



TOWN OF AMHERSTBURG SPECIAL COUNCIL MEETING

AGENDA

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Monday, May 9, 2022

4:30 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 & ZBA for 219 Brock St

3

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 219 Brock Street (File s OPA #15 & ZBA-07-22), owned by Jones Realty Inc., **BE RECEIVED and SUMMARIZED** in a future report to Council.

5. ADJOURNMENT

That Council rise and adjourn at p.m.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF 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 27, 2022 |
| Author's Phone: 519 736-5408 ext. 2137 | Date to Council: May 9, 2022 |
| Author's E-mail: mosborne@amherstburg.ca | Resolution #: N/A |

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider an OPA & ZBA for 219 Brock St

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 219 Brock Street (File s OPA #15 & ZBA-07-22), 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 219 Brock St (refer to Figure 1).

This Official Plan and Rezoning application affects approximately 1.1 hectares of land located on the southeast corner of Brock Street and Richmond Street.

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 a new 4 storey 75-unit residential apartment building to be built at this location. 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 a summary of the proposed Development:

The presently vacant lands are proposed to be developed with a 4 storey, low profile apartment building with a total of 75 residential rental apartment units with 2217m² GFA. The site is proposed to be developed with 117 parking spaces comprised of 113 regular spaces, 4 barrier free spaces, and 1 loading space. The site will also be development with site amenities, extensive landscaping, bike parking, loading, and storm water management facilities.

The residential units are going to be rental units, an alternative form of accommodation and tenure from the standard single detached residences. The residential units for rent will provide for rental accommodation within a municipality that has a low vacancy rate, and the development will provide for a diversity of accommodation that is needed in the Town. The rental apartment building will provide for a new housing choice identified as the 'Missing Middle' accommodate, needed in the Town of Amherstburg.

Attached is a copy of the Planning Rationale Report. The site plan showing the proposed development is attached as Fig.2, and the building renderings are attached as Fig. 3.

3. DISCUSSION:

The Official Plan currently designates the subject lands Institutional (refer to Appendix B of the PRR). 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 Appendix C of the PRR). 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 Institutional (I) Zone, use any lot, or erect, alter or use any building, or structure, for any purpose except one or more of the following Institutional (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 several 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 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 meeting.



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

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

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

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

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 for an OPA and ZBA at 219 Brock Street.docx |
| Attachments: | - 2022 05 09- Statutory Public Meeting to Consider an OPA and ZBA for 219 Brock- ATTACHMENTS.pdf |
| Final Approval Date: | May 3, 2022 |

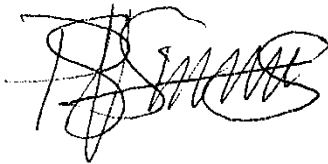
This report and all of its attachments were approved and signed as outlined below:



Melissa Osborne



Tracy Prince



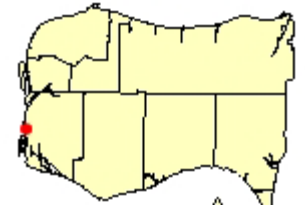
Peter Simmons



Valerie Critchley



Subject Lands



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

Figure 1

0.2 0 Distance / 0.2 Kilometers

Notes

This is where you enter your notes about the map.





REPORT: PLANNING RATIONALE REPORT (PRR)
MUNICIPALITY: TOWN OF AMHERSTBURG
MUNICIPAL ADDRESS: 219 BROCK STREET
DEVELOPMENT: OPA & ZBA
DATE: April 11, 2022 (REVISED)

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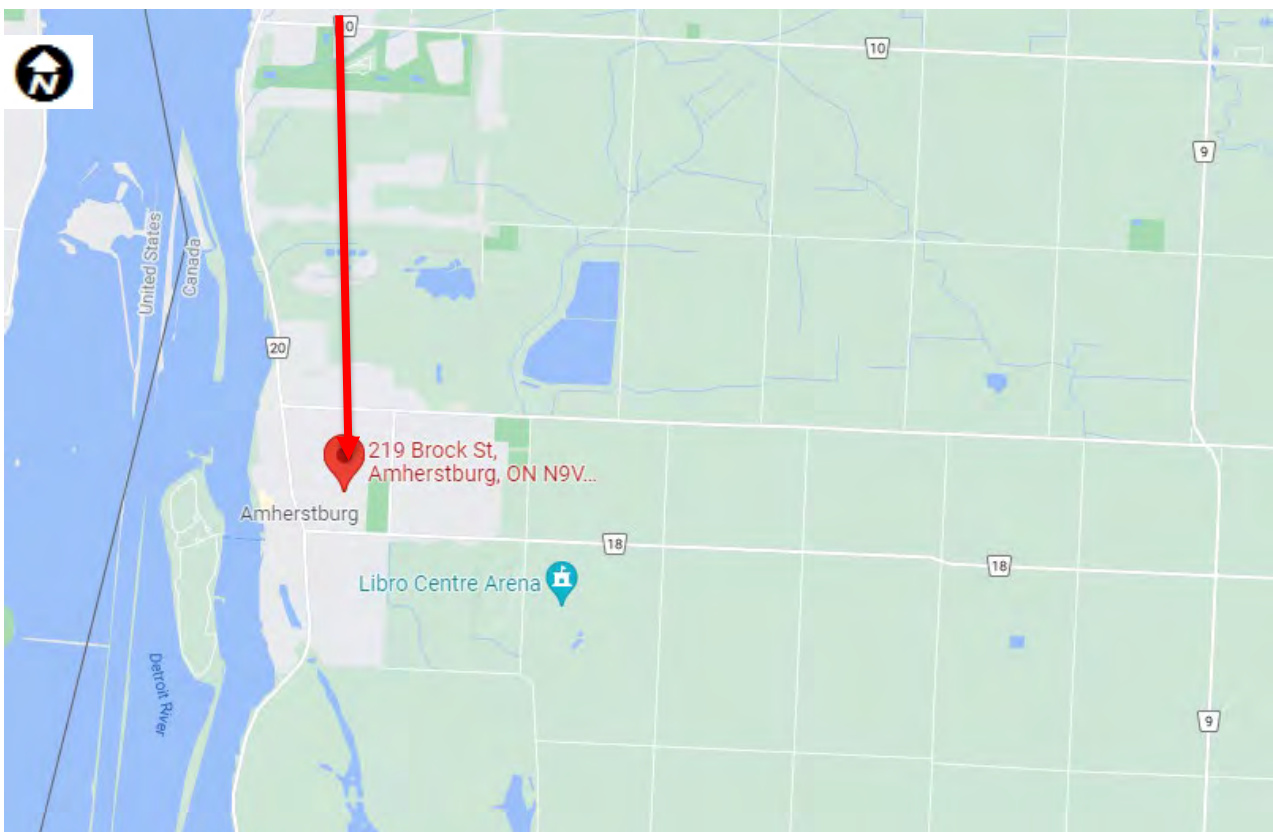
1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a planning rationale report regarding the feasibility of an Official Plan Amendment (OPA) to support the change in designation of the property from 'Institutional' to 'Residential' and a Zoning Bylaw Amendment (ZBA) that will rezone the subject lands from 'Institutional (I)' to a site specific 'Residential Multiple Second Density (RM2)' zone.

