the recommendations contained in the Environmental Impact Assessment (EIA), that was completed for this property (*Scoped Environmental Impact Assessment (EIA) for Riverview Residential Development, prepared by BioLogic Inc., dated, April 17, 2017(EIA-07-16)*), as amended, through the Letter to Proponent and Addendum (*Scoped Environmental Impact Assessment (EIA) Secondary Addendum - Riverview Residential Development, prepared by BioLogic Inc., dated November 23, 2018*), all of which shall be completed to the satisfaction of the ERCA and the Municipality;
4. That prior to final approval the Essex Region Conservation Authority shall require a copy of the fully executed subdivision agreement between the Owner and the Municipality, in wording acceptable to the Essex Region Conservation Authority, containing provisions to carry out the recommendations of the final plans, reports and requirements noted above; and
5. That prior to undertaking construction or site alteration activities, any necessary permits or clearances be received from the Essex Region Conservation Authority, in accordance with Section 28 of the Conservation Authorities Act. If the works are located within an area, not regulated by Section 28 of the Conservation Authorities Act,



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then a Development Review Clearance, must be obtained, from the Essex Region Conservation Authority, prior to undertaking construction or site alteration activities.

We have no objections to the application for Draft Plan of Subdivision at this time, subject to the draft conditions noted above. We ask the County of Essex or the approval authority, in this case, to forward a copy of the Notice of Decision for our records.

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

Sincerely,



Kim Darroch, B.A., M.PL., RPP, MCIP  
Team Lead, Planning Services

CC: Janine Mastronardi [jmastronardi@amherstburg.ca](mailto:jmastronardi@amherstburg.ca)  
*Planning Office Clerk*



April 4, 2022

JANINE MASTRONARDI  
PLANNING OFFICE CLERK  
TOWN OF AMHERSTBURG  
3295 MELOCHE RD  
AMHERSTBURG ON N9V 2Y8

Reference: **ZBA-06/22 and OPA No. 14 (Riverview Subdivision in Amherstburg)**

Dear Janine,

Thank you for contacting Canada Post regarding plans for a new subdivision in the Town of Amherstburg. Please see Canada Post's feedback regarding the proposal, below.

**Service type and location**

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

**Municipal requirements**

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

**Developer timeline and installation**

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

**Please see Appendix A for any additional requirements for this developer.**

Regards,

Bruno DeSando  
CANADA POST CORPORATION  
Delivery Planning  
955 Highbury Avenue  
LONDON ON N5Y 1A3  
tel: 519-494-1596  
fax: 519-457-5412  
e-mail: [bruno.desando@canadapost.ca](mailto:bruno.desando@canadapost.ca)

## **Appendix A**

### **Additional Developer Requirements:**

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - Any required walkway across the boulevard, per municipal standards
  - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
  - A Community Mailbox concrete base pad per Canada Post specifications.

**Application for  
Draft Plan of Subdivision  
File 37-T-22003  
1267 Front Rd N., Amherstburg**

**Amherstburg, Ontario**

**Presentation  
April 25, 2022**



# Subject Property



# Proposal

IN THIS PLAN ARE IN FEET TO CANADIAN GEODETIC DATUM

ELEVATION 179.998  
FOUNDATION WALL ON TWO STREET FRAME RESIDENCE  
20.35M NORTH OF BRIDGE OVER FORMER NEW YORK

ARL ELEVATION 179.64  
T IN FRONT OF MUN. No. 1244.

CURVE SCHEDULE			
STATION	ARC	CHORD	CHORD BEARING
1	79.24	25.92	N85°56'10"W
2	10.40	10.19	N27°35'20"E
3	10.40	10.19	N19°47'40"W
4	9.29	9.18	N08°34'14"E
5	11.89	11.47	N02°48'30"W
6	14.01	13.64	N81°20'40"W
7	12.81	12.52	N74°45'20"E
8	13.45	13.12	N31°48'10"E
9	9.28	9.17	N02°20'30"E
10	4.89	4.57	N02°21'30"E
11	31.43	28.29	N48°03'50"E
12	13.11	12.80	N04°26'00"E
13	4.00	4.00	N48°56'50"E
14	13.75	13.46	N74°22'10"E
15	4.12	4.11	N31°39'30"W

