



TOWN OF AMHERSTBURG SPECIAL COUNCIL MEETING

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<https://www.amherstburg.ca/livestream>

Monday, March 13, 2023

5:00 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
(Public Council Meeting Agenda Items)

4. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

5. ORDER OF BUSINESS

5.1 Statutory Public Meeting to Consider a Zoning By-law Amendment for 551 McLeod Ave 4

It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for lands municipally known as 551 McLeod Ave (File ZBA-05-23) **BE RECEIVED and SUMMARIZED** in a future report to Council.

5.2 Statutory Public Meeting to Consider a Zoning By-law Amendment for the West Side of Crystal Bay Drive 15

It is recommended that:

1. Comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands described as Part of Bois Blanc Island, Lot 2, Lot 3 and Part of Lot 4 and Water Lot municipally known as the west side of Crystal Bay Drive (File ZBA-04-23) **BE RECEIVED and SUMMARIZED** in a future report to Council.

5.3 Statutory Public Meeting to Consider a Zoning By-law Amendment, ZBA-20-22, for 639 Front Road N 29

It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for 639 Front Road N (File ZBA-20-22) **BE RECEIVED and SUMMARIZED** in a future report to Council.

6. 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: Janine Mastronardi	Report Date: February 24, 2023
Author's Phone: 519 736-5408 ext. 2134	Date to Council: March 13, 2023
Author's E-mail: jmastronardi@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider a Zoning By-law Amendment for 551 McLeod Ave

1. RECOMMENDATION:

It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for lands municipally known as 551 McLeod Ave (File ZBA-05-23) **BE RECEIVED and SUMMARIZED** in a future report to Council.

2. BACKGROUND:

The Town is in receipt of an application for a Zoning By-law amendment to By-law 1999-52 from Coulson Design-Build Inc. The rezoning application affects approximately 1000 sq m of land on the back portion of 551 McLeod Avenue. The rezoning, if approved, will change the zoning from Residential Type 1A (R1A) Zone to Special Provision Residential Second Density (R2-8) Zone. The lands are designated Low Density Residential in the Town's Official Plan.

3. DISCUSSION:

The submitted application seeks to change the zoning for the proposed development's lot layout from Residential Type 1A (R1A) to Special Provision Residential Second Density (R2-8) Zone to require a minimum lot frontage of 12 m and lot area of 460 m² and permit a maximum lot coverage of 35% for single detached dwellings.

The submitted application does not facilitate a change in the established use of the property but instead seeks to establish revised lot frontage, lot area and lot coverage provisions to conform to the proposed lot layout. The subject lands are proposed to be severed to create two building lots for two single detached dwellings. The severance will be subject to the consent process to create the proposed two building lots.

The requested increase in lot density does not facilitate any negative impacts on surrounding properties.

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

Section 1.1.3.1 of the PPS states:

Settlement areas shall be the focus of growth and development.

Section 1.1.3.6 of the PPS states:

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

The subject lands are located within a developed, fully serviced settlement area. The consent process will ensure that the development addresses all Provincial, Regional and local interests with respect to the appropriate use and development of the land. Specifically, the proposed lot creation represents efficient and orderly development of serviced residential land in accordance with the land use vision outlined in the Provincial Policy Statement.

The proposal conforms to the County's land use vision as outlined in the specific policies under the County Official Plan as it represents efficient development of land within in the Settlement Boundary. The subject lands are within Town's Settlement Boundary and are designated as Low Density Residential in the Town's Official Plan. The proposed single detached dwellings are permitted uses and the proposal makes efficient use of residential land and municipal infrastructure in accordance with the applicable Official Plan policies.

After the notice of public meeting was circulated, early comments from the public expressed concern regarding the change to the Residential Second Density (R2) zone which allows for semi-detached dwellings as a permitted use. From the initial consultation on the application to present, the applicant has shared a plan to sever two building lots and subsequently build two single detached dwellings on the subject parcels. Appendix C attached provides the proposed lot layout, building envelope and zoning matrix for the proposed lots. To further provide confirmation that only single detached dwellings are to be built the applicant has agreed to amend the application to request a zone change to a site specific Residential Second Density Zone which will allow for the lot frontage, lot area and lot coverage requested but limit the permitted uses on the lands to single detached dwelling, home occupation and accessory uses. The proposed permitted uses are the same as those permitted under the current R1A Zone.

The purpose of this initial public meeting is to provide an opportunity for the Applicant to present information and outline the purpose of the application to Council and to hear all comments regarding the rezoning. As Council is aware, notice for the proposed rezoning was circulated in accordance to the provisions of the Planning Act. All comments received to date will be provided to Council prior to the Statutory Public Meeting and all will be attached to the subsequent Council report.

Following this public meeting, staff will review all of the comments submitted as part of this application and prepare a report for a subsequent Council meeting. The second staff report will summarize all of the comments received and make recommendation(s) regarding the proposed rezoning and any applicable conditions if required.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality.

5. FINANCIAL MATTERS:

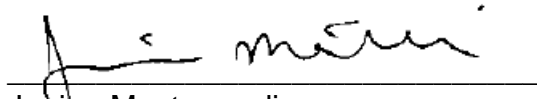
All costs associated with the application are the responsibility of the applicant. Should the decision be appealed to the Ontario Land Tribunal then the Town will incur costs.

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. The circulation map and list of properties within the 120m circulation radius are attached for information.

7. CONCLUSION:

Following the statutory public meeting, planning staff will be preparing a subsequent report for Council that will include a comprehensive analysis of all of the comments and recommendations received, and will provide a professional planning opinion and a staff recommendation with respect to the requested zoning by-law amendment.



Janine Mastronardi
Planner

JM

DEPARTMENTS/OTHERS CONSULTED:

Name: Office of Engineering and Public Works
Phone #: 519 736-3664 ext. 2313 & 2314

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

Name: Fire Services
Phone #: 519 736-6500

Name: Union Gas
Email: ONTUGLandsINQ@uniongas.com

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

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

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

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

Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment for 551 McLeod Ave.docx
Attachments:	<ul style="list-style-type: none">- Appendix A- ZBA-05-23- Aerial.pdf- Appendix B- 551 McLeod Site Photos.pdf- Appendix C- Site Compliance.pdf- Appendix D- Summary of Correspondence Received on ZBA-05-23.pdf- Appendix E- ZBA-05-23- Circulation List and Map.pdf
Final Approval Date:	Mar 7, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox



551 McLeod Avenue- Site Photos



View of Property from McLeod Avenue



View of Property from Lake Erie Drive

MCLEOD AVENUE

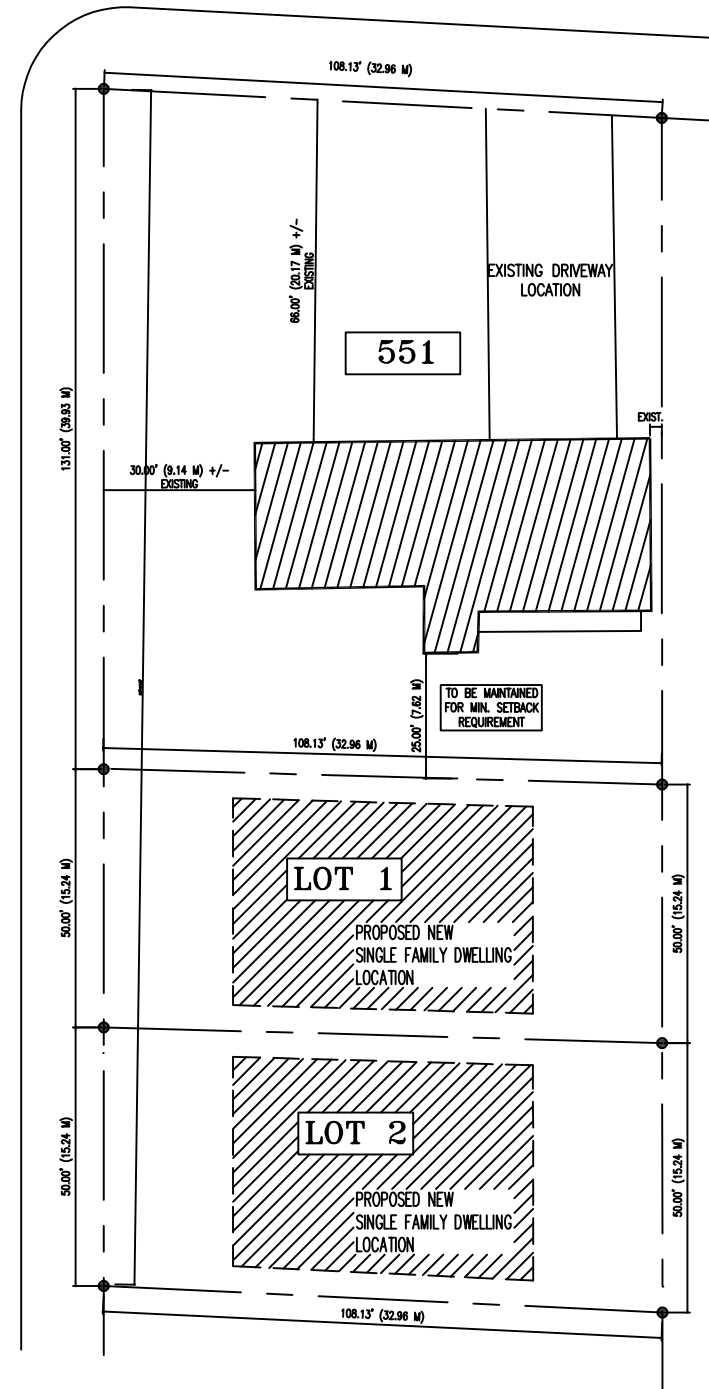
ZONING BY-LAW COMPLIANCE EXISTING RESIDENCE TO BE RETAINED – 551 MCLEOD

	REQUIRED	PROVIDED
ZONING DESIGNATION	R1A	R1A
MINIMUM LOT AREA	900 SQ. METERS	1300 SQ. METERS
MINIMUM LOT FRONTAGE	20M	32.96 M
MAXIMUM LOT COVERAGE	30%	18%
MINIMUM LANDSCAPED AREA	30%	82% (INCLUDING DRIVEWAY)
FRONT YARD SETBACK	7.5M	20.17M
REAR YARD SETBACK	7.5M	7.62M
INTERIOR SIDEYARD SETBACK	1.5M	EXISTING 1.5M (+/-)
EXTERIOR SIDEYARD SETBACK	7.5M	EXISTING 9.14M
MAXIMUM BUILDING HEIGHT	10.5M	EXISTING

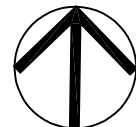
ZONING BY-LAW COMPLIANCE PROPOSED NEW LOTS NO.1,2

	REQUIRED – ZBA	PROVIDED
ZONING DESIGNATION	R2	R2
MINIMUM LOT AREA	460 SQ. METERS	500 + SQ. METERS
MINIMUM LOT FRONTAGE	12M	15.24M
MAXIMUM LOT COVERAGE	35%	35%
MINIMUM LANDSCAPED AREA	30%	30% +
FRONT YARD SETBACK	6M	6M MINIMUM
REAR YARD SETBACK	7.5M	7.5M MINIMUM
INTERIOR SIDEYARD SETBACK	1.5M	1.5M MINIMUM
EXTERIOR SIDEYARD SETBACK	6M	NOT APPLICABLE
MAXIMUM BUILDING HEIGHT	8.5M	8.5M

LAKE ERIE DRIVE



SITE PLAN





Summary of Correspondence Received on Proposed ZBA for Housekeeping Amendment

Below is a summary of the comments received by the Planning Services Division on ZBA/05/23.

Windsor Police:

I have reviewed these two applications for amendments to the Zoning By-law, both of which relate to allowing residential redevelopment of the lands in question, and would advise the Windsor Police Service has no concerns or objections with either of them. If site plan control ends up being a requirement of either application once the lands are physically developed, we will provide more detailed comments that specifically address issues of public safety and security.

Fire:

No issue.

Building Department:

No Issue.

Infrastructure Services:

No comments.

ZBA/05/23 - 551 McLeod- 120 m Circulation List

ARN	ADD1	STREETNAME
372955000004330	3956	CONCESSION 3 S
372955000004340	3952	CONCESSION 3 S
372955000004310	3964	CONCESSION 3 S
372955000009551	3938	CONCESSION 3 S
372955000004350	529	MC LEOD AVE
372955000004320	3960	CONCESSION 3 S
372955000009550	3942	CONCESSION 3 S
372954000022201	110	CLAREMONT LANE
372954000023600	103	TILFORD LANE
372954000021700	545	MCLEOD AVE
372954000022000	110	LAKE ERIE DR
372954000022400	126	TILFORD LANE
372954000021450	107	CLAREMONT LANE
372954000023100	123	TILFORD LANE
372954000000805	3939	CONCESSION 3 S
372954000021500	557	MCLEOD AVE
372954000022301	111	CLAREMONT LANE
372954000000900	542	MCLEOD AVE
372954000021300	569	MCLEOD AVE
372954000023000	127	TILFORD LANE
372954000021600	551	MCLEOD AVE
372954000021502	104	CLAREMONT LANE
372954000023200	124	CLAREMONT LANE
372954000025400	128	LAKE ERIE DR
372954000021900	3957	CONCESSION 3 S
372954000000901		MCLEOD AVE
372954000000804	3937	CONCESSION 3 S
372954000025500	127	LAKE ERIE DR
372954000021400	561	MCLEOD AVE
372954000021901	3959	CONCESSION 3 S
372954000023300	115	TILFORD LANE
372954000023500		LAKE ERIE DR
372954000022300	122	TILFORD LANE
372954000021950	116	LAKE ERIE DR
372954000022101	111	LAKE ERIE DR
372954000022001	104	LAKE ERIE DR
372954000022100	117	LAKE ERIE DR
372954000001000	554	MCLEOD AVE
372954000021800	539	MCLEOD AVE
372954000022200	116	TILFORD LANE





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

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Author's Name: Janine Mastronardi	Report Date: February 24, 2023
Author's Phone: 519 736-5408 ext. 2124	Date to Council: March 13, 2023
Author's E-mail: jmastronardi@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Statutory Public Meeting to Consider a Zoning By-law Amendment for the West Side of Crystal Bay Drive

1. RECOMMENDATION:

It is recommended that:

1. Comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands described as Part of Bois Blanc Island, Lot 2, Lot 3 and Part of Lot 4 and Water Lot municipally known as the west side of Crystal Bay Drive (File ZBA-04-23) **BE RECEIVED and SUMMARIZED** in a future report to Council.