The presently vacant lands are proposed to be developed with a 4 storey, low profile apartment building with a total of 75 residential rental apartment units with 2217 m² GFA. The site is proposed to be developed with 117 parking spaces, comprised of 113 regular spaces and 4 barrier free spaces and 1 loading space.

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 of the County of Essex, 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 219 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 subject property redesignated from the present 'Institutional' designation to a 'Residential' designation. The OPA will establish the 'Residential: Medium Density' policy framework for the parcel;
- 2) a Zoning Bylaw Amendment (ZBA) to have the property 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 to allow for the proposed residential apartment building on site;
- 3) Site Plan Control application will be requested after the adoption of the 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 subject site has a lot area of 10,625 m² (1.06 ha) and lot frontage of 83.5 m on Brock Street and street line of 127 m along Richmond Street creating an exterior side yard.

The owner proposes to build a 4 storey, 75 unit apartment building intended for rental residential with 2,217 m² GFA resulting in 20.8 % lot coverage. The site will be extensively landscaped with gardens, trees, black wrought iron fencing that will assist in providing significant amenity space to the residents.

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 apartment building development. This rationale report will evaluate the requested OPA and change of land use category 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 applied to the property from 'Institutional (I)' to a new site specific 'Residential Multiple Second Density (RM2-#)' zone.

This planning rationale report will demonstrate the consistency of the development proposal with the Provincial Policy Statement (PPS) 2020 and how the proposed residential apartment land use is consistent with provincial housing policies, supports healthy community initiatives, and provides for healthy, walkable community policies of the province.

This report provides the rationale and support for the requested residential development through the 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 apply a site specific 'Residential Multiple Second Density (RM2-#)' zone to the subject lands.

1.3 219 BROCK STREET SITE INFO

The subject property formerly described as Part of Lot 2 , Concession 1 in the Township of Malden, now in the Town of Amherstburg. The subject lands have a legal description of: Lots 9 and 10 (E/S Brock Street), Lots 11 and 12 (W/S Kempt Street), Parts Lots 5 and 6 (E/S Kempt Street), and Part of Kempt Street closed by unregistered Bylaw and Part of Murray Street (Closed by Bylaw R10039955), Plan 1 Amherstburg, designated as Part 4 Plan 12R25406, Town of Amherstburg.

In 1950 St. John the Baptist School was constructed on vacant land adjacent to the St John the Baptist Catholic Church to accommodate a catholic school associated with the church. In 1977 a portion of Murray Street was closed and added as playfield for the school. At this juncture, French immersion school programing was added to the school and the school was re-named to 'Ecole St Jean Baptiste'.

The subject lands are presently owned by Terry Jones Realty Inc. c/o Terry Jones. The subject site has a municipal address of 219 Brock Street and is located at the corner of Brock Street and Richmond Street urban settlement area of Amherstburg. The site is located in the periphery to the downtown core in a residential area known as the Old Town of Amherstburg.

FIGURE 2: 2010 SITE AERIAL



FIGURE 3: 2022 SITE AERIAL



Approximately 2010-2013 the school was closed and de-commissioned. In 2013 the school was purchased by the Town and a demolition permit was issued and the building removed. Since 2014 the property has remained vacant.

1.4 SITE CONFIGURATION

The subject site is a large, rectangular shaped lot with two road frontages at the corner of Brock Street and Richmond Street. 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 the proposed apartment building.

1.5 TOPOGRAPHY

FIGURE 4: 2022 SITE LOOKING NORTH



FIGURE 5: 2022 SITE LOOKING SOUTH/EAST



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 2 above showing site aerial. There are no natural features or natural hazards associated with this property.

1.6 VEGETATION

The subject lands consist of manicured lawn. The subject lands were originally the play area associated with the catholic school: St John de Baptiste. There are a couple of existing trees on site that were allowed to grow over the years of non-use of the property. As shown on the above pictures of Figures 4 and 5 above, the few existing trees on site appear to be Norway maples and standard spruce trees that are not significant nor are they identified as Species at Risk.

FIGURE 6: 2022 SITE LOOKING NORTH/WEST

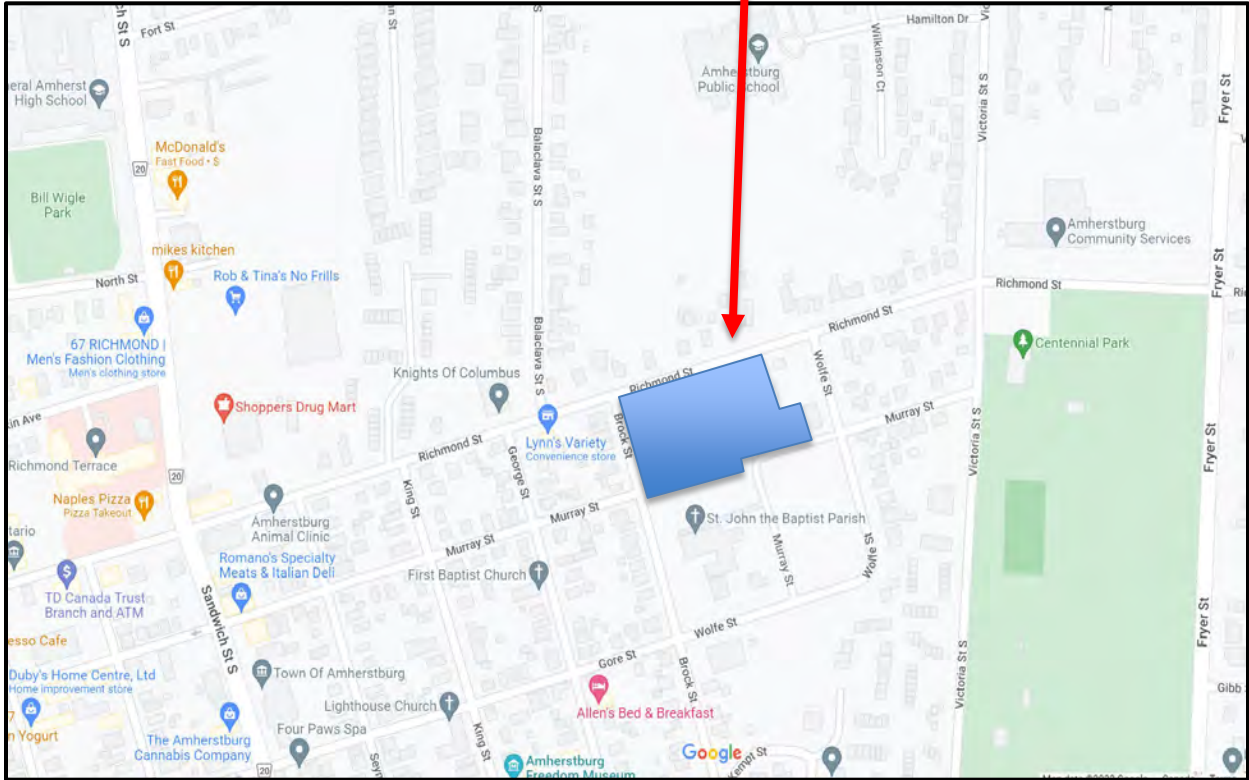


With the proposed development, the landscaping will be professionally designed and installed to create a welcoming amenity space associated with the residential development. Black wrought iron fencing will be included to provide a sense of space and definition of amenity spaced for the apartment building

1.7 NEIGHBOURHOOD LAND USES

The new residential low profile, 4 storey apartment building is proposed within a residential neighbourhood that is supported by active transportation walking and biking trails, and is within close walking distance to supportive commercial and institutional amenities. The residential neighbourhood is in the location of the Old Towne of Amherstburg.