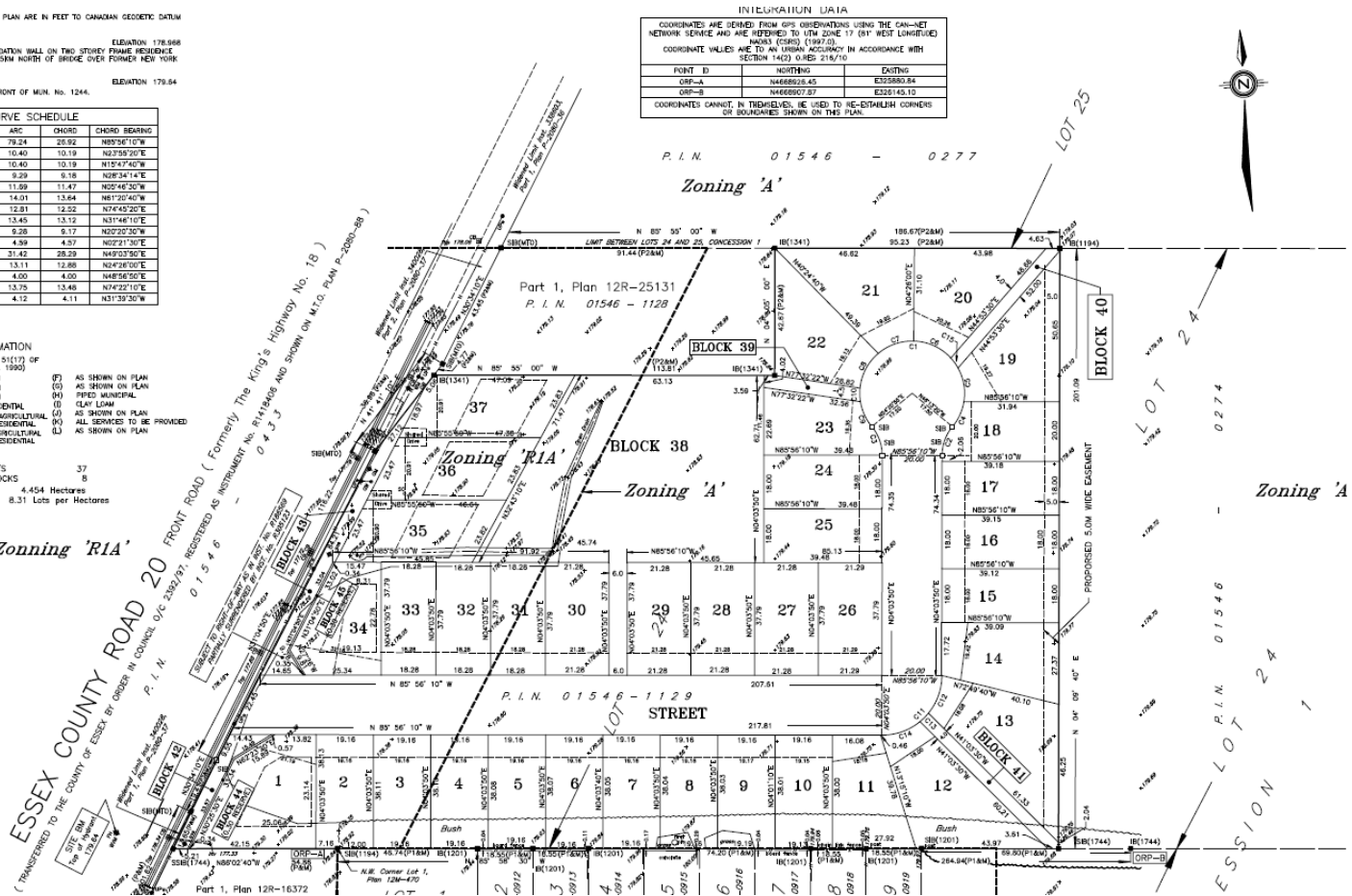
**FORMATION**

ESSEX 51(17) OF (R.S.O. 1995)

- N PLAN (F) AS SHOWN ON PLAN
- N PLAN (G) AS SHOWN ON PLAN
- N PLAN (H) PIPED MUNICIPAL
- Y RESIDENTIAL (I) PLAIN LEAD
- STRONG AGRICULTURAL (J) AS SHOWN ON PLAN
- TRNG RESIDENTIAL (K) ALL SERVICES TO BE PROVIDED
- TRNG AGRICULTURAL (L) AS SHOWN ON PLAN
- TRNG RESIDENTIAL (M) AS SHOWN ON PLAN

IF LOTS 37  
IF BLOCKS 8  
SITE 4.454 Hectares  
8.31 Lots per Hectares

Zoning 'R1A'



INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CANADIAN NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (87 WEST LONGITUDE). COORDINATE VALUES ARE TO AN UTM ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.R.S. 216/10.

POINT ID	NORTHING	EASTING
ORP-A	N4668926.45	E225880.84
ORP-B	N4668907.87	E226145.10

COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

P.I.N. 01546 - 0277

P.I.N. 01546 - 1129

# Development Details

- Residential subdivision of 37 lots
- Stormwater facilities proposed
- Proposed single detached dwellings
- New internal roadways and sidewalks
- On full municipal services
- Zoning approved by Council in September 2020 (h-EP and h-R1B-2 Zones)

# Proposed Dwellings

- Dwelling design will include 1,500 sq ft to 2,000 sq ft in size
- Ranch, raised ranch, and two storey homes
- 50 % brick or stone and 50 % siding
- Paved driveways



# Sample Ranch



# Sample Two Storey

# Support Studies Completed

- **Stormwater Management**
  - Erosion and sediment control strategy will be prepared
  - North and south easement swales will be used for drainage
  - SWM facility will be left naturalized
- **Archeological**
  - Stage 1 & 2 completed
  - No additional assessment is required
- **Traffic**
  - proposed development will not have a measurable effect on traffic operations
  - will not adversely affect capacity or safety on the adjacent traffic network
- **Natural Heritage**
  - The existing east-west hedgerow running along the southern lot line will be replaced with 2 rows of white cedars
  - 5 m naturalized buffer is proposed along the west side running north-south (berm, hedgerow of native shrubs, grasses, forbs, and fence) and protected by the EF zoning



Questions?