2. BACKGROUND:

The Town is in receipt of an application for a Zoning By-law Amendment to By-Law 1999-52 from Terry Hermiston. The rezoning application affects approximately 3542.95 sq m of land on the west side of Crystal Bay Drive (refer to Appendix 1). The rezoning, if approved, will change the zoning from Recreation (RE) Zone to a Special Provision Residential Type 1A (R1A-11) Zone. The lands are designated Recreational Development in the Town's Official Plan.

The site-specific zone provision proposed will allow for all uses permitted and lot provisions set out in the R1A Zone with the addition of a maximum height of an accessory structure of 7.62 m.

It is noted that the subject land had been historically owned by Mrs. Dorothy Tresness at time that John Oram purchased the Island and obtained planning approvals including rezoning and Official Plan Amendments. The Tresness family had a cottage on the Island while Boblo was an amusement park. The original development concept proposed by Mr. Oram in 1996 has been also attached for reference which has this lot highlighted. The

subject lands, as they were privately owned and contained a cottage that was still enjoyed for many years by Mrs. Tresness was never part of the *Planning Act* applications by Mr. Oram.

The Island was rezoned by Mr. Oram to Resort Recreational/ Resort Commercial (RR/RC) at the time that his development concept was approved by Council and the Province. Those lands that were not owned by Mr. Oram as they were developed including 448 and 460 Gold Coast were zoned R1A such that setbacks and depths could be incorporated for the dwelling construction. The majority of lots on the Island are subject to extensive restrictive covenants and part of a homeowners association however the subject lands are not subject to these.

3. DISCUSSION:

The subject lands are designated Recreational Development Special Policy Area 6 in the Town of Amherstburg Official Plan. Section 4.7 of the Official Plan states:

The predominant use of land in areas designated Recreational Development shall be recreational facilities including parks, marinas, golf courses, residences and offices associated with the recreational uses, and other public or private commercial recreational facilities including restaurants, snack bars, parking areas and auxiliary buildings and uses.

Uses permitted on Bois Blanc Island, known locally as Boblo Island and designated Recreational Development, shall be for a combination of residential, commercial recreational and entertainment establishments such as, but not limited to, restaurants, hotels, motels, taverns and marinas.

Residential development on the island shall be at a range of densities and dwelling types in accordance with the policies of this Plan and the standards, regulations, policies and guidelines of the Ministry of Environment. Marina development and shoreline work will be subject to the standards, regulations, policies and guidelines of the federal government.

Official Plan Goal 4.7.1(4) is adopted for recreational development and states, "To utilize Bois Blanc/Boblo Island to its fullest potential as both a recreational attraction and as a desirable residential development and provide appropriate flexibility to permit uses in order to ensure creative redevelopment."

Recreational Development Policies found in Section 4.7.2 of the OP state recreational development will be permitted in accordance with the following policies/criteria:

(2) All uses should have adequate access roads and be situated on a County Road or on Boblo Island;

(3) Water supply and septic or sewage disposal facilities must satisfy the requirements of the Town or its designated agent under the Building Code or the Ministry of Environment under the Ontario Water Resources Act whichever is applicable;

The applicant has purchased a 3 ft by 145 ft strip of land that runs along the frontage of the subject lands to provide legal access to the property from the Crystal Bay Drive right-of-way.

There is adequate water supply and sewage disposal provided to the subject parcel by municipal water lines and municipal sanitary sewers.

Recreational Special Policies for Boblo Island are found in 4.7.3(1) and state:

(1) Boblo Island has been designated Recreational on Schedules A and B and has been noted as Special Policy Area 6. This is a unique parcel of land located in the Detroit River between Canada and the United States and was the former site of a major amusement park that brought its patrons to the park by paddle wheel boats. The redevelopment of this area in accordance with the permitted uses established in this subsection will be permitted provided the development can be adequately serviced to the satisfaction of the Town and the Ministry of Environment and subject to site plan control. It is anticipated that the residential component of development will take the form of a combination of dwelling types ranging from single detached dwellings to multifamily dwellings. Subject to servicing capabilities, approximately 1800 units are anticipated as part of the development as well as commercial and recreational uses to serve the residents of the island. Development will be subject to the following conditions:

a) Recreational resort accommodation and residential units shall be of an appropriate density and height. Development within 150 metres of the eastern shoreline of the island will be limited in height to 6 storeys. Multi-family development elsewhere on the island shall be limited to 10 storeys until such time as a suitable firefighting solution has been resolved to the satisfaction of the Town. Development will proceed in phases.

b) The owner will undertake archaeological assessment, where required, of those lands that will be altered by development to the satisfaction of the Town and the appropriate Ministry;

c) The implementing Zoning By-Law and Site Plan Control agreement shall address, but not be limited to the location of buildings, including accessory residences and structures; the location of water, sanitary sewage, and stormwater works and solid waste storage facilities; the location and standards of access (ingress/egress) facilities both on the island and the mainland, including ferry docks, landings and mooring boats, as well as roads, walkways and parking areas; grading, erosion and sedimentation control; landscaping, planting, buffering and fencing; the protection and enhancement of natural areas, including woodlots and shorelines; road maintenance, snow clearance, garbage collection and general maintenance of the island.

d) Marina development will be permitted subject to the requirements of the federal government.

e) The owner will prepare, to the satisfaction of the municipality, the Ministry of Environment and/or the Essex Region Conservation Authority, a comprehensive stormwater management plan for all phases of construction and the completed

development, in accordance with the best management practices prescribed in provincially sanctioned guidelines and interim guidelines.

The lands identified as Recreational Development Special Policy may also be subject to an Environmental Impact Assessment in accordance with Section 6.9 as determined by Council in consultation with the Essex Region Conservation Authority.

The rezoning application and the development of the lands have been discussed with the Ministry of the Environment, Conservation and Parks (MECP) prior to processing the application to confirm that Section 2.1 of the Provincial Policy Statement would be appropriately addressed including 2.1.7 Endangered Species issues along with Official Plan policies listed above. These issues have been sufficiently resolved and a MECP clearance has been provided.

The current Recreation (RE) Zone permits the following uses;

- (i) campground licensed by the municipality, including a trailer camp, in accordance with Subsection 19(3)(h);
- (ii) conservation area;
- (iii) golf course;
- (iv) a marina;
- (v) golf driving range;
- (vi) public and private parks, including playgrounds, picnic facilities, sports fields, a bowling green and tennis courts;
- (vii) a public parking area;
- (viii) a recreation or community centre;
- (ix) meeting house, clubhouse or fraternal hall;
- (x) accessory uses.

The proposed Special Provision Residential Type 1A (R1A-11) Zone will permit the following uses;

- (i) single unit residential uses;
- (ii) home occupation;
- (iii) accessory uses.

The zone provisions proposed for are as follows;

No person shall within any R1A Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

- (a) Front Yard Depth (Minimum) 7.5m
- (b) Interior Side Yard Width 1.5 m
 (Minimum)
 - With attached garage or carport
 - Without attached garage or carport 2.5 m on one side and 1.5 m on the other side
- (c) Rear Yard Depth (Minimum) 7.5 m

- (d) Lot Coverage (Maximum) 30%
- (e) Landscaped Open Space (Minimum) 30%
- (f) Height (Maximum) 10.5 m

(g) Notwithstanding Section 3(1)(c) No accessory building or structure shall exceed 7.62 metres in height measured to the peak of the roof for any accessory structure in the R1A-11 Zone.

(h) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof save and except Section 3(1)(c).

The proposed use of the subject lands conforms to the Town of Amherstburg Official Plan as the Recreational Development designation supports residential uses.

The purposed use of the second storey of the detached accessory structure is a hobby room/gathering space. Currently Section 3(3)(f)(d) of Zoning By-law 1999-52, as amended, restricts a secondary dwelling unit in the front yard. If the proposed accessory structure were to be converted to contain a secondary dwelling unit then further Planning Act approvals and a change of use building permit would be required.

The purpose of this initial public meeting is to provide an opportunity for the Applicant to present information and outline the purpose of the application to Council and to hear all comments regarding the rezoning. As Council is aware, notice for the proposed rezoning was circulated in accordance to the provisions of the Planning Act. All comments received to date will be provided to Council prior to the Statutory Public Meeting with possible further comments attached to the subsequent Council report.

Following this public meeting, staff will review all of the comments submitted as part of this application and prepare a report for a subsequent Council meeting. The second staff report will summarize all of the comments received and make recommendation(s) regarding the proposed rezoning and any applicable conditions if required.

4. RISK ANALYSIS:

The recommendation presents little to no risk to the municipality.

5. FINANCIAL MATTERS:

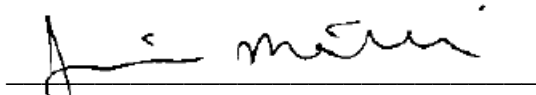
All costs associated with the application are the responsibility of the applicant. Should the decision be appealed to the Ontario Land Tribunal then the Town will incur costs.

6. CONSULTATIONS:

The Notice of Public Meeting was published in the local newspaper and on the Town website 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. The circulation map and list of properties within the 120m circulation radius are attached for information.

7. CONCLUSION:

Following the statutory public meeting, planning staff will be preparing a subsequent report for Council that will include a comprehensive analysis of all of the comments and recommendations received, and will provide a professional planning opinion and a staff recommendation with respect to the requested zoning by-law amendment.



Janine Mastronardi
Planner

JM

DEPARTMENTS/OTHERS CONSULTED:

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

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 a Zoning By-law Amendment for west side of Crystal Bay Drive.docx
Attachments:	- Appendix A- ZBA-04-23- Aerial.pdf - Appendix B- Summary of Correspondence Received on ZBA-04-23.pdf - Appendix C- ZBA-04-23- Circulation List and Map.pdf - Appendix D- 2023-036- ZBA- W-S Crystal Bay Drive-DRAFT.pdf
Final Approval Date:	Mar 7, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox





Summary of Correspondence Received on Proposed ZBA for Housekeeping Amendment

Below is a summary of the comments received by the Planning Services Division on ZBA/04/23.

Windsor Police:

I have reviewed these two applications for amendments to the Zoning By-law, both of which relate to allowing residential redevelopment of the lands in question, and would advise the Windsor Police Service has no concerns or objections with either of them. If site plan control ends up being a requirement of either application once the lands are physically developed, we will provide more detailed comments that specifically address issues of public safety and security.

Fire:

No issue.

Building Department:

No Issue.

Infrastructure Services:

Owner will be required to ensure / install services and obtain ROW permits for access.

ZBA/04/23 - 248 Crystal Bay Dr.

ARN	ADD1	ADD2	STREETNAME
372964000030300	87		BOBLO ISLAND BLVD
372964000013501			DETROIT RIVER
372964000030400	91		BOBLO ISLAND BLVD
372964000030500	93		BOB-LO ISLAN BLVD
372964000022650			GOLD COAST DR
372964000031500			WHITEWOOD RI BLVD
372964000031600			WHITEWOOD RI BLVD
372964000019710	261		CRYSTAL BAY DR
372964000031400			WHITEWOOD RI BLVD
372964000019750	271		CRYSTAL BAY DR
372964000019800	277		CRYSTAL BAY DR
372964000013900			CRYSTAL BAY DR
372964000019610	290		CRYSTAL BAY DR
372964000019600	284	290	CRYSTAL BAY DR
372964000026200	245		CRYSTAL BAY DR
372964000019705	257		CRYSTAL BAY DR
372964000030600	99		BOBLO ISLAND BLVD
372964000031000	210		CRYSTAL BAY DR
372964000030800	214		CRYSTAL BAY DR
372964000025300	209		CRYSTAL BAY DR
372964000030705	103		BOBLO ISLAND BLVD
372964000026000	239		CRYSTAL BAY DR
372964000031300	204		CRYSTAL BAY DR
372964000025400	217		CRYSTAL BAY DR
372964000030900	212		CRYSTAL BAY DR
372964000030700	101		BOBLO ISLAND BLVD
372964000031200	206		CRYSTAL BAY DR
372964000025900	237		CRYSTAL BAY DR
372964000020000	289		CRYSTAL BAY DR
372964000031100	208		CRYSTAL BAY DR
372964000014000			CRYSTAL BAY DR
372964000019900	281		CRYSTAL BAY DR
372964000026100	243		CRYSTAL BAY DR
372964000014100	248		CRYSTAL BAY DR
372964000013802			CRYSTAL BAY DR
372964000013803			CRYSTAL BAY DR
372964000013800			CRYSTAL BAY DR
372964000014204			CRYSTAL BAY DR
372964000019700	280		CRYSTAL BAY DR
372964000025700	233		CRYSTAL BAY DR
372964000025800	235		CRYSTAL BAY DR
372964000025600	231		CRYSTAL BAY DR
372964000025500	227		CRYSTAL BAY DR
372964000014200			CRYSTAL BAY DR
372964000014203			CRYSTAL BAY DR



**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2023-036**

**By-law to amend Zoning By-law No. 1999-52
W/S Crystal Bay Drive, Amherstburg**

WHEREAS By-law 1999-52, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Amherstburg;

AND WHEREAS the Council of the Town of Amherstburg deems it appropriate and in the best interest of proper planning to amend By-law 1999-52, as herein provided;

AND WHEREAS this By-law conforms to the Official Plan for the Town of Amherstburg;

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

1. Schedule "A", Map 83 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from RE to R1A-11" on Schedule "A" attached hereto and forming part of this By-law from "Recreation (RE) Zone" to "Special Provision Residential Type 1A (R1A-11) Zone"
2. THAT Section 6(4)(k) of By-law 1999-52, as amended, is hereby added with the following:
"R1A-11
 - (i) Uses Permitted
 1. single unit residential uses;
 2. home occupation;
 3. accessory uses.
 - (ii) Front Yard Depth (Minimum) 7.5 m
 - (iii) Interior Side Yard Width (Minimum)
 - With attached garage or carport 1.5 m
 - Without attached garage or carport 2.5 m on one side and 1.5 m on the other side
 - (iv) Rear Yard Depth (Minimum) 7.5 m
 - (v) Lot Coverage (Maximum) 30 %
 - (vi) Landscaped Open Space (Minimum) 30 %
 - (vii) Height (Maximum) 10.5 m
 - (viii) Notwithstanding Section 3(1)(c) no accessory building or structure shall exceed 7.62 metres in height measured to the peak of the roof for any accessory structure in the R1A-11 Zone.
 - (ix) Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 thereof save and except Section 3(1)(c).
3. THAT all other appropriate regulations for the use of land and the character, location and use of buildings and structures conforms to the regulations of the Commercial Neighbourhood Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.

THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990.

Read a first, second and third time and finally passed this --th day of --, 2023.