FIGURE 7 - NEIGHBOURHOOD LAND USES: 219 BROCK



- a) North- low density residential, Amherstburg Public School;**
- b) East- low density residential, daycare;**
- c) South- St. John the Baptist Church, low and medium density residential;**
- d) West- low density residential.**

The subject site is located within a residential neighbourhood located in the periphery to the downtown business core and within a few blocks walking distance (less than 10 minutes) of many nearby commercial amenities including: Shoppers Drug Mart, Walmart, Sobey's, No Frills, personal service shops (hair dresser's, yoga studio, etc), and multiple restaurants such as 'Naples Pizza', Romano's Specialty Meats). A daycare is adjacent to the proposed development. An elementary school is within a short walk.

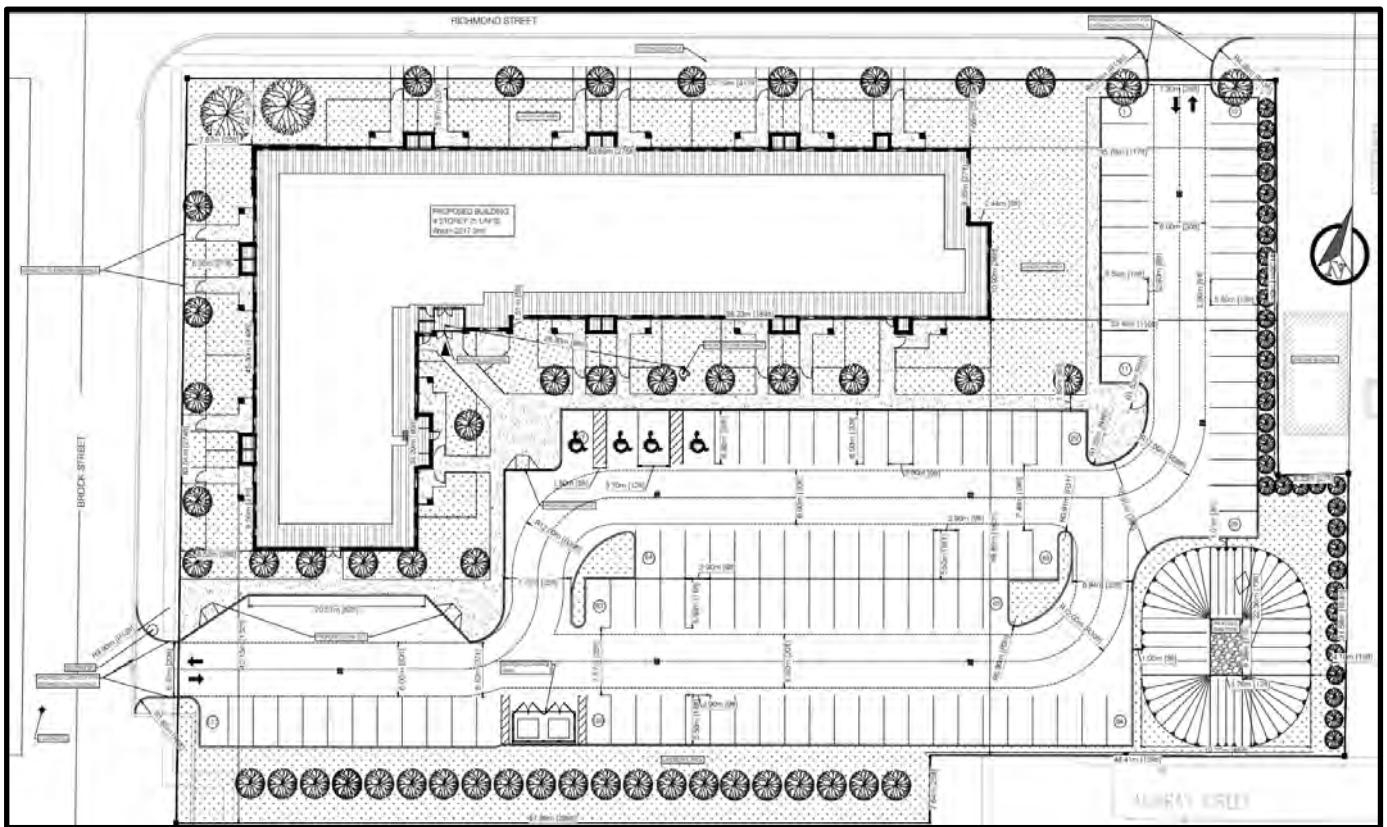
There are cultural and institutional uses within a 10 minute walking distance: Amherstburg Public Library, the Park House Museum, the Amherstburg Freedom Museum, Amherstburg Community Services, Centennial Park, and multiple places of worship, and other commercial businesses in the Amherstburg downtown core.

2.0 DEVELOPMENT PROPOSAL

The present owner of the property, Terry Jones Realty Inc, is proposing the development of the subject site with a 75 unit residential apartment building. The site will also be development with parking, site amenities, extensive landscaping, bike parking, loading, and storm water management facilities.

The proposed development will require a change in OP policy framework and change in Zoning regulations from the institutional uses presently permitted to residential to support the residential land use proposed for development of the site.

FIGURE 8 – CONCEPT PLAN



The residential units are going to be rental units, an alternative form of accommodation and tenure from the standard single detached residences. The residential units for rent will provide for rental accommodation within a municipality that has a low vacancy rate and the development will provide for a diversity of accommodation that is needed in the Town. The rental apartment building will provide for a new housing choice identified as the 'Missing Middle' accommodate, needed in the Town of Amherstburg.

Consistent with the provincial housing direction and the need for rental apartment building, the proposed low profile building has been designed to be compatible with the neighbourhood and to result in a low impact on the long established residential neighbourhood. The site is well suited with the new building to be bounded by two roads, a church on one side, and only one side with existing residences resulting in an infill development in an existing residential neighbourhood.. The building has been designed to be distance separated from the existing residence. In my professional opinion the proposed building is compatible with the existing residential neighbourhood.

FIGURE 9 – CONCEPT PLAN: ENTRANCE RENDERING



FIGURE 10 – CONCEPT PLAN: BROCK/RICHMOND RENDERING



In conclusion, it is my professional opinion that the residential apartment building 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 extensive landscaping, site amenities and the siting of the building on the site will provide for a welcoming and friendly environment for the new residential buildings.

2.1 PROPOSED OPA AND ZBA

The Official Plan policies for the ‘Institutional’ designation allows for educational, civic, and recreational uses, as well as for municipal or private utilities.

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.

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 establishment of the 75 unit apartment building. The OPA will simply redesignate the subject lands 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.

The proposed Official Plan Amendment (OPA) to redesignate the subject lands to 'Residential: Medium Density' designation and a Zoning By-law Amendment (ZBA) to rezone the lands to "Residential Multiple Second Density (RM2)" zone. The change to residential supports the infill development of the existing vacant lot for the development of needed residential rental apartment housing by the construction of a new 4 storey residential apartment building with 75 units. This new building will provide a needed diversity of housing options, has been designed to be compatible with the neighbourhood, is within a walkable distance to Downtown Amherstburg commercial areas, is within close proximity to open spaces and recreational areas, and can be considered a positive infill opportunity.

With the requested new residential apartment building, the site will require a site specific by-law to apply site specific regulations to the property for the inclusion of permitted uses and site specific regulations.

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

- 1) Front Yard Setback (Brock St): 6.3 m;
- 2) Landscaped Open Space (minimum): 37%

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 for the proposed building and site. With the addition of a new apartment building, the new site specific (RM2-#) zone is required to recognize the site provisions.

2.2 SITE SERVICING STUDY

Baird AE Project No. 21-183, 27 Princess Street, Unit 102, Leamington ON, is a qualified civil engineering firm that undertook a Functional Servicing Report for 219 Brock Street proposed development.

“4. Conclusion

This report presents existing municipal and proposed servicing details, and stormwater management requirements for the proposed development, located at the southeast corner of Richmond Street and Brock Street, in Town of Amherstburg. Based on our initial investigation, we conclude and recommend the following:

- 1) **Sanitary** – a new 200mm diameter sanitary service will tie-in to the existing 300mm sanitary sewer on Brock Street.
- 2) **Watermain** – one new 150mm diameter water service will be provided to the development and tie-in to existing 200mm watermain on Richmond Street. New fire hydrants will also be installed to facilitate the development.
- 3) **Storm** – All minor storms will be serviced through proposed storm sewers. A 200mm diameter storm pipe will be tied to the existing 300mm diameter storm sewer, and a control orifice plate is installed at the outlet pipe of SWM facility. During major storm events, the post-development peak flows from all events from the site will be controlled to the peak flow from the target pre-development conditions.”

Based on the findings of the Functional Servicing Report the proposed development can be considered to not cause negative impacts to the municipal infrastructure. Further, municipal services (water and sewer) have adequate capacity to accommodate the proposed development. 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.

It is recommended that the SWM pond be landscaped to become a naturalized feature on site that is aesthetically integrated and can become a gathering spot for residents.

2.3 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 219 Brock Street and consists of:

- 219 Brock Street: a 75-unit mid-rise apartment building;
- Access to the proposed development is provided via:
 - an all-moves access to Brock Street; and
 - an all-moves access to Richmond 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:**
 - 219 Brock Street: The full build-out of the site is forecast to generate 21 and 30 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.

2.4 ARCHEOLOGICAL STUDY

AECOM Canada Ltd., 410-250 York Street, Citi Plaza, London ON N6A 6K2, a qualified archaeological firm licence No. P393, undertook an archaeological study under project file P393-0045-2014 relating to the proposed development. The project study was prepared in 2014 for 1869089 Ontario Limited.

“Executive Summary:

AECOM Canada Ltd. (AECOM) was contracted by 1869089 Ontario Limited to conduct the required Stage 2 archaeological assessment of the St. John de Baptiste School Yard, legally described as Part of Lot 2, Concession 1 in the Geographic Township of Malden, Town of Amherstburg, Essex County, Ontario.

The study area is comprised of approximately 2 acres of manicured lawn surrounding a demolished school (Figure 1 and 2). The Stage 1 archaeological assessment was previously conducted by Historic Horizons Inc. (2006).

This assessment was conducted to meet the requirements of Section 3 of the Planning Act, and Section 2.6 of the most recent Provincial Policy Statement of April 30, 2014 (Ontario Government 1990a).

This project is also subject to the Ontario Heritage Act (Government of Ontario 1990b) and the Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). The Stage 2 archaeological assessment was conducted prior to the property being listed for sale.

The Stage 2 archaeological assessment was conducted on May 12, 2014 under PIF number P393-0045-2014 issued to Erik Phaneuf, Professional Archaeologist at AECOM.

No archaeological sites or material were identified during the course of the Stage 2 archaeological assessment of the St. John de Baptiste School Yard and, thus, archaeological concerns under land use planning are considered addressed and no further archaeological assessment is required.

The Ministry of Tourism, Culture and Sport is asked to review this report and accept it into the Ontario Public Register of Archaeological Reports thereby concurring with the recommendation that archaeological concerns under land use planning and development processes are considered addressed.”

In conclusion, the findings of the archaeological report do not warrant any further study of the property. Provisions should be included in the Site Plan Agreement that identifies what process be undertaken should artifacts be discovered.

2.5 SHADOW STUDY

When considering the infill of a new development within an existing neighbourhood, it is important to evaluate the impact of the built form on the neighbourhood.

FIGURE 11 – SUMMER SOLSTICE: BROCK/RICHMOND SHADOW STUDY



The Shadow Study: Summer Solstice shows that due to the low profile height and the orientation of the building during the summer months, the shadow created by the new building will be minimal to no impact on the neighbourhood.

Having the building oriented towards the corner of Brock and Richmond has effectively eliminated the shadow effect on the only adjacent residence at 259 Richmond St.

FIGURE 12 – WINTER SOLSTICE: BROCK/RICHMOND SHADOW STUDY



As shown above, during the daylight hours of the winter months when sunlight is optimum, the shadow will extend across the street but does not put a residence into shade.

In my professional opinion, the Shadow Study provided shows that the 4 storey, low profile building is well suited for the neighbourhood and the study shows that the infill development is compatible with the existing neighbourhood.

2.6 URBAN DESIGN GUIDELINES/HERITAGE CONSIDERATION

The subject site is not located in the Downtown Core Residential area of the municipality where the 'Downtown Amherstburg Urban Design Guideline' was completed to direct new development, however, the guidelines provide sound direction for new development as infilling in established residential neighbourhood. The subject site is located within the 'Old Town of Amherstburg' as a residential neighborhood that is periphery to the downtown core.

The subject property is not designated under Part IV of the Heritage Act, nor is the site located within a Heritage District under Part V of the Heritage Act. There is a property to the east of the subject lands known municipally as 259 Richmond Street. The residence at 259 Richmond is designated under Part IV and is identified as the 'Wallace Smith Residence'.

The following are provided as guidance for the preservation and restoration of the heritage and for infill of new development to ensure compatibility with existing residential infrastructure;

1. *Design new building with careful consideration of their design elements so that new buildings are complementary to the established heritage in the area;*
2. *Site and scale of new buildings should be complementary to adjacent structures using setbacks and height for new buildings that respect the existing building setbacks and massing;*
3. *Use precedents for roof profiles, windows, entrances, and porches from the existing built form and streetscape as a guide for the design of new buildings;*
4. *Orient principal building entrances so they face the public street and are a prominent feature in the building elevation;*
5. *Locate garages {and parking} in the side or rear yards to diminish visual impact;*
6. *Select materials for new construction based on the variety of materials found within the existing neighbourhood;*
7. *Plant street trees to match established pattern on the street;*
8. *Ensure that physical improvements do not destroy historic character of neighbourhood.*

The building is bounded on two sides by roads and on the third side by a vacant parcel. An existing heritage designated parcel is adjacent to the east. The proposed building has been designed as a low profile, 4 storey building placed towards the road frontage away from the heritage parcel with an intent that the low profile and the distance separation will reduce visual impact on the existing heritage residence.