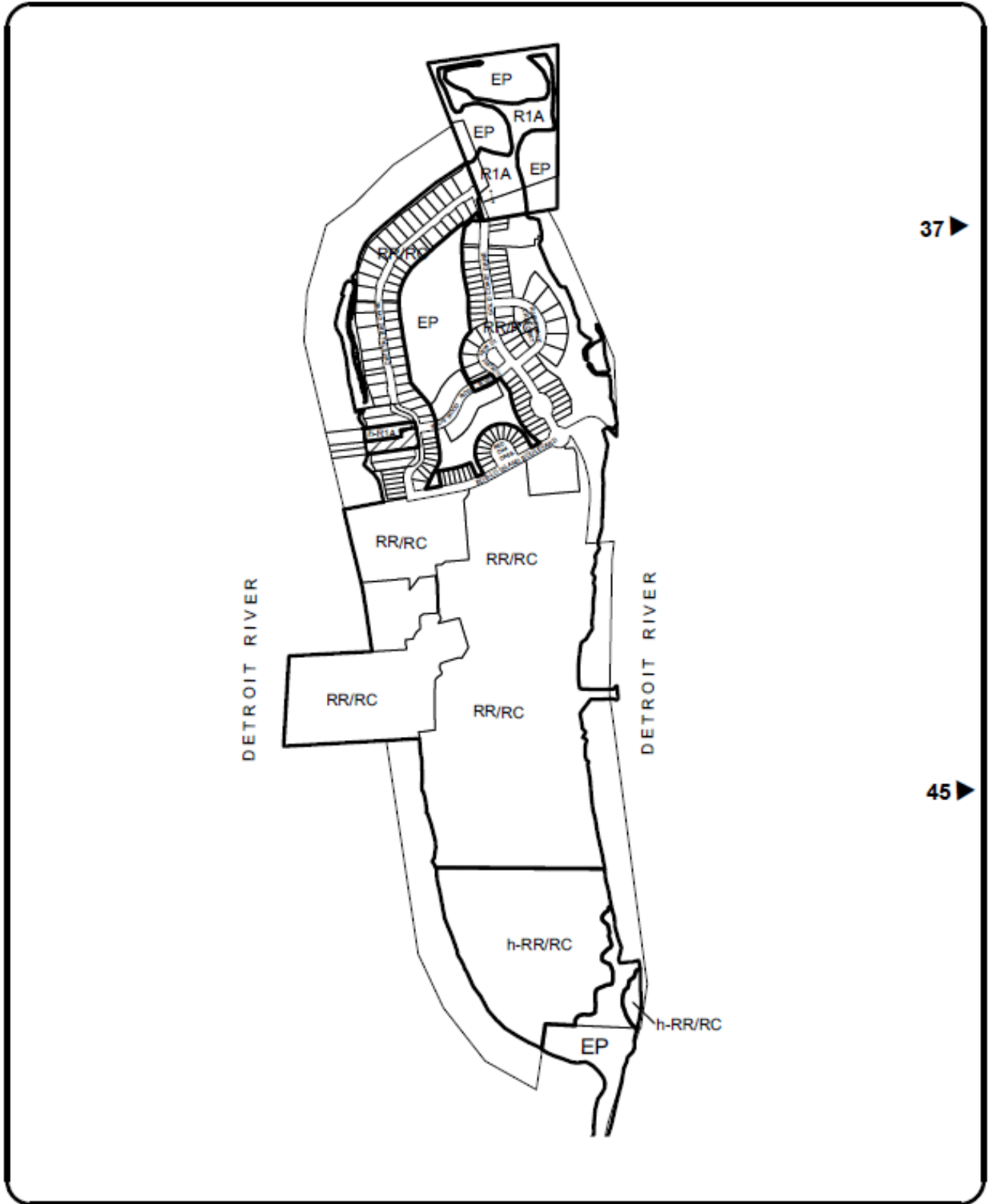
MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

DRAFT

TOWN OF AMHERSTBURG


SCHEDULE "A" TO BY-LAW No. 2023-036
A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'

MAP 83

ZONING BY-LAW NO. 1999-52

RE to R1A-11 



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 a Zoning By-law Amendment, ZBA-20-22, for 639 Front Road N

1. RECOMMENDATION:

It is recommended that:

- 1. Comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for 639 Front Road N (File ZBA-20-22) BE RECEIVED and SUMMARIZED in a future report to Council.

2. BACKGROUND:

The Town is in receipt of an application for a Zoning By-law amendment to By-law 1999-52 from 2833983 Ontario Limited. The re-zoning application affects approximately 2.3 hectares of land on the east side of Front Road N, municipally known as 639 Front Road N (Figure 1 in the attachments). The rezoning, if approved, will change the zoning from Residential Type 1A (R1A) Zone/Commercial Neighbourhood (CN) Zone to a split zone of Special Provision Residential Multiple Second Density (RM2-11) Zone on approximately the front 0.77 ha of the property and Special Provision Residential Second Density (R2-8) on approximately the rear 1.64 ha of the property. The rezoning will facilitate the development of a 28 unit, 5-storey apartment building, six lots for semi-detached dwellings and two lots for single detached dwellings. The lands are designated High Density Residential/Special Policy Area 9 in the Town's Official Plan (Figure 2 in the attachments).

3. DISCUSSION:

The submitted application seeks to change the zoning for the proposed development to site specific zones to facilitate the development of an apartment building, semi-detached dwellings and two single detached dwellings. Multiple forms of relief from each zone are

required. The tables below outline the zoning relief that is required for each special provision zone.

Table 1: RM2-11 Zone Relief Requests

Zoning Provision	Required	Provided
Minimum Front Yard Depth	25 m	16 m
Minimum Interior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5 m
Minimum Exterior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5 m

Table 2: R2-8 Zone Relief Requests

Zoning Provision	Required	Provided
Minimum Exterior Side Yard Width	6 m	4.1 m
Maximum Lot Coverage (single detached dwelling)	35%	42%
Maximum Lot Coverage (semi-detached dwelling)	35%	56%

The submitted application will change the permitted uses on the property. Currently, only single detached dwellings would be permitted under the Residential Type 1A (R1A) Zone. The applicant is requesting Council's consideration for a higher density development on the subject lands. Figure 3 in the attachments outlines the proposed zone boundaries and proposed uses. The development will be required to go through the Draft Plan of Subdivision approval process with the County of Essex for the semi-detached and single detached lots, and the Site Plan Control approval process with the Town of Amherstburg for the apartment building.

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

Section 1.1.3.1 of the PPS states:

Settlement areas shall be the focus of growth and development.

Section 1.1.3.6 of the PPS states:

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

The subject lands are located within a developed, fully serviced settlement area. The

comprehensive subdivision planning process and site plan control process will ensure that the development addresses all Provincial, Regional and local interests with respect to the appropriate use and development of the land. Specifically, the proposed subdivision and apartment building represents efficient and orderly development of serviced residential land in accordance with the land use vision outlined in the Provincial Policy Statement.

The proposal conforms to the County's land use vision as outlined in the specific policies under the County Official Plan as it represents efficient development of land within the Settlement Boundary. The subject lands are within Town's Settlement Boundary and are designated as High Density Residential/Special Policy Area 9 in the Town's Official Plan. The proposed apartment building, single detached dwellings and semi-detached dwellings are permitted uses within the existing designation and the proposal makes efficient use of residential land and municipal infrastructure in accordance with the applicable Official Plan policies.

Section 4.3.7 Residential Special Policy Areas of the Town of Amherstburg Official Plan states:

(1) The lands located at and abutting the former Anderdon Tavern site on the east side of County Road 20, north of Texas Road and south of Middle Side Road and identified as Special Policy Area 9, shall have a dual designation of Neighbourhood Commercial and High Density Residential. Medium and/or Low Density Residential development and/or a hotel shall also be permitted subject to an approved concept plan by Council. Height limitations shall be incorporated into the Zoning By-law. A restaurant (not fast food or drive through) may form part of the permitted uses under the designation if integrated into either a hotel or a Neighbourhood Commercial development. The west side of the site may be used as either low density residential or as a marina associated with the residential development to the east of County Road 20.

The proposed use of the subject lands conforms to the Town of Amherstburg Official Plan by providing a higher density land use on the subject lands, as envisioned by the Special Policy Area 9 designation.

The applicants have provided a Planning Justification Report (PJR) from Stantec Consulting Ltd. The PJR is provided in the appendices to this report.

The following reports have been/are being prepared for the proposed development and will be provided to the Town and County, as finalized, as part of the Draft Plan of Subdivision process:

- Phase 1 Environmental Site Assessment (ESA);
- Archeological Study, undertaken by Earthworks;
- Update to the Environmental Impact Statement (EIS) Report;
- Drainage Report;
- Traffic Impact Study (TIS), undertaken by Stantec Consulting Ltd.

The purpose of this initial public meeting is to provide an opportunity for the Applicants to present information and outline the purpose of the application to Council and to hear all comments regarding the re-zoning. As Council is aware, notice for the proposed re-zoning was circulated in accordance to the provisions of the Planning Act. As of the preparation

of this report, a number of comments were received by the Town. A summary of the comments are attached to this report.

Following this public meeting, staff will review all of the comments submitted as part of this application and prepare a report for a subsequent Council meeting. The second staff report will summarize all of the comments received and make recommendation(s) regarding the proposed re-zoning and any applicable conditions if required.

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. Should the decision made by Council be appealed to the Ontario Land Tribunal, then the Town will incur costs.

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. The circulation map and list of properties within the 120m circulation radius are attached for information.

7. CONCLUSION:

This report contains information with respect to applicable Provincial policies, Official Plan policies and Zoning By-law regulations, as they pertain to the subject rezoning application.

Following the statutory public meeting, planning staff will be preparing a subsequent report for Council that will include a comprehensive analysis of all of the comments and recommendations received, and will provide a professional planning opinion and a staff recommendation with respect to the requested zoning by-law amendment.



Sarah French
Planner

Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment, ZBA-20-22, for 639 Front Road N.docx
Attachments:	<ul style="list-style-type: none">- ZBA-20-22- Notice of Statutory Public Meeting- 639 Front Road.pdf- ZBA-20-22 Aerials.pdf- ZBA-20-22 639 Front Road N Site Pictures.pdf- ZBA-20-22 Application_Redacted.pdf- ZBA-20-22 PJR Update Jan 2023.pdf- ZBA-20-22 639 Front Road Lot Sizes and Coverages.pdf- ZBA-20-22 Circulation List for Council.pdf- ZBA-20-22- Summary of Comments Recieved.pdf- 2023-035 DRAFT 639 Front Road.pdf
Final Approval Date:	Mar 7, 2023

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

No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley

A handwritten signature in black ink, appearing to read "Kevin Fox", written in a cursive style. The signature is positioned above a solid horizontal line that extends across the width of the signature.

Kevin Fox

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

STATUTORY PUBLIC MEETING:

TAKE NOTICE that the Council of the Corporation of the Town of Amherstburg will hold a public meeting on **Monday, March 13, 2023 commencing at 5:00 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

ANY PERSON seeking to attend meetings in-person should follow all public health guidance to ensure the safety of themselves and others during the COVID-19 pandemic.

ANY PERSON who wishes to attend and address Council by electronic means, must register with the Clerk's Office no later than 4:00 pm on Thursday, March 9, 2023. To register for electronic participation please email the Clerk's Office at clerk@amherstburg.ca. Once you register, you will be given information on how to make your submission at the electronic meeting by electronic participation. To participate, you will need access to a computer or tablet with internet service or a telephone.

ANY PERSON who wishes watch the meeting proceedings only, please visit <http://video.islive.ca/amherstburg/live.html>

THE SUBJECT LANDS AND PURPOSE OF THIS REZONING APPLICATION:

This rezoning application affects approximately 2.3 ha of land described as Part Lot 13, Concession 1 S, municipally known as 639 Front Road North (see key map below).

This rezoning, if approved, will amend the zoning of the lands noted below from the "**Residential Type 1A/Special Provision Commercial Neighbourhood (R1A/CN-4) Zone**" to "**Special Provision Residential Multiple Second Density (RM2-11) Zone**" and "**Special Provision Residential Second Density (R2-8) Zone**". The proposed Amendment to the Zoning By-law is in conformity with the policies in the Official Plan. The lands are designated as Special Policy Area 9 in the Town's Official Plan, which permits neighbourhood commercial and high density residential uses.

The effect of the amendment to the RM2-11 Zone will be to allow for a multiple dwelling construction with special provisions including a reduced exterior side yard from 6 m or half the height of the building, whichever is greater, to 7.5 m, a reduced interior side yard from 6 m or half the height of the building, whichever is greater, to 7.5 m, and a reduced front yard depth from 25 m from Front Road N to 16 m.

The effect of the amendment to the R2-8 zone will be to allow for general residential uses on the subject properties with a reduced minimum exterior side yard width from 6 m to 4.1 m, an increased maximum lot coverage for single detached dwellings from 35% to 42% and an increased maximum lot coverage for semi-detached dwellings from 35% to 56%.

The amendment will allow for multiple types of residential development including single detached dwellings, semi-detached dwellings and multiple residential buildings.

ADDITIONAL INFORMATION:

ANY PERSON may make written representation in support of or in opposition to the proposed Zoning By-law Amendment by email to the Clerk's Office at clerk@amherstburg.ca or in person by appointment for drop-off at the Libro Centre located at 3295 Meloche Road. Comments must be submitted by 4:00 p.m. on Thursday, March 9, 2023 before the meeting and will be read aloud prior to the application being heard by Council.