The main entrance has been designed as a welcoming entrance and incorporated on the interior face of the building in order to cause the least disturbance to the neighbourhood. As well, all parking is in the rear yard supporting the reduction of noise and disturbance to the neighbourhood. As shown on the elevations above, there will be individual entrances from the ground floor units providing for the connectivity of the building to the streetscape.

Please refer to Figure 9 and 10 above: the front facades have been designed to be sympathetic and supportive of the heritage of the neighbourhood without conflicting or contradicting the heritage of the neighbourhood. Features such as 'limestone brick

vener', accentuating pillars, 'clap board' accents, facia molding/boards as accents, and black powder coated railings to look like wrought iron defining the main floor entrances to create a welcoming approach to the building.

The proposed low rise apartment building, in my professional opinion, can be considered compatible and complimentary to the existing residential neighbourhood.

3. 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 the proposed new residential apartment 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 proposed 75 unit residential apartment building will provide for an alternative style and tenure of housing than the standard housing in Amherstburg. The apartment units will provide for needed rental accommodation. 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 provide for an alternative housing style and tenure while supporting a diversification of housing styles and tenures within Amherstburg. The proposed 75 unit residential apartment building will provide for efficient and effective intensification of residential units.

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

COMMENT:

There are no environmental or health issues associated with the proposed infilling development.

- 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 principal settlement area within the Town of Amherstburg. The new residential low profile apartment building can be considered, in my opinion, an appropriate and compatible infilling residential development within an established residential neighbourhood; the buildings are distance separated, 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:

As noted in the servicing reports, there is sufficient capacity in the municipal system to accommodate the proposed 75 unit residential apartment building. As noted above, it is my professional opinion that the low profile, heritage sensitive building is an appropriate and compatible infilling development within the existing residential neighbourhood and provides for an appropriate intensification of residential use. The rental tenure will support the present low vacancy rates within the municipality and provide for alternative housing tenure and style.

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:

As noted above in the Civil Works report there is capacity available in the municipal infrastructure to accommodate the proposed 75 unit residential apartment building. The proposed new residential building is considered an efficient and effective utilization of municipal infrastructure and provides for needed alternative residential housing.

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

COMMENT:

It is my professional opinion that the proposed development assists with the conservation and preservation of biodiversity by providing for appropriate intensification through 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 Town 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 new 75 unit residential apartment results as an efficient infilling development of vacant lands with a compatible building and appropriate intensification of residential land use.

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 will provide for alternative development that allows for intensification of use that can be considered is an efficient, effective development for the site and supportive of the PPS policies ensuring compatible new development within 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 walking trails are available. The OPA/ZBA will support the establishment of a 75 unit residential apartment providing for alternative tenure and style, utilization of vacant lands 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 apartment building as alternative tenure and style of housing. The building has been designed to be compatible with the neighbourhood and will be an asset as an infilling 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 providing policy and regulatory framework supporting the efficient and effective re-use of lands that will result in a manageable, appropriate intensification of serviced land within the periphery to the downtown core in the settlement area of the Town of Amherstburg. Providing for a general redesignation to 'Residential' land use and a site specific ZBA regulation that will support the establishment of rental residential apartments as needed alternative housing is consistent with the Provincial Policy Statements.

4.0 COUNTY OF ESSEX OFFICIAL PLAN

The Official Plan for Essex County is applicable to planning matters for the Town of Amherstburg. The subject property is presently designated 'Institutional' in the Official Plan of the Town of Amherstburg. The following sections review policies as they relate to the request for an OPA and ZBA to support the rezoning of the site from "Institutional" to "Medium Density Residential" for the development of the site as a 4 story apartment building with 75 residential units and 132 associated parking spaces.

"Section 1.5 Goals for a Healthy County

The long-term prosperity and social well-being of the County depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

- a) To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities.*
- b) To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and transportation systems that create more sustainable, efficient, healthy, and livable communities.*
- c) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.*
- d) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population."*

COMMENT:

The proposed development is located within the principal settlement area of Amherstburg. The proposed apartment will be an infilling residential apartment within an existing residential neighbourhood. The proposal is a wise utilization of existing infrastructure and will provide for appropriate intensification of needed alternative residential units. The proposed development of a 75 unit residential apartment building will provide for alternative housing supporting the diversification of residential units.

In my professional opinion, the proposal conforms with Section 1.5 Goals of the County of Essex Official Plan policies.

“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. The proposed 75 unit residential apartment provides for appropriate intensification of land use in an appropriate area of the urban settlement area 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 rental accommodation and ownership.

The development will support managed appropriate intensification of residential land use.

The proposed building will be designed to be visually appealing and landscaped extensively and can be considered compatible with the existing residential neighbourhood.

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

The following 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 infilling of appropriate, alternative residential development on municipal services. The alternative housing style and tenure of rental apartment within an area that is walkable to the downtown for commercial amenities supports the walkable healthy community..

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

5.0 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 residential apartment use is not a permitted use under the 'Institutional' designation.

An OPA is required to change the designation of the property to 'Residential: Medium' to have residential policies applied to the subject property.

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 develop the subject lands with a 75 unit residential apartment as an infilling development within the existing residential neighbourhood.

“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 a new, 75 unit rental apartment building that will provide for alternative housing style and tenure. The rental units will provide for rental accommodation as an alternative to ownership that is greatly needed within the Town as economical housing.

The new building creates an infilling residential development within an established residential neighbourhood; provides for alternative housing, the buildings are distance separated, creates a low profile, medium density residential building that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood.

The efficient new building will support energy efficiency by providing medium density apartment building as an efficient and effective intensification of land use. In addition, the location of the building in the periphery to the downtown core supports the walkable community and less dependence on the car as an energy efficiency.

In my professional opinion, the proposed OPA/ZBA conforms with S.4.2.1 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:

The subject site has a lot area of 10,625 m² (1.06 ha). As a medium density development, 70 units per gross hectare allocates 75 units for the subject site. The building has been designed with 4 storeys in height and can be considered a low rise, low profile apartment building.

The redesignation will allow for the development of the subject lands for a medium density residential development, compatible as an infilling residential development within the existing residential 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 will conform once adopted with the the relevant policies of the Official Plan for the Town of Amherstburg. Once passed, the ZBA will provide a regulatory framework for the proposed building and conforms with the relevant OP policies. The OPA/ZBA will support, in my professional opinion, needed alternative housing tenure and style in the form of rental residential apartments.

6.0 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.

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, it is critical to place site specific regulations on the site to provide ensure the infilling development establishes compatibility with the neighbourhood. Establishing site specific regulations for the situate of the building will support the conservation and preservation of the streetscape and support heritage designation of neighbouring properties. It is critical to reflect the uniqueness of the heritage aspects such as established front yard setback is respected for the new building.