NO PERSON OR PUBLIC BODY shall be added as a party to the hearing of the appeal unless,

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

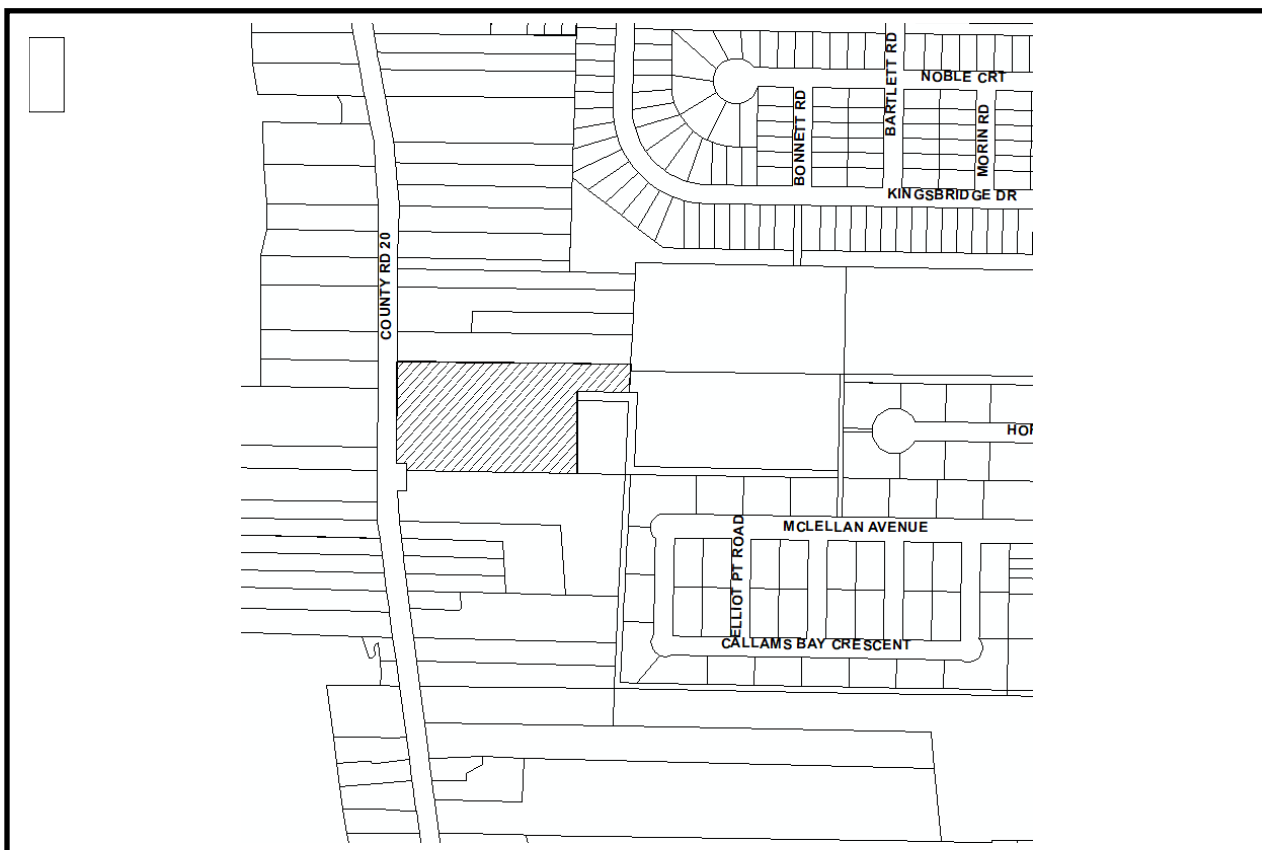
before the bylaw was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

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

Further information relating to the proposed Zoning By-law (File# ZBA/20/22) Amendment is available for inspection by calling or emailing the Planning Department Office during normal office hours, 8:30 a.m. to 4:30 p.m. The proposed Zoning By-law Amendment is also available for review on the Town of Amherstburg Website: www.amherstburg.ca. If you wish to be notified of the passage of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below. The hearing will be available for viewing by livestream by visiting www.amherstburg.ca.

DATED at the Town of Amherstburg this 15th day of February, 2023.

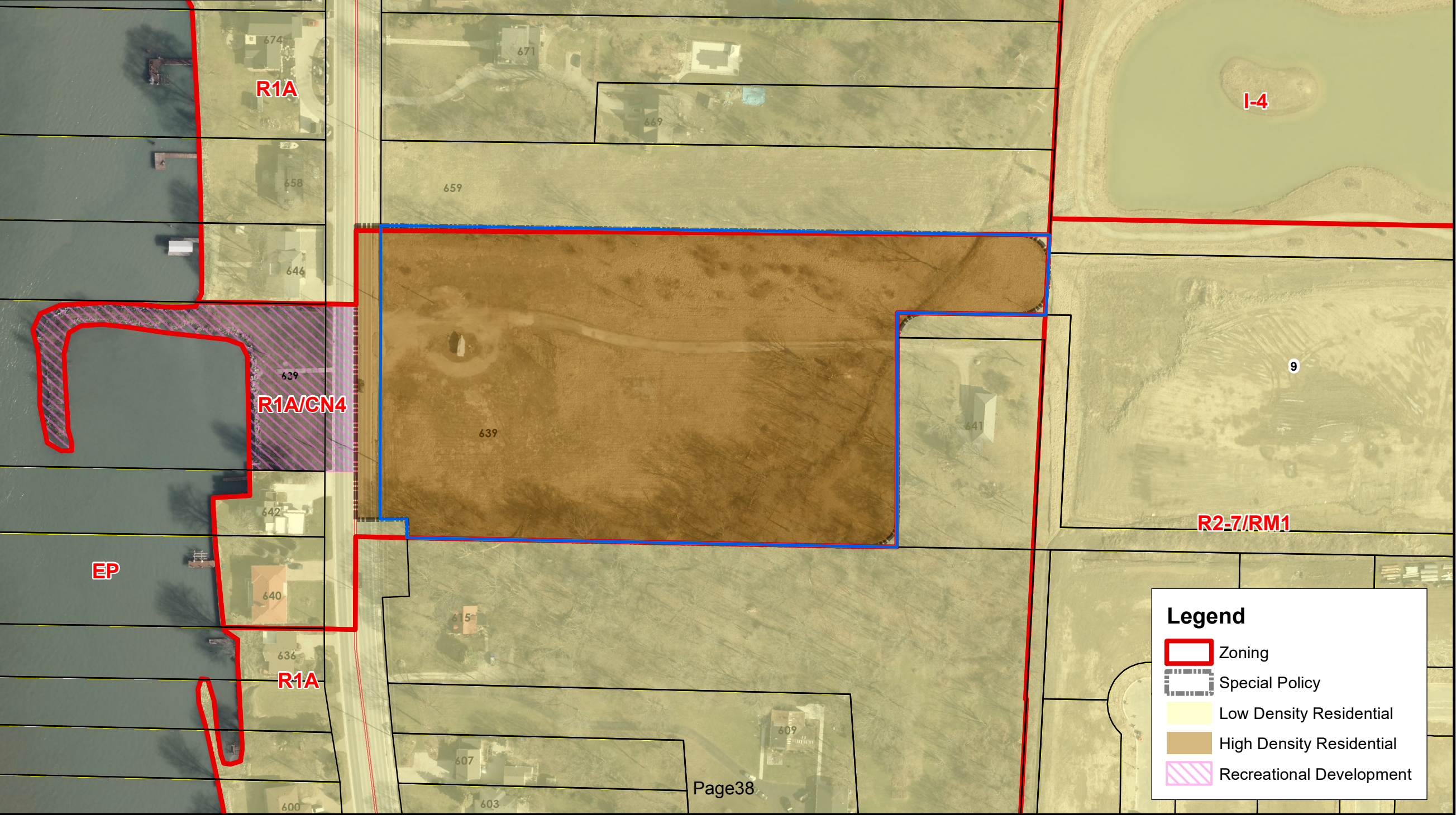
KEY MAP








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

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Legend

-  Zoning
-  Special Policy
-  Low Density Residential
-  High Density Residential
-  Recreational Development

Stantec
2555 Ouellette Ave Suite 100
Windsor ON Canada N8X 1L9
Tel: 519.966.2250
www.stantec.com

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Legend

Notes

Revision	By	Appd.	YY.MM.DD
Issued	B/By	Appd.	YY.MM.DD
File Name:	165620244_C_001-3		2020.
	Dwn.	Chkd.	Dsgn.

Permit/Seal

**PRELIMINARY
NOT FOR
CONSTRUCTION**

Not for permits, pricing or other official purposes. This document has not been completed or checked and is for general information or comment only.

Client/Project
WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

Title
ZONING AREAS

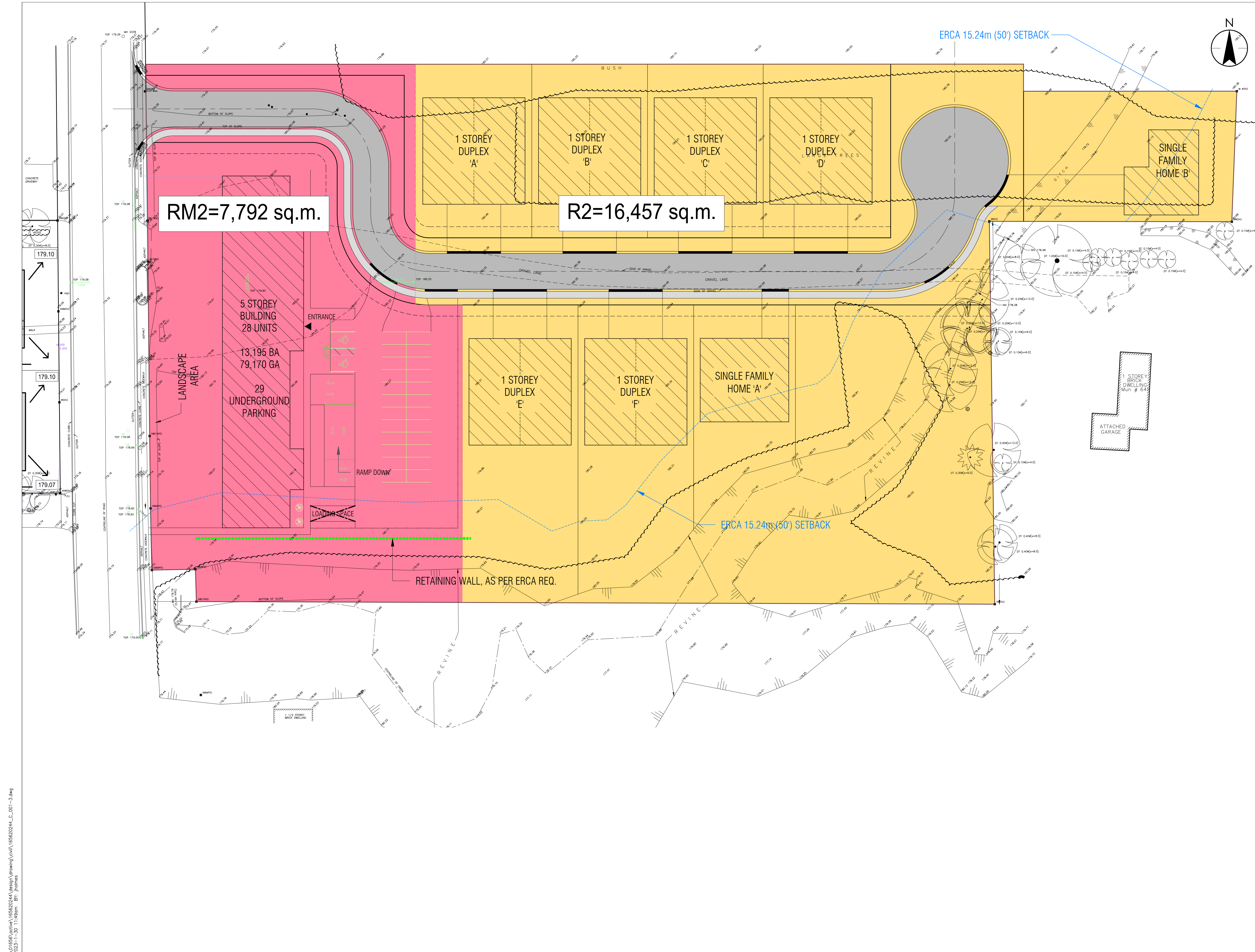
Project No.
165620244

Scale
1:400

Revision Sheet

Drawing No.

Z-1



639 Front Road N Site Pictures









Municipal Fee Received:	
Municipal Deposit Received:	PAID
ERCA Fee Received:	

Application No. ZBA/20/22

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

- Name of approval authority Town of Amherstburg
- Date application received by municipality Nov 1, 2022
- Date application deemed complete by municipality _____
- Name of registered owner 2833983 Outwa Limited
Telephone number _____
Address _____
Email _____
Name of registered owner's solicitor or authorized agent (if any) Norbert Bolger
Telephone number _____
Address _____
Email _____

Please specify to whom all communications should be sent:

- registered owner solicitor agent

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

- Location and description of subject land:
Concession No. Cove 1 Lot(s) No. Pt Lot 13
Registered Plan No. _____ Lot(s) No. _____
Reference Plan No. _____ Part(s) No. _____
Street Address 639 Front Rd N Assessment Roll No. _____

- Size of subject parcel:
Frontage 351' Depth 800' Area 5.7 ACRES

- Access to subject parcel:
 Municipal Road County Road Provincial Highway
 Private Road Water

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

- (a) Current Official Plan Land Use designation of subject land High Density Residential
(b) Explanation of how application conforms to the Official Plan See POR

(c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

- Yes
- No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

10. Current Zoning of subject land RIA/CN-4

11. Nature and extent of rezoning requested See PJR

12. Reasons why rezoning is requested See PJR

13. Current use of subject land VACANT LAND

14. Length of time current use of subject land has continued 57 YEARS

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

(a) minimum and maximum density requirements

- Yes
- No

(b) minimum and maximum height requirements

- Yes
- No

If yes, state the requirements _____

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

VACANT LAND

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

VACANT LAND

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

19. Proposed use of subject land MULTI-FAMILY RESIDENTIAL

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

Please See Site Plan

21. Type of water supply:

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

22. Type of sanitary sewage disposal:

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

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

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

23. Type of storm drainage:

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

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

- consent to sever
- approval of a plan of subdivision

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

N/A

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

NO

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

NO

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

- Yes
- No

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

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

Yes No

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

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

Yes No

Comments _____

29. Is the subject land within an area of land designated under any provincial plan or plans?

Yes No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

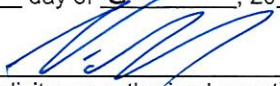
Yes No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

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


Yes No

Dated at the Town of Amherstburg this 31st day of Oct, 2022


(signature of applicant, solicitor or authorized agent)

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

Declared before me at the Town of Amherstburg in the County
of Essex this 3 day of November, 2022.


Applicant, Solicitor or Authorized Agent


A Commissioner, etc.

Janine Quintina Mastronardi, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 30, 2024

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
- c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
- d) the current uses on land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

NOTE:

A deposit of \$1,000.00, and a flat fee of \$2290, along with an ERCA development review fee of \$400.00 for major ZBA applications or \$275.00 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$3690 for major ZBA applications and \$3565 for Minor ZBA Applications. Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1041.00 plus an ERCA review fee of \$275.00, totalling \$1316, must accompany your completed application for a Holding (h) Removal zone change.

A flat fee of \$1041.00 plus an ERCA review fee of \$275.00, totalling \$1316, must accompany your completed application for a zone change from A to A-36.



**639 FRONT RD SUBDIVISION PLANNING
JUSTIFICATION REPORT**

January 18, 2023

Prepared for:
Waterstone Anderdon Developments

Prepared by:
Stantec Consulting Ltd.



Project Number:

639 Front Rd Subdivision Planning Justification Report

The conclusions in the Report titled 639 Front Rd Planning Justification Report are Stantec’s professional opinion, as of the time of the Report, and concerning the scope described in the Report. The opinions in the document are based on conditions and information existing at the time the scope of work was conducted and do not take into account any subsequent changes. The Report relates solely to the specific project for which Stantec was retained and the stated purpose for which the Report was prepared. The Report is not to be used or relied on for any variation or extension of the project, or for any other project or purpose, and any unauthorized use or reliance is at the recipient’s own risk.

Stantec has assumed all information received from Waterstone Anderdon Developments (the “Client”) and third parties in the preparation of the Report to be correct. While Stantec has exercised a customary level of judgment or due diligence in the use of such information, Stantec assumes no responsibility for the consequences of any error or omission contained therein.

This Report is intended solely for use by the Client in accordance with Stantec’s contract with the Client. While the Report may be provided to applicable authorities having jurisdiction and others for whom the Client is responsible, Stantec does not warrant the services to any third party. The report may not be relied upon by any other party without the express written consent of Stantec, which may be withheld at Stantec’s discretion.

Prepared by:  Signature
Sharon Yin  Signature
Tracy Tang

 Signature
Angela Wang

Reviewed & Approved by:  Signature
Moira Davidson, MCIP, RPP  Signature
Nancy Reid, MES, MCIP, RPP



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1.0 Introduction

On behalf of our client Waterstone Anderdon Developments, this Planning Justification Report has been prepared in accordance with the County of Essex Official Plan, the Town of Amherstburg Official Plan, and the Town of Amherstburg Zoning By-law. Policies outlined in these documents are used in support of a Zoning By-law Amendment (ZBA), and a Draft Plan of Subdivision approval. This report provides the background, overview and development proposal concept for the Subject Lands located at 639 Front Road North, in Amherstburg, ON. A Draft Plan of Subdivision, along with proposed development concept plans, have been included in this report, as shown in **Appendix A**.

The primary objective of this report is to outline the proponent's specific requests while providing a rationale for the proposed subdivision. Also included in this report, is a review and analysis of relevant land use policies as they pertain to density and height regulations, land use designations, and site plan controls. This Planning Justification Report provides our professional planning opinions and is a supplement to the comprehensive application package being submitted. While it serves to set the framework for the proposed subdivision as illustrated in the concept plan, it should be noted that the development presented may be refined throughout the development process.

The development concept and plan of subdivision is depicted in **Appendix A**, which outlines the organization and placement of the different intended housing types proposed for the Subject Lands. A Zoning By-law Amendment to re-zone the Subject Lands will be requested in support of this Draft Plan of Subdivision application, to facilitate the development of the proposed residential subdivision and to align the zoning of the Subject Lands with the existing Official Plan designation. As illustrated in the development concept and plan of subdivision, appropriate Essex Region Conservation Authority (ERCA) setbacks and ERCA-requested retaining walls for flood prevention have also been incorporated, as necessary.

Appendix B includes a compilation of the figures and mapping used throughout this report for reference, and **Appendix C** includes a series of plans and concepts that have been developed to illustrate servicing capacity and potential physical constraints. **Appendix D** is comprised of floor plans and preliminary renderings of the apartment complex proposed for the west end of the Subject Lands, as illustrated on the Draft Plan of Subdivision concept (see **Figure 4**). It also includes preliminary floor plans for the proposed semi-detached developments on the Subject Lands.

Furthermore, in support of this application, there are a series of studies that have been initiated and are currently underway. These studies include a(n):

- Phase 1 Environmental Site Assessment (ESA);
- Archeological Study, undertaken by Earthworks;
- Update to the Environmental Impact Statement (EIS) Report;
- Drainage Report;
- Traffic Impact Study (TIS), undertaken by Stantec Consulting Ltd.



While the studies listed above are ones that are ongoing and in progress, we recognize the possibility that additional studies may be required as this application progresses. The Client is willing to undertake and complete these additional studies to the satisfaction of the Town and/or County, as they may be required, in the future to support this Draft Plan of Subdivision.

The plans and reports provided with this submission have been prepared in accordance with the direction provided by the County of Essex and the Town of Amherstburg.

Other documents in support of the comprehensive application package includes:

- A complete Zoning By-law Amendment Application form submitted to the Town of Amherstburg
- A complete Draft Plan of Subdivision Application form submitted to the County of Essex
- A site concept plan detailing the design data/specifications for the proposed development, including ERCA setbacks shown on the Plan
- A complete Zoning Review Data Sheet

A Functional Servicing Report to provide a conceptual framework for water distribution, sanitary sewage, and storm drainage for the development of the Subject Lands will be completed and provided in a separate future phase of development. However, completion of this report will take place prior to the undertaking of further detailed designs.

Collectively these studies and reports generate a 'Complete' Application and are reflective of the discussions and correspondence facilitated prior to this formal submission. This 'Complete' Application package should be circulated to the planning review agencies and be made available to Council and the public for their review and consideration.

2.0 Subject Property Description

2.1 Description of Subject Lands

The Subject Lands, owned by Waterstone Anderdon Developments, is a 2.32 hectare (ha) parcel of land with frontage onto Front Road North, municipally known as 639 Front Road N, in Amherstburg, ON. Subject to the Town of Amherstburg's Official Plan, the lands are currently designated High Density Residential and Special Policy Area #9, as per Schedule 'B-2' of the Official Plan. Within the County of Essex's Official Plan, the Subject Lands depicted as being part of Amherstburg's Settlement Area with the 'Settlement Areas' designation. In accordance with the Town of Amherstburg's Zoning By-law #1999-52, the Subject Lands are zoned R1A (Residential Type 1A)/CN-4 (Commercial Neighbourhood) Zones. The Subject Lands are located in the north portion of Amherstburg, in close proximity to the Detroit River, as highlighted in **Figure 1** Location of Subject Lands.





Figure 1: Location of Subject Lands

The property currently sits vacant. There is a winding, unpaved path that currently runs across the Subject Lands and leads to a single-detached dwelling on an adjacent property. That aside, the lot remains empty and underutilized. Regarding topography and elevation, the Subject Lands are generally flat with an even topography and sits at an elevation of approximately 181.2 m above sea level (ASL).

2.2 Surrounding Land Uses and Areas

The Subject Lands are located in the north portion of Amherstburg and are in close proximity to the Detroit River. The Subject Lands are bound by residential uses. Specifically, the Subject Lands are surrounded by low density residential development to the north, northwest, south, and southwest of the property. Immediately east is an existing single-detached home and a existing lot under construction. (see **Figure 1**).

To the northeast of the Subject Lands, is an existing Stormwater Management Pond. To the west, the Subject Lands are bounded by Front Road North – which is classified as an arterial road according to Schedule ‘D’ in the Town’s Official Plan. Further west of the property is an open space area and pathway that provides access to the Detroit River, which will provide recreational opportunity for future residents. There is an unobstructed view of the water from the Subject Lands, which will provide further recreational benefits to future residents. Furthermore, the Subject Lands are also bound by a linear cluster of trees and shrubbery along the south side of the Subject Lands, which extends from the west to the east end of the property. This cluster of trees and shrubbery currently acts as a natural barrier separating the Subject Lands from the adjacent residential properties to the south.

According to Schedule ‘A’ – Land Use Plan, and Schedule ‘B-2’ in the Town’s Official Plan, the surrounding lands to the north, east, and south of the Subject Lands are designated as Low Density



Residential. The lands located to the west of the Subject Lands, between Front Road N and the Detroit River, are designated Recreational Development, in accordance with the Town of Amherstburg’s Official Plan. At a broader scale, there is a tract of land further east of the Subject Lands that is designated Open Space by the Town’s Official Plan. The Town’s Official Plan also designates a significant amount of land as Open Space to the northeast of the Subject Lands, north of Whelan Drive. Along Front Road N, further south of the Subject Lands and just south of Texas Road, there is a tract of land that is designated as General Commercial by Schedule ‘B-2’ of the Town’s Official Plan.

2.3 Existing Land Use Controls

The proposed Zoning By-law Amendment and Draft Plan of Subdivision application are subject to various Provincial and Local Planning Policies.

Table 1 is a listing of the relevant Provincial and Local planning documents which are applicable to the proposed development of the Subject Lands:

The Planning Act	Section 51 Plan of Subdivision Approvals
Provincial Policy Statement, 2020 (PPS)	Sections 1.4, 1.6, 1.7, 2.1, 2.2, 2.4, & 3.1 Supporting policies regarding broad provincial goals
County of Essex Official Plan:	General Policies – Sections 2.3, 2.4, 2.5, 2.8 – 2.11 Land Use Policies – Settlement Areas Implementation and Interpretation – Lot Creation (Plans of Subdivision/Condominium) Map 1: County of Essex Local Municipalities Schedule A1 – Land Use Plan Schedule A2 – Settlement Structure Plan Schedule C3 – Intake Protection Zones Schedule E1 – Resources
Town of Amherstburg Official Plan:	Section 3.7: Development Control Areas – Lake Erie and Detroit River Flood Prone Area Section 4: Land Use Policies – Residential Uses, and Residential Land Use Designations



	<p>Section 6: Development Policies – Land Division (Plans of Subdivision), and Housing Policies</p> <p>Section 7: Implementation (Plans of Subdivision)</p> <p>Schedule “B-2” – Land Use Plan</p> <p>Schedule “C” – Natural Features</p>
<p>Town of Amherstburg Zoning By-Law #1999-52:</p>	<p>Section 6 – Residential Type 1A (R1A) Zone</p> <p>Section 11 – Residential Multiple Second Density (RM2) Zone</p> <p>Section 17 – Commercial Neighbourhood (CN) Zone</p>

Table 1: Existing Land Use Controls & Policies

3.0 Land Use Policy Framework Overview

3.1 Provincial Planning Framework

3.1.1 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) sets a policy foundation for regulating the development and use of land. It provides direction on matters of provincial interest and supports the enhancement of the quality of life for all citizens of Ontario. The legislation requires that *Planning Act* applications must be “consistent with” the Provincial Policy Statement. With regards to the Provincial Policy Statement, the proposal is consistent with the following policies in support of the application. The proposal supports the policies and guidelines of the outlined sections of the Provincial Policy Statement in the following ways:

PPS Policy	Policy Consistency
1.0 Building Strong Healthy Communities	
Settlement areas shall be the focus of growth and development (1.1.3.1)	The proposed subdivision and development is located within the Settlement Area of the Town of Amherstburg.
Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources (1.1.3.2 a)	The proposed development will efficiently use land and resources by providing a mix and range of housing opportunities for current and future residents. Increased efficiency in the use of land is demonstrated



	through higher density forms of housing that is proposed for the Subject Lands.
Land use patterns within settlement areas shall be based on densities and a mix of land uses which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (1.1.3.2 b)	The proposed subdivision would increase the efficient use of resources by optimizing the utilization of surrounding public service facilities and infrastructure, such as public roads, schools, health clinics, municipal fire and police stations, etc.
Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4)	The proposed development is considered infill, as it is the development of currently vacant lands within the settlement area boundary of Amherstburg. Infill is considered a form of intensification, and as such, the development would facilitate intensification and compact form with the proposition of higher density housing forms. There are no perceived, nor expected risks to public health and safety posed by the development of the proposed subdivision.
1.4 Housing	
Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents (1.4.3).	The proposed subdivision provides a significant mix and range of housing options, which would increase the mix of housing forms and densities within the immediate neighbourhood and broader community.
Planning authorities shall permit and facilitate all types of residential intensification (1.4.3 b.2).	The development would support residential intensification through infill.
Planning authorities shall promote 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 (1.4.3 d).	The proposed subdivision provides a range and mix of housing types, which includes higher density forms. Higher densities will promote a more efficient use of land. The property on which the proposed development will be located also has frontage onto an arterial road, which leads into the Town's downtown.
1.7 Long Term Economic Prosperity	



<p>Long-term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.</p>	<p>The variety of housing forms within the proposed subdivision would provide a wide range of housing options and price points to support a diverse workforce.</p>
--	--

Further emphasizing the housing policies outlined above, it is in the interests of the Province to provide for an appropriate range and mix of housing options and densities to satisfy the projected needs of the regional market area. As a reflection of these goals and intentions, the Provincial Policy Statement insists that planning authorities shall:

- 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*
- 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.*

Generally, the Provincial Policy Statement (PPS) maintains that a sufficient supply of residential units should be made available through lands that are suitably zoned to facilitate residential intensification and redevelopment. These policies fall in line with the broad objects of the PPS, in the sense that land and resources should be wisely managed and used efficiently.

Schedule 'E1' – Resources, in the County's Official Plan has identified salt deposits on the Subject Lands. The protection of these minerals is important for the wise use and management of natural resources, as stated in Provincial Policy. In terms of policy relevant to resource protection and preservation, the PPS states that minerals and petroleum resources should be protected for long-term use (2.4.1). Within the PPS, both metallic (e.g. copper, nickel, gold) and industrial non-metallic minerals (e.g. graphite, kyanite, syenite, salt, etc.) are broadly categorized as "minerals". To protect the long-term supply of such resources, known mineral deposits and significant areas of mineral potential are to be identified (2.4.2.2). In the interests of protecting these resources, it is stated that development in or on adjacent lands that may hinder the establishment of new operations or access to these resources, should only be permitted under the following circumstances and criteria:

- a) *resource use would not be feasible; or*
- b) *the proposed land use or development serves a greater long-term public interest; and*
- c) *issues of public health, public safety and environmental impact are addressed.*

With the identification of natural heritage features on the Subject Lands, Provincial Policy pertaining to Natural Heritage will be relevant for the proposed development. Under the PPS, natural heritage features and areas have also been flagged for protection and preservation for the long term (2.1.1). According to the PPS, it is imperative that the diversity and connectivity of natural features in the area remain intact, and that the long-term ecological function and biodiversity of these natural heritage systems be maintained (2.1.2). The PPS also notes that it is important to recognize the linkages



between and among natural heritage features and areas, surface water features, and ground water features (2.1.2), and to ensure that all such features are maintained and protected to the extent feasible.