Please refer to **APPENDIX A – ZONE PROVISIONS**

| PROVISION | RM2 | Proposal |
|-----------------------|---|---------------------------------|
| LOT AREA | 840m ² | 10,625 m ² (1.06 ha) |
| LOT FRONTAGE | 30m | 83.6m |
| # UNITS/DENSITY | 75 units | 75 units |
| MAX BLDG HEIGHT | 5 Storeys 22 m | 4 Storeys 12.8 m |
| MAX LOT COVERAGE | 40% | 21% |
| PARKING | 75 spaces | 117 spaces |
| FRONT YARD SETBACK | 7.5m | 6.3 m |
| INTERIOR SIDE YARD | The greater of 6m or ½ of building height 7.0 m | 40 m |
| EXTERIOR SIDE YARD | 6 m | 6m |
| LANDSCAPED OPEN SPACE | 30% | 27.3 % |
| LOADING SPACES | 1 | 1 |

COMMENT:

In my professional opinion, the requested ZBA complies with the intent of the CZB to recognize site specific regulations and provisions for the proposed new apartment building. After passing of the ZBA, the proposed development will comply with the regulatory framework under the CZB for the Town of Amherstburg.

7.0 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. The residential apartment land use is compatible with the neighbourhood and a compatible infilling building with the existing neighbourhood within the Old Town of Amherstburg.

The proposed rental apartment building will provide for needed alternative housing supporting diversity in housing in the Town. The OPA/ZBA will support the Town's residential policy initiatives by establishing a 75 unit residential apartment building that will provide rental units needed as alternative housing in Amherstburg. The OPA/ZBA will support the province and municipality's initiative to provide for a residential development promoting a healthy, walkable community.

7.1 GOOD PLANNING

The proposed residential low profile building for rental apartments will provide alternative tenure and style requires a change in policy framework that will be used to support the residential land use.

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 development providing alternative housing tenure and style for a diverse housing option as an alternative to the single detached residence to the typical single detached residences found in the town.

The proposed new 75 unit residential apartment building, in my professional opinion, is compatible with the existing residential neighbourhood and would result in a positive addition in the long established residential neighbourhood.

The proposed new residential building will provide for a compatible development in an existing residential neighbourhood, will provide an aesthetically pleasing development, will assist with rejuvenating the neighbourhood, will support the preservation of a heritage building at 279 Richmond, and will provide for needed alternative residential rental 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.

7.2 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 the site while also implementing the proposals included in this Planning Justification Report dated March 14, 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 compatible residential rental apartment building and needed residential accommodation 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.

J M Lassaline

Jackie Lassaline BA MCIP RPP
Principal Planner

APPENDIX A— ZONE PROVISIONS

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.

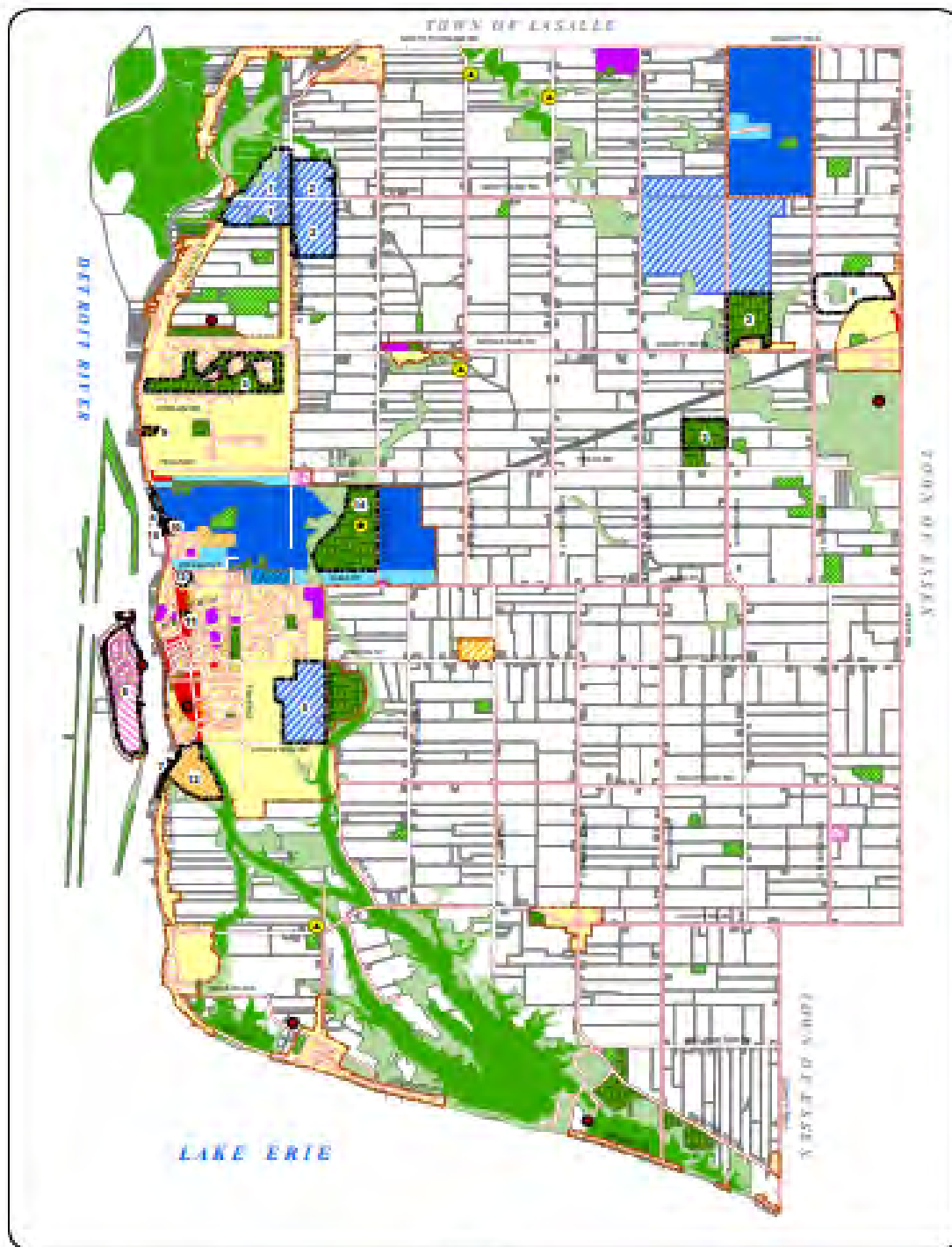
(3) ZONE REQUIREMENTS

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 ² |
| (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 ² |
| | (ii) Dwelling unit containing one bedroom | 50 m ² |

| | | |
|-------|---|-------------------|
| (iii) | Dwelling unit containing two bedrooms | 65 m ² |
| (iv) | Dwelling unit containing three bedrooms | 80 m ² |
| (v) | Dwelling unit containing more than three bedrooms - 80 m ² plus 10 m ² 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. | |