Development and any site alteration will not be permitted in (2.1.4):

- a) *significant wetlands in Ecoregions 5E, 6E and 7E1; and*
- b) *significant coastal wetlands.*

Development and any site alteration in the following features and areas will only be permitted if it has been demonstrated that there will be no negative impacts on the natural features or their associated ecological functions (2.1.5):

- a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*
- b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- d) *significant wildlife habitat;*
- e) *significant areas of natural and scientific interest; and*
- f) *coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)*

In the cases mentioned above (2.1.5), development and site alteration on adjacent lands to these identified features will also not be permitted unless the ecological function of the adjacent lands have been adequately assessed, and where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.8).

3.2 Local Planning Framework

3.2.1 County of Essex Official Plan

Essex County is the Upper-tier Municipality for the Town of Amherstburg. Thus, the policies found within the County of Essex Official Plan have been taken under consideration for the development of the proposed subdivision.

Schedule 'A1' – Land Use Plan, of the County's Official Plan indicates that the Subject Lands are within the settlement area boundary and are thus designated as a Settlement Area under the Official Plan. Schedule 'A2' – Settlement Structure Plan, further classifies the Subject Lands as a Primary Settlement Area.

The Essex County Official Plan highlights a series of goals for a healthy county (Policy 1.5). The intention of these goals is to establish the long-term prosperity and social well-being of the County, and to maintain sustainable, resilient communities. In order to achieve these goals, the County has determined a list of policies to help actualize their vision. Some of these policies under section 1.5 include calls to action, directing the County:



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- *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*
- *To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population*
- *To ensure that petroleum, minerals, and mineral aggregate resources are available for future use and that extraction operations are protected from activities that would hinder their expansion or continued use.*
- *To protect and enhance the quality and quantity of ground and surface water and the function of sensitive ground water recharge/discharge areas, highly vulnerable aquifers, headwaters and Intake Protection Zones.*
- *To ensure that Lake Erie, Lake St. Clair and the Detroit River are noted as significant areas for fishing and hunting and that future land use decisions are made with regard to maintaining access to these resources.*

The vision and purpose, as stated by the County Official Plan is 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" (Policy 3.2.1).*

Further to this, the County has established its goals for Settlement Areas within their Official Plan. Notable goals include the intent 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" (3.2.2. c).* As detailed in the County Official Plan, all efforts will be made to promote residential intensification and affordable housing opportunities within Primary Settlement Areas (Policies 3.2.2. I and j, respectively). Moreover, the *"efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools" (3.2.2. e)* will also be required by the County.

The Subject Lands have been identified as a Primary Settlement Area with respect to the County Official Plan, which have been defined as the largest and most traditional centres of settlement and commerce within the County (3.2.4). Policies pertaining to Primary Settlement Areas include (3.2.4.1):

- *Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.*
- *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).*



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- *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.*
- *Downtown/Uptown areas should maintain and/or enhance the existing character of these areas. Mixed-use development and an accessible pedestrian oriented streetscape are encouraged. The preparation of Community Improvement Plans are also encouraged.*
- *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.*

The County supports residential intensification within Primary Settlement Areas (3.2.6. b). Well-planned and designed intensification development projects within these Settlement Areas are intended to encourage a more efficient use of land and municipal infrastructure with the anticipation that this will facilitate economic and social benefits for the broader community, while increasing the vitality of such areas and providing a wider range of housing choices (3.2.7). As indicated within the County Official Plan, a residential intensification target of 15% for all new residential development has been set within the County (3.2.7). However, the County also recognizes the historic value of older neighbourhoods, and as such, encourages these landscapes and areas to develop in a manner that is consistent with the overall character of these neighbourhoods (3.2.7).

3.2.2 Town of Amherstburg Official Plan

The Subject Lands are situated within the Town of Amherstburg, and thus, the property is subject to the policies of the Town's Official Plan. In accordance with Schedule 'B-2' in the Town of Amherstburg's Official Plan, the Subject Lands have been designated as High Density Residential and have been identified as Special Policy Area #9 (see **Figure 2**).

It is the intention of the Town's Official Plan to ensure that sufficient lands are allocated for various Residential designations to accommodate projected populations in a suitable variety of places, densities and unit types (4.2.1). Broadly speaking, an established goal for all Residential areas is to provide ample opportunity for the increase of housing supply through residential intensification, which may include infill, accessory apartments, conversion, and redevelopment (4.2.2. 5).

In regard to the vacant areas in various Residential Designations that are proposed for residential development – which is the case with the Subject Lands, the Town's Official Plan states that 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” (4.2.3. 4). To further build on this policy, new residential developments and areas should ensure the provision of a range of housing types, sizes, price and tenure arrangements to accommodate for households of various socio-economic status (4.2.3. 4).



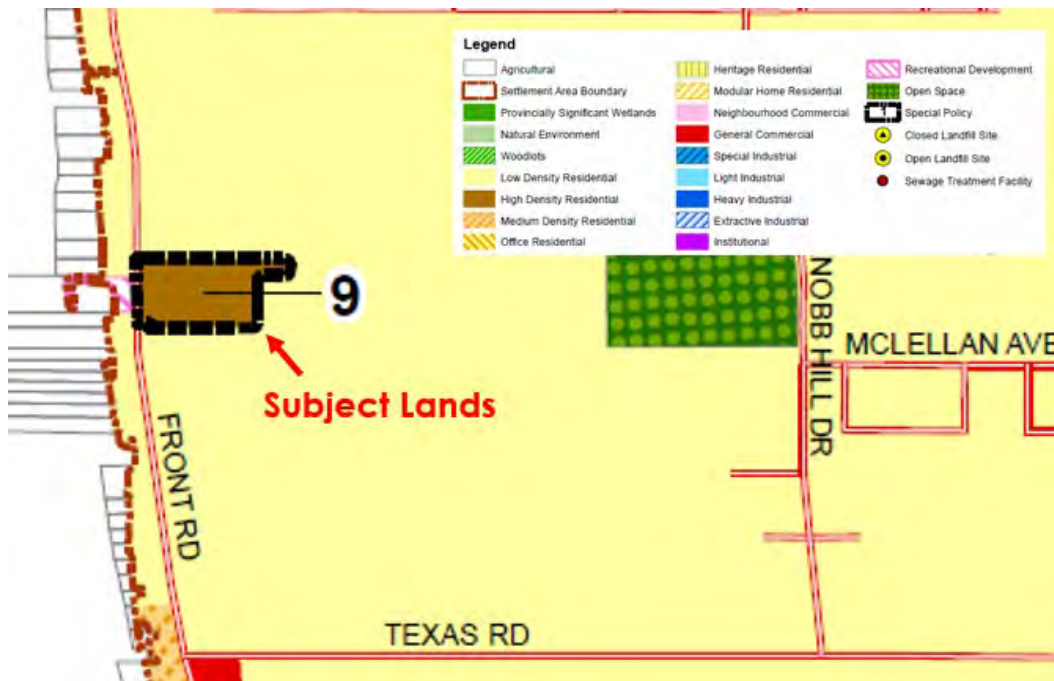


Figure 2: Town of Amherstburg Official Plan Land Use Designation

Uses that are permitted within High Density Residential Areas, in accordance with the Town’s Official Plan, include horizontal multiples, apartments, limited home occupation uses, and public uses (4.3.3). The regulated maximum density for this designation is set at 150 dwelling units per gross hectare, and it is determined by the Official Plan that these designation areas may be placed in separate zoning categories when implementing the Town’s Zoning By-law (4.3.3).

The Subject Lands have also been identified as Special Policy Area #9. Under this Residential Special Policy Area, the Official Plan has designated the subject property a dual designation of Neighbourhood Commercial and High Density Residential (4.3.7. 1). In line with these relevant special policies, Medium and/or Low Density Residential development may also be permitted on the Subject Lands, pending an approved concept plan by Council and in compliance with the Zoning By-law.

3.2.3 Town of Amherstburg Zoning By-law

The Subject Lands are zoned Residential Type 1A (R1A)/Commercial Neighbourhood (CN-4) Zone according to Schedule ‘A’, Map 19 in the Town of Amherstburg Zoning By-law #1999-52, as shown in **Figure 3**.

The following uses are permitted on a Residential Type 1A (R1A) Zone, according to the Town’s Zoning By-law:

- Single unit residential uses;
- Home occupation;
- Accessory uses;
- Public use



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Meanwhile, the Commercial Neighbourhood (CN) Zone permits the following uses:

- Business office;
- Day care;
- Dry cleaner's distribution station;
- Dwelling unit;
- Medical/dental office;
- Personal service shop;
- Professional office;
- Public use;
- Retail store;
- Convenience store;
- Video rental establishment

Within the special provisions granted by the CN-4 (Restaurant/Tavern) Zone, additional uses that are permitted within this zone include a restaurant and/or tavern and marina as it exists on the date that this Zoning By-law was passed.

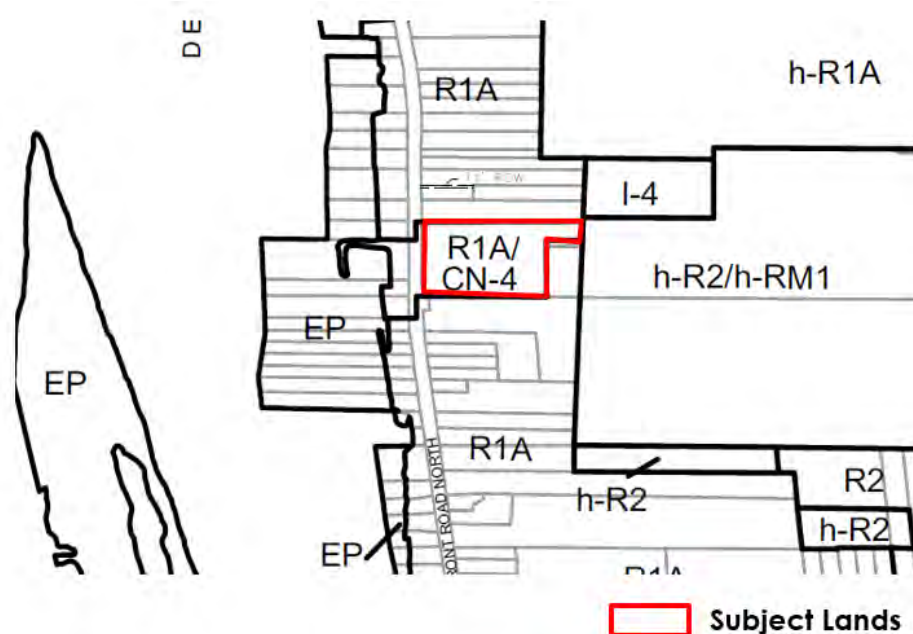


Figure 3: Existing Zoning for Subject Lands



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Furthermore, on lots with more than one zone – as is the case with the Subject Lands - the lot is to be considered a single lot according to the Zoning By-law. In such cases, the Zoning By-law states that the highest or most restrictive zone requirements pertaining to the permitted uses in all relevant zones, will apply throughout the said lot.

The General Provisions of the Zoning By-law (Section 3) state that Floodprone Areas of the Town are shown on Schedule 'B' of the by-law. While the referenced Schedule 'B' was not found within the digital copy of the most up-to-date Zoning By-law, a small pocket of land within the boundaries of the Subject Lands have been identified as being part of the Lake Erie/Detroit River Floodprone Area by the Town Official Plan. The subject property also includes lands that have been identified within the 1:100 year Flood Line by the ERCA. Therefore, the property is subject to the General Provisions outlined under "Floodprone Areas" in the Zoning By-law.

These provisions state that development directly within the Floodway is prohibited – with the exception of a permeable fence. The area within the Floodplain Development Control Area, surrounding but outside of the Floodway, may be developed in accordance with the associated provisions of the underlying zone(s). However, any development within the Floodplain Development Control Area and in proximity to a Floodway, must be floodproofed to the satisfaction of the ERCA.

The proposed subdivision will abide by these regulations and provisions, as the Client has no intention of developing directly within the Floodway/Floodprone Area identified by the Official Plan. As well, floodproofing measures such as ERCA setbacks and retaining walls have also been incorporated into the design and layout of the proposed subdivision to further align the development with the Floodprone Area regulations of the Zoning By-law. Therefore, consideration of the provisions for the underlying zone(s) will take precedence in the evaluation of this development proposal.

The current zoning of the Subject Lands is restrictive due to the limited range in the types of residential dwellings that are permitted on the Subject Lands. Existing zoning only permits single unit residential uses, which inhibits the development of higher density housing forms on the Subject Lands. Thus, an amendment of the Zoning By-law is being requested to facilitate the development of the proposed subdivision. Further details pertaining to the request for a Zoning By-law Amendment (ZBA) are discussed in greater depth within the subsequent sections of this report.



4.0 Development Proposal

4.1 Overview

The intention is to develop the 2.32 hectares (ha) parcel of land municipally known as 639 Front Road North in the Town of Amherstburg, which is owned by Waterstone Anderdon Development. The development proposal entails a residential subdivision including a mix and range of different housing forms and will include a Draft Plan of Subdivision application and a Zoning By-law Amendment application to support the Draft Plan. The proposed residential subdivision would realize the development of a mix of various housing types, ranging from low-density residential development to higher-density forms with proposed underground parking. The proposal includes two (2) single family home lots, six (6) 1-storey semi-detached dwellings, and one (1) 5-storey apartment with 28 units, accompanied by 29 underground parking spaces. The proposed subdivision would also include a Landscape Area, ensuring adequate spacing between the proposed development and adjacent streets/roads, with respect to the public realm. ERCA mandated retaining walls for flood prevention, and ERCA setbacks have also been incorporated as part of the Draft Plan of Subdivision.

A preliminary Sanitary Sewer Plan, Storm Sewer Plan, Watermain Layout Plan, Lot Grading Plan, and plan for Removals, have also been created to account for servicing capacity and potential physical constraints. These plans are attached to this report in **Appendix C**.

4.2 Draft Plan of Subdivision

Following pre-submission consultation with the County and Town, a Draft Plan of Subdivision and a series of servicing and grading plans were completed in support of the application. ERCA constraints and regulations have been taken into account in the Draft Plan of Subdivision ("Draft Plan"), and ongoing studies (as listed in Section 3.0 Background of this report) as requested by staff are currently underway to further support this Draft Plan submission. A Draft Plan of Subdivision is shown in **Figure 4** and attached as **Appendix A** of this report.

The units within the proposed subdivision are approximately 1,750 sq ft. each on average. Floor Plans and preliminary renderings for the proposed apartment complex on the west end of the property – as shown on the Draft Plan (see **Figure 4**), have been included in this report and attached as **Appendix D**. As well, preliminary floor plans for the proposed semi-detached dwellings on the property have also been incorporated in this report as **Appendix D**.

While the draft plan of subdivision states 'duplex', this project utilizes the term duplex and semi-detached interchangeably. For the purposes of the application(s), the proposed development abides to the definition of a semi-detached dwellings as detailed in the Town of Amherstburg Zoning By-law #1999-52.



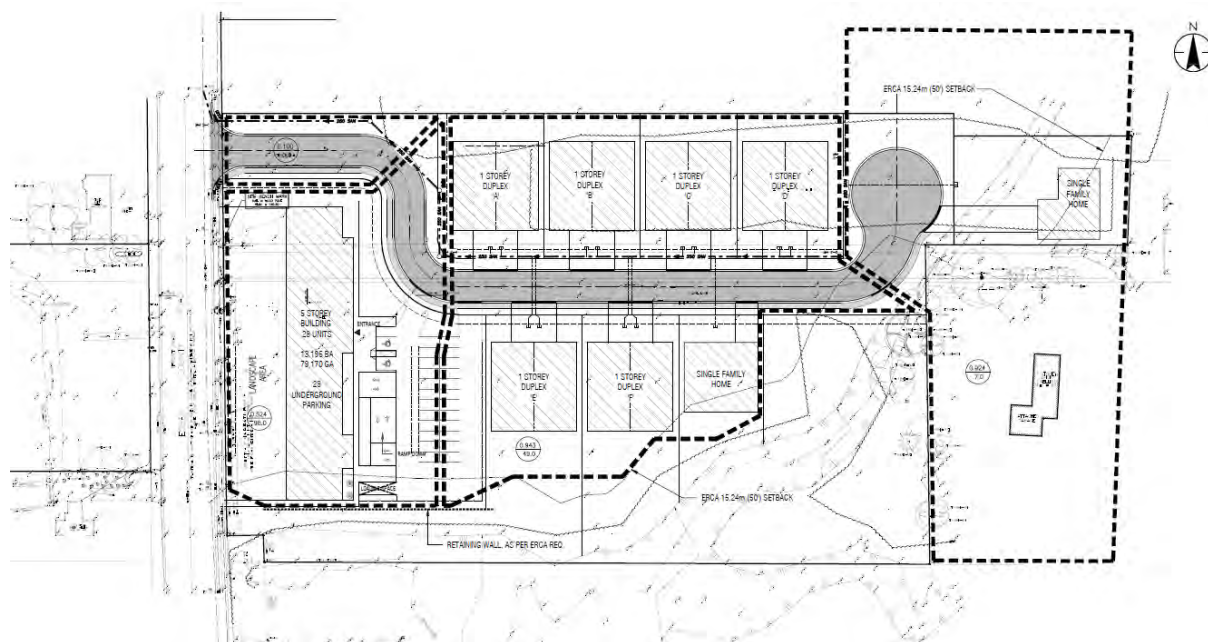


Figure 4: Draft Plan of Subdivision

4.3 Zoning By-Law Amendment

The Subject Lands are dually zoned Residential Type 1A (R1A)/Commercial Neighbourhood (CN-4) according to the Town of Amherstburg Zoning By-law. Due to the restrictive nature in regard to residential uses and types within these zones, we are requesting an amendment to the Zoning By-law which would facilitate the development of the proposed subdivision.

As part of this submission, we are requesting that portions of the Subject Lands be rezoned to 'Residential Multiple Second Density (RM2)' with Special Provisions and 'Residential Second Density (R2)' with Special Provisions to permit higher-density forms of housing while still allowing for lower-density residential types. Within the proposed zones, the following uses are permitted:

Residential Multiple Second Density (RM2)	Residential Second Density (R2)
<ul style="list-style-type: none"> • Multiple dwelling; • Continuum-of-care facility; • Home occupation; • Accessory uses; • Public use. 	<ul style="list-style-type: none"> • Single detached dwelling; • Semi-detached dwelling; • Duplex dwelling; • Home occupation; • Accessory uses; • Public use. • Supportive community home



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The Town of Amherstburg's Zoning By-law defines multiple dwellings as a "dwelling containing more than three dwelling units". This portion of the of the Subject Land will be rezoned to Residential Multiple Second Density (RM2) with Special Provisions to allow for the development of the highest-density lot proposed in the subdivision, which would comprise of 28 apartment dwelling units. Zone requirements for the proposed zone, along with proposed design data are also listed below in **Table 2**.

Zoning Regulations	Required	Provided
Permitted Uses	Multiple Dwelling, Continuum-of-Care Facility, Home Occupation, Accessory Use, Public Use	Apartment, considered a Multiple Dwelling according to By-law definitions
Minimum Lot Area	840.0m ²	5718.8m ²
Minimum Lot Frontage	30.0m	95.4m
Minimum Front Yard Depth	25m	16.0m
Minimum Interior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5m
Minimum Exterior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5m
Minimum Rear Yard Depth	7.5m	35.5m
Maximum Lot Coverage	40.0% (2287.5m)	22.9% (1309.9m)
Minimum Landscaped Open Space	30.0% (1715.6m)	47.2% (2699.8m)
Minimum Dwelling Area		
1) Bachelor dwelling unit	35.0m ²	Information Provided at Site Plan Stage
2) Dwelling unit containing one bedroom	50.0m ²	Information Provided at Site Plan Stage



3) Dwelling unit containing two bedrooms	65.0m ²	Information Provided at Site Plan Stage
4) Dwelling unit containing three bedrooms	80.0m ²	Information Provided at Site Plan Stage
5) Dwelling unit containing more than three bedrooms	80.0m ² plus 10.0m ² for each additional room	Information Provided at Site Plan Stage
Maximum Height	22.0m	Information Provided at Site Plan Stage
Minimum Privacy Yards	A privacy yard shall be provided adjoining each exterior wall of every dwelling unit that contains habitable room windows = 7.0m	7.5m
Minimum Building Separation		
1) Between two primary windows	15.0m	N/A
2) Between a primary window and a secondary window	12.0m	N/A
3) Between a primary window and an ancillary window	9.0m	N/A
4) Between a primary window and a blank wall	7.5m	N/A
5) Between two secondary windows	9.0m	N/A
6) Between a secondary window and an ancillary window	6.0m	N/A
7) Between a secondary window and a blank wall	4.0m	N/A
Off-street Parking	28 Spaces (1 Space Per Unit)	56 Spaces
Barrier Free Parking	2 Spaces (1 Type 'A' Space, 1 Type 'B' Space)	2 Spaces

Table 2: Zoning Compliance Chart – Design Data for the Proposed Apartment Building

To permit lower-density housing types in conjunction with the higher density apartment building proposed in the Draft Plan, we are also rezoning the other portion of the Subject Land to Residential Second Density (R2) with Special Provisions to permit:



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- a) Single detached dwellings; and
- b) Semi-detached dwellings

The proposed regulations and provisions for these two additional permitted uses is intended to follow the existing framework for these types of housing set by the the proposed zone. Details regarding Zoning compliance and requested Special Provisions are broken down in the tables below (**Table 3 & 4**):

Zoning Regulations	Required	Provided
Permitted Uses	Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Home Occupation, Accessory Use, Public Use, Supportive Community Home	Single Detached Dwelling
Minimum Lot Area	460.0m ²	905.9m ²
Minimum Lot Frontage	12.0m	22.7m
Minimum Front Yard Depth	6.0m	7.5m
Minimum Interior Side Yard Width	1.5m	1.5m
Minimum Exterior Side Yard Width	6m	4.1m
Minimum Rear Yard Depth	7.5m	8.8m
Maximum Lot Coverage	35.0% (317.1m)	42% (380.5m²)
Minimum Landscaped Open Space	30.0% (271.8m)	54.3% (491.5m ²)
Minimum Dwelling Unit Area	75.0m ²	369.5m ²
Maximum Height	8.5m	Information Provided at Site Plan Stage

Table 3: Zoning Compliance and Special Provision Request for Single Detached Dwellings



Zoning Regulations	Required	Provided
Permitted Uses	Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Home Occupation, Accessory Use, Public Use, Supportive Community Home	Semi-Detached Dwelling
Minimum Lot Area	650.0m ²	1003.7m ²
Minimum Lot Frontage	20.0m	25.9m
Minimum Front Yard Depth	6.0m	7.5m
Minimum Interior Side Yard Width	1.5m	1.5m
Minimum Exterior Side Yard Width	6.0m	4.1m
Minimum Rear Yard Depth	7.5m	7.5m
Maximum Lot Coverage	35.0% (m)	56% (562.1m²)
Minimum Landscaped Open Space	30.0% (m)	36.8% (369.2m ²)
Minimum Dwelling Unit Area	65.0m ²	272.3m ²
Maximum Height	8.5m	Information Provided at Site Plan Stage

Table 4: Zoning Compliance and Special Provision Request for Semi-Detached Dwellings

4.4 Proposed Site Specific Regulations

4.4.1 Permitted Uses

Within the current Zoning By-law, lower-density residential forms are not permitted within the proposed high density Residential Multiple Second Density (RM2) Zone. As such, we are requesting that the Subject Land be rezoned to Residential Multiple Second Density (RM2) with Special Provisions and Residential Second Density (R2) with Special Provisions such that following uses can be permitted:

- a) Multiple dwellings;
- b) Single detached dwellings; and
- c) Semi-detached dwellings

This would permit the lower-density housing types (semi-detached and single-family homes) to coexist in the same zone as the proposed higher density apartment building.



4.4.2 Setbacks and Lot Coverage

The draft Zoning By-law proposed for the Subject Lands seeks specific provisions to allow the following:

For the Apartment Building

Minimum Interior Side Yard Width: 7.5 m

Minimum Exterior Side Yard Width: 7.5 m

For Single Detached Dwellings

Maximum Lot Coverage: 42 %

For Semi-Detached Dwellings

Minimum Exterior Side Yard Width: 4.1 m

Maximum Lot Coverage: 56%

In keeping with the intensification and infill targets of the PPS, while maintaining the existing character of the neighbourhood, larger and/or higher density buildings may need to be developed on smaller lots. Therefore, a higher maximum lot coverage percentage may be required to facilitate the development of these residential dwellings.

4.4.3 Draft Zoning By-law

Proposed Specialized RM2 and R2 Zone for 639 Front Road:

Permitted Uses:

The following shall also be permitted:

Residential Multiple Second Density (RM2)	Residential Second Density (R2)
<ul style="list-style-type: none"> Multiple dwelling; 	<ul style="list-style-type: none"> Single detached dwelling; Semi-detached dwelling;

Regulation for Multiple Dwellings

All regulations of the RM2 Zone as specified in Section 11 of the By-law with the following additions and exceptions shall apply to the Subject Lands:

Minimum Interior Side Yard Width

7.5 metres

Minimum Exterior Side Yard Width



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7.5 metres

Regulation for Single Detached Dwellings

All regulations of the R2 Zone as specified for single detached dwellings in Section 8 of the By-law, with the following additions and exceptions, shall apply to the Subject Lands:

Maximum Lot Coverage

42%

Regulation for Semi-Detached Dwellings

All regulations of the R2 Zone as specified for semi-detached dwellings in Section 8 of the By-law, with the following additions and exceptions, shall apply to the Subject Lands:

Maximum Lot Coverage

56%

Minimum Exterior Side Yard Width

4.1 m

4.5 Proposed Lot Frontage

The following table provides the specification for each lot:

Lot	Frontage
Duplex 'A'	28.51m
Duplex 'B'	25.86m
Duplex 'C'	25.86m
Duplex 'D'	28.50m
Duplex 'E'	25.86m
Duplex 'F'	25.86m
S.F. Home 'A'	22.75m
S.F. Home 'B'	29.11m



5.0 Planning Justification

5.1 Provincial Considerations

In regard to Provincial policies, the proposed Draft Plan of Subdivision and Zoning By-law Amendment conforms to the Provincial Policy Statement, 2020. The Draft Plan shows the proponent's desire to provide for a range and mix of housing options and densities, as per Section 1.4.1 in the Provincial Policy Statement. Approval of this residential subdivision would help meet projected requirements of current and future residents of the regional market area and would support Provincial policies by accommodating residential growth through residential intensification and assist in achieving overall intensification targets for Amherstburg. (*PPS*, 1.4.1).

There is opportunity for the proposed development to help the province meet projected market-based and affordable housing needs of residents by providing a range of housing options, which will be set at various price points (*PPS*, 1.4.3 a). The proposed development can be considered an infill project, which is classified as a form of residential intensification by the Provincial Policy Statement. The PPS mandates that planning authorities permit and facilitate all forms of residential intensification (*PPS*, 1.4.3 b). Seeing as how residential intensification is heavily emphasized as a key objective by Provincial policy, it is our belief that this Draft Plan of Subdivision would be an appropriate and efficient use of the Subject Lands (*PPS*, 1.1.1 a).

It is our professional planning opinion that the proposed residential development represents sound planning principles efficiently uses land, resources, existing infrastructure and public service facilities, and does not impose any environmental or public health and safety concern (*PPS*, 1.1.1c/1.1.3.2). The use of existing infrastructure and public service facilities, including roads and surrounding health care centres, schools, and Police and Fire Stations, will be optimized by the proposed development (*PPS*, 1.6.3 a).

The proposed residential units within this Draft Plan of Subdivision will respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce (*PPS*, 1.7.1 b). Through the optimization of the long-term use of this presently vacant lot of land, and existing nearby infrastructure and public service facilities, the proposed subdivision intends to support all Provincial efforts in fostering long-term economic prosperity (*PPS*, 1.7.1 c).

In addition to addressing applicable Provincial housing and economic policies, the proposed subdivision also aligns with relevant PPS environmental policies. The proposed development avoids identified vulnerable areas with significant natural heritage features, as outlined in Section 4.1.2 of this report, where development is prohibited (*PPS*, 2.1.4) or heavily restricted (*PPS*, 2.1.5). Where Floodprone Areas have been identified on the Subject Lands, development will be avoided in these areas in accordance with Section 3.1.2 (b) of the PPS. Furthermore, appropriate floodproofing methods have been included in the proposed development to mitigate potential hazards, as per Section 3.1.6 of the PPS. More details regarding potential hazards and natural features can be found in subsequent sections of this report, in Section 7.2.

To comply with Provincial policies, the minerals identified in the vicinity of the Subject Lands will be protected for long-term use (*PPS*, 2.4.1). The residential development proposed for the Subject Lands are not expected to have any adverse effects on existing salt deposits that cover the general area of



Amherstburg. Other, similar, residential and commercial establishments have been previously developed on adjacent and surrounding lands where salt deposits have been identified and have resulted in no known adverse effects. Furthermore, the proposed development serves a greater long-term public interest in increasing the range and mix of housing supply in the Town. The proposed development also does not have any perceived issues which would impact public health and safety (PPS, 2.4.2.2).