APPENDIX B— OFFICIAL PLAN SCHEDULE A



**TOWN OF AMHERSTBURG
OFFICIAL PLAN**

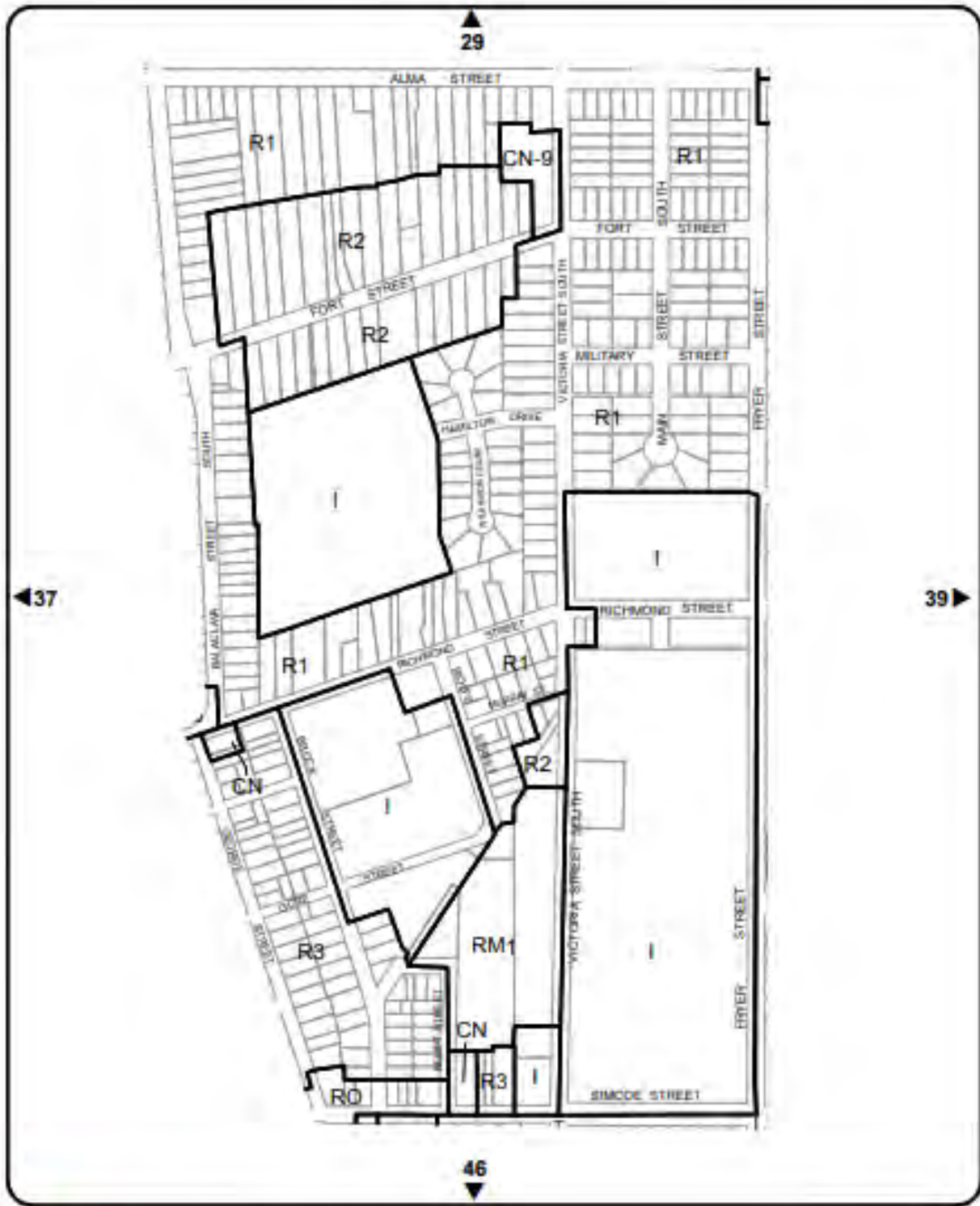
**SCHEDULE "A"
LAND USE PLAN**

Legend

- | | | |
|---------------------------------|---------------------------|----------------------------|
| Agricultural | Heritage Residential | Recreational Development |
| Settlement Area Boundary | Midrise Home Residential | Open Space |
| Threatened Significant Wetlands | Single-Family Residential | Special Policy |
| Natural Environment | Neighbourhood Commercial | Crown Land/State |
| Pondlands | General Commercial | Open Landfill Site |
| Low Density Residential | Light Industrial | Reserve Treatment Facility |
| High Density Residential | Heavy Industrial | |
| Medium Density Residential | Inclusion Industrial | |
| Office Residential | Institutional | |



APPENDIX C — CZBL 1999-52 SCHEDULE A MAP



TOWN OF AMHERSTBURG
ZONING BY-LAW NO. 1999-52

SCHEDULE 'A'
MAP 38

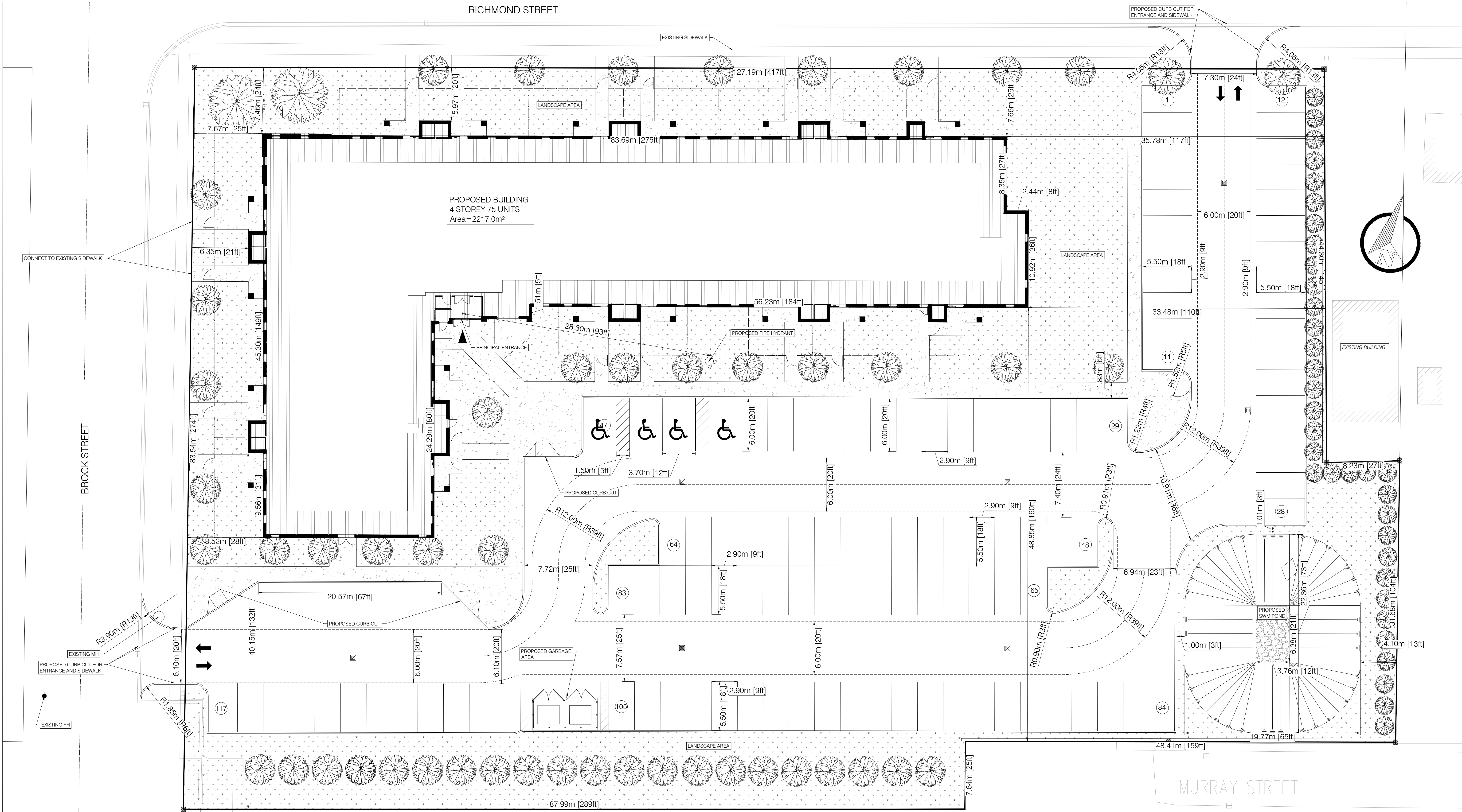
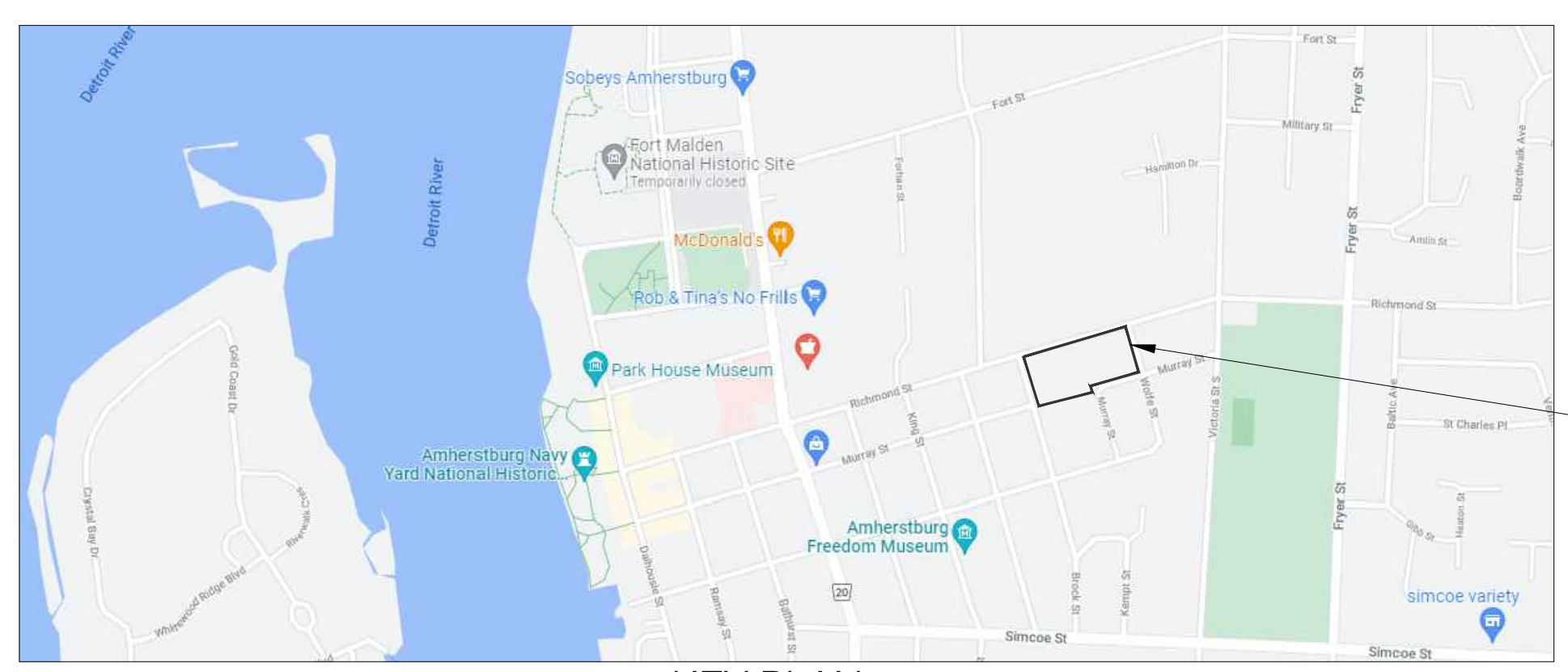


Figure 2

| ZONING MATRIX | | | |
|----------------------|-----------------|-----------------|---------------|
| PROJECT DESCRIPTION | EXISTING ZONING | PROPOSED ZONING | IBC REFERENCE |
| 4 STOREY 75 UNITS | R1 | R1 | IBC REFERENCE |
| RESIDENTIAL BUILDING | R1 | R1 | IBC REFERENCE |
| | | | IBC REFERENCE |
| | | | IBC REFERENCE |
| | | | IBC REFERENCE |



KEY PLAN

- NOTES:
- ALL FIRE DEPARTMENT SIGNAGE TO BE COMPLETED AFTER CONSTRUCTION IN COORDINATION WITH FIRE DEPARTMENT
 - ALL LIGHTING TO BE SHROUDED AND DARK SKY COMPLIANT
 - ALL ACCESSIBLE PARKING SPACES TO HAVE RB-93 SIGNS INSTALLED
 - ALL MAIL WILL BE CENTRALIZED INSIDE OF BUILDINGS
 - PROVIDE FIRE DEPARTMENT LOCKBOX
 - ALL EXTERIOR PATHS OF TRAVEL SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 80.23 OF ONTARIO REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT AND SECTIONS 3.8.1.3 AND 3.8.3.2 OF THE ONTARIO BUILDING CODE
 - ALL CURB RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 80.26(1) OF THE ONTARIO REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT AND SECTION 3.8.3.18 OF THE ONTARIO BUILDING CODE

| Date | Revision |
|------------------|----------------------|
| 11 FEBRUARY 2022 | AMBT/MT FOR APPROVAL |
| 11 MARCH 2022 | OPA/ZBA |





Figure 3





Summary of Correspondence Received on OPA and ZBA for 219 Brock Street

Below is a summary of the comments received by the Planning Services Division on OPA No. 15 and ZBA/07/22.

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 objections to the proposed official plan and Zoning By-law amendment being requested to allow for a residential land use on this former institutional land use site at 219 Brock Street. The conceptual site plan for this development reveals a design that will provide for effective emergency police incident response and general police patrolling capability that possesses numerous features to ensure public safety and security (such as unobstructed sight lines, good vehicular and pedestrian flow on the site, etc.).
- The redevelopment of the site for a residential use seems reasonable and appropriate within the broader context of the surrounding neighbourhood.
- To ensure all detailed facets of public safety and security get addressed for the development, we will provide more site-specific remarks during the site plan review phase for the project. This will include examining elements such as safe vehicular access and maneuverability, site lighting, etc.

Essex Region Conservation Authority:

The following is provided as a result of our review of the Notice of Public Meeting to Consider Application for Official Plan Amendment OPA 15 & ZBA-07-22 and Zoning By-Law Amendment This Official Plan and Rezoning application affects approximately 1.1

hectares of land located on the southeast corner of Brock Street and Richmond Street. 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 a new 4 storey 75-unit residential apartment building to be built at this location.

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

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

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

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

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

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

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

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

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the review of background information and aerial photograph, ERCA has no objection to this application for Zoning by-law Amendment and Official Plan Amendment.

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.

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

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

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.