5.2 County Consideration

The proposed amendments to the Zoning By-law as part of this application conforms with County policies. Adoption of the proposed rezoning of the Subject Lands would propagate the vision that the County has identified for its Primary Settlement Areas, as outlined in Section 4.2.1 of this report.

Approval of this Draft Plan of Subdivision and Zoning By-law Amendment would facilitate the provision of a wide range of housing options for a growing and aging population (1.5) and for people of all cultural, social, and economic backgrounds (3.2.2 c), through the development of housing forms with various densities and price points. As the Subject Lands currently remain vacant, construction and implementation of the proposed development would be considered infill and residential intensification. This aligns the proposed development with the intentions of the County Official Plan, in that it directs growth and residential intensification to the Primary Settlement Area of Amherstburg, while contributing to the 15% residential intensification target set by the County (3.2.7).

By incorporating a range of housing types, from single-detached dwellings to apartment units, the proposed subdivision advances County goals through contribution to its intensification targets while continuing to maintain respect for the overall character of the existing surrounding neighbourhood (3.2.7). This is accomplished through a gradual transition from low density (located adjacent to existing low density) to slightly higher density forms such as semi-detached dwellings, and eventually reaching the highest density form of housing on the west end of the Subject Lands nearest Front Road North.

As the subject property is situated near the Detroit River, the County Official Plan notes that access to this significant area for fishing and hunting will need to be maintained (1.5). There are no foreseeable interferences nor blockages to the access of the Detroit River as a result of the proposed development. The proposed development does not extend beyond Front Road North, and as such, access to the river from properties west of the Subject Lands are expected to be maintained as a viable access point. Along similar lines of preservation, mineral resources for future use will be protected as per policy section 1.5 of the County's Official Plan. There is no anticipated hindrance of the expansion or continued use of the salt deposits identified on the Subject Lands as a result of the proposed development. Further to this, the Subject Lands are also not identified as sensitive ground water recharge/discharge areas, according to Schedule 'C5' of the County Official Plan, nor has there been any highly vulnerable aquifers identified on the Subject Lands as per Schedule 'C4'. Therefore, the development proposed on the Subject Lands is not expected to diminish the quality nor quantity of ground and surface water (1.5). Although the Subject Lands are located within two Intake Protection Zones, the proposed residential subdivision is not anticipated to have any significant negative impacts on the water resources in this area. Details regarding relevant Intake Protection Zones have been included in Section 7.2.5 of this report.



Furthermore, the Draft Plan includes landscaped space abutting Front Road North (see **Figure 4**) which will create a more attractive and accessible pedestrian-oriented streetscape (3.2.4.1) with consideration for the public realm. The compact design of the subdivision will strengthen the County's settlement structure by focusing these investments into a Primary Settlement Area (3.2.1).

The proposed residential subdivision is intended to increase the efficiency and utilization of existing land, public service facilities, and municipal infrastructure and servicing, as per Section 3.2.2 e of the County's Official Plan – thereby increasing the long-term sustainability and vitality of this Primary Settlement Area (3.2.7).

Overall, the County supports residential intensification – which includes infill, within Primary Settlement Areas (3.2.6. b). As such, this Draft Plan of Subdivision application, along with the supporting Zoning By-law Amendment to facilitate its development, conforms with the County's policy framework.

5.3 Local Considerations

A rezoning of the Subject Lands from its current R1A/CN-4 Zone to the proposed RM2 Zone with Special Provisions, would better align the Town's Zoning By-law with the intentions of its Official Plan. As of now, the Subject Lands have been designated High Density Residential by the Town of Amherstburg's Official Plan, and it has been identified as Special Policy Area #9.

The R1A Zone is a restrictive zone that is primarily intended for low-density housing forms, while the CN-4 Zone is limited in its provision of permitted residential uses. However, in accordance with the Town's Official Plan, a High Density Residential designation permits horizontal multiples, apartments, limited home occupation uses, and public uses, with a maximum density of 150 dwelling units per gross hectare (4.3.3). Thus, the current zoning for the Subject Lands do not align with the policies of the Town's Official Plan. On the other hand, an RM2 Zone permits 'multiple dwelling' housing forms, which is defined by the Zoning By-law as a "dwelling containing more than three dwelling units". This higher density residential zone would thus permit apartment buildings – including the one shown in our Draft Plan and would be more well-aligned with the intentions of the Town's Official Plan.

Moreover, the policies outlined under Special Policy Area #9 permits Medium and/or Low Density Residential developments (4.3.7). Considering the Subject Lands have been identified as Special Policy Area #9, the proposed RM2 and R2 Zone with Special Provisions would further align our Draft Plan of Subdivision with the vision of the Town's Official Plan. By granting the requested Special Provisions for the permitted use of single detached and semi-detached dwellings on the subject property, the proposed development would conform with Special Policy Area #9's policies, which permit medium and/or low density residential forms on the Subject Lands.

The proposed RM2 and R2 Zone with the requested Special Provisions would ensure that a suitable variety of densities and unit types can be provided on the Subject Lands to accommodate projected populations, which is highlighted as an intent of the Town's Official Plan (4.2.1). The execution of the proposed Draft Plan will increase housing supply through residential intensification by means of infill, which is also stated as an objective within Town's Official Plan (4.2.2. 5). The Draft Plan will conform with Town Official Plan policies such that a suitable mix of housing types will be provided on a currently vacant lot, while ensuring that the overall density restrictions are not violated (4.2.3. 4).



Within the proposed Draft Plan, internal road networks have also been designed to ensure that good access and connection to the major road network via Front Road North is provided, as per Section 4.2.3 in the Town's Official Plan. Also, in accordance with the policies outlined in this section of the Town's Official Plan, certain design techniques such as an east-west street orientation has been incorporated into the Draft Plan of Subdivision (4.2.3). This will ensure that full use of solar energy is achieved, as detailed in the Town's Official Plan (4.2.3) and help orient facing walls and windows of homes toward the south.

6.0 Supporting Studies

6.1 Infrastructure & Public Service Facilities

As required by Provincial policy, the infrastructure and public service facilities that are planned or available should be provided in an efficient manner and considered suitable over the long-term to support this development. In addition, they should be financially viable over their lifecycle, and protect public health and safety, as well as the natural environment. Further to that, the use of existing infrastructure and public service facilities should be optimized, and adaptive re-use opportunities should be utilized to the extent that is feasible.

6.1.1 Transportation

The Subject Lands will accommodate vehicular site access from one (1) location off Front Road North, and the proposed interior road within the subdivision maintains access to the existing single-family dwelling on an adjacent property. Front Road North is a County Arterial Roadway according to the County and Town Official Plans. Therefore, development which would inhibit traffic movement along the County Road system (i.e. individual private accesses) will not be considered in the proposed build-out of these lands.

The Client has obtained Stantec to complete a Traffic Impact Study (TIS), as required by Staff, which will assess whether improvements to the existing roadway system is required as part of the proposed development. The TIS is currently underway, and the conclusions of findings will be provided under separate cover upon completion to guide the next steps for transportation and traffic management during the subsequent development stages.

6.1.2 Other Public Services

The location, accessibility and capacity of emergency services are an important municipal consideration in the allocation of new growth lands.

Two Fire Stations are located in proximity to the Subject Lands, with Fire Station 1 being approximately 3.6 km away, in the heart of downtown, and Fire Station 2 located approximately 5.5 km from the Subject Lands. Additionally, the Windsor Police Service – Amherstburg Detachment is also located approximately 4.6 km from the Subject Lands. As such, the relative location of the subject property increases the accessibility of these emergency services in a way that optimizes the utilization of existing public service facilities.



There are three (3) schools in proximity to the Subject Lands. The Amherstburg Public School is located within 4 km of the Subject Lands on Hamilton Drive, the General Amherst High School is located within 3 km to the Subject Lands, and the Stella Marie Catholic Elementary School is also located within 2.4 km of the Subject Lands. The development of the proposed subdivision would likely increase the utilization rate of existing education facilities and institutions, thereby amplifying the use of existing public service facilities.

There is ample park space in the vicinity of the proposed development, and therefore, the proponent has not included parkland into the design. The proponent is open to providing a cash in-lie of parklands payment to the Municipality, should it be deemed necessary.

6.2 Cultural & Environmental Impacts

6.2.1 Flood Prone Area

In accordance with Schedule 'C' – Natural Features, on the Town's Official Plan, there is a small portion of the Subject Lands along the south boundary of the Subject Lands that has been identified as part of the Lake Erie/Detroit River Floodprone Area (see **Figure 5**). The Essex Region Conservation Authority (ERCA) has also identified this small section of land to be part of the 1:100 year flood line (see **Figure 6**). The concept plan has been developed in consultation with ERCA so as to avoid developing within this identified Floodprone Area. This flood prone area has been appropriately accounted for with appropriate setbacks and through the use of retaining walls for the affected lots (see **Figure 4**). Furthermore, the Client intends to avoid the development of the small portion of land within the Subject Lands that has been identified as a flood prone area, thereby circumventing the potential risks associated with the flood prone area.



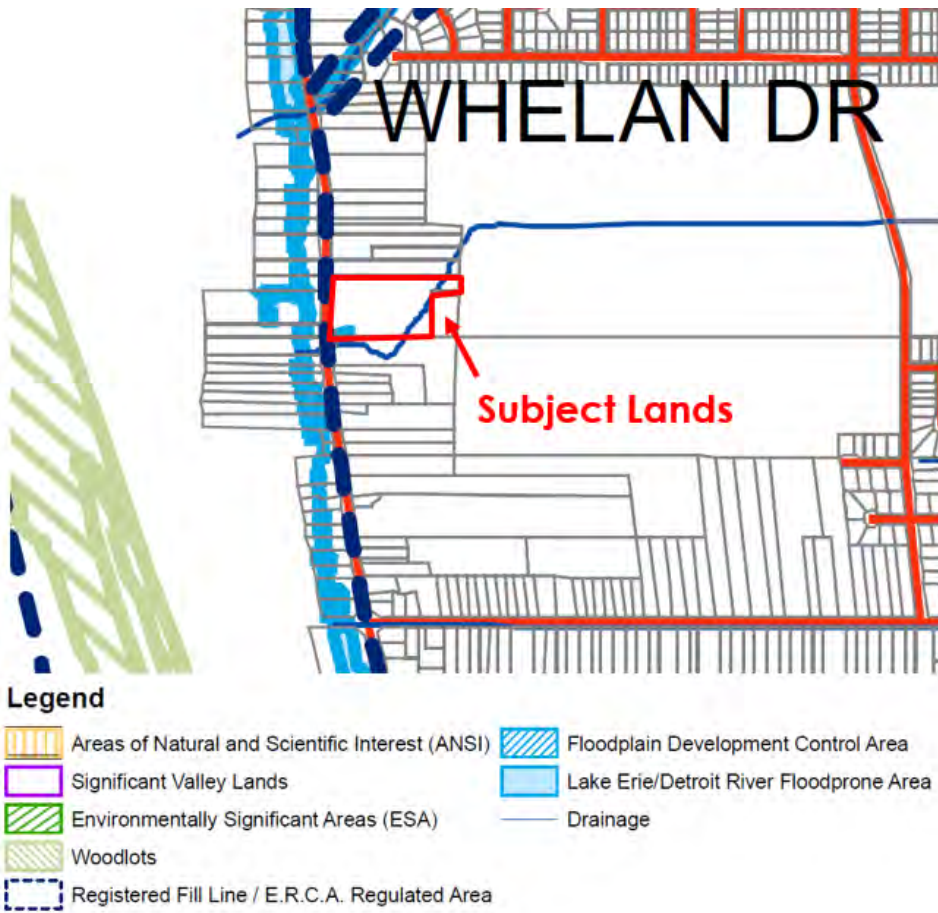


Figure 5: Natural Features According to the Town's Official Plan



Figure 6: ERCA Regulated Flood Line



6.2.2 Drainage

As illustrated through the interactive mapping provided by the ERCA (see **Figure 7**), and **Figure 6** above, there is drainage that runs through the Subject Lands. The drainage that runs through the Subject Lands has been identified as the outlet portion of the White Drain, as shown in **Figure 7**. To account for the potential impacts resulting from the identified drain that runs across the property, drain setbacks have been factored into the development proposal, and are illustrated on the Setbacks and Lot Sizes plan (see **Appendix C**).

A Drainage Report is required as part of this application to address potential impacts. To satisfy such requirement, a Drainage Report is currently in progress for the Subject Lands.



Figure 7: ERCA Interactive Mapping – Drainage Identification

6.2.3 Natural Resources

Based on an assessment of the natural mineral and petroleum resources within the vicinity of the Subject Lands, some resources have been identified, as shown in **Figure 8**. Schedule 'E1' – Resources, in the County's Official Plan indicates that there are salt deposits identified within the vicinity of the Subject Lands, and at a broader scale, within the vicinity and coverage of the built-up area of the Town of Amherstburg (see **Figure 8**). As defined by both the Provincial Policy Statement and the County Official Plan, salt is considered a mineral resource. Section 2.3.3 of the County's Official Plan mandates that "mineral resources are to be protected from activities that would hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact".

However, existing residential use is currently located on surrounding lands that have also been identified as areas with known salt deposits. Therefore, it is in our professional opinion that the



proposed residential development will not hinder the continued use of the mineral resources located in the Subject Lands' vicinity, nor will the proposed development conflict with the identified mineral resources for public health reasons.



Figure 8: Salt Deposits Coverage Area in Essex County Official Plan

6.2.4 Natural Heritage

The Subject Lands contain some Natural Environment Overlay Features, as shown in **Figure 9**, which aligns with the County Interactive Mapping tool's Natural Environment Overlay layer. Such features on the Subject Lands are identified as "Natural Environment Overlay" on Schedule 'B2' of the County's Official Plan.

Development and site alteration may only be permitted once it has been demonstrated to the satisfaction of the appropriate approval authority, and in consultation with the relevant Conservation Authority, that there will be no negative impacts nor hinderance on the ecological function of the natural features identified (3.4.4 a). Currently, a Phase 1 Environmental Site Assessment (ESA), and an update to the Environmental Impact Statement (EIS) Report, are both in progress to evaluate the potential impacts that development may have on the identified natural features.

Should the study(s) conclude that the proposed development will not result in any negative impact on the natural features, Section 3.4.4 also states that the permitted uses on lands designated as "Natural Environment Overlay" will be in accordance with the underlying land use designation (3.4.4 b) – which in this case would be "Settlement Areas" according to the County Official Plan, and "High Density Residential" according to the Town Official Plan.





Figure 9: ERCA Interactive Mapping, Aligns with Natural Environment Overlay Features on County Official Plan

6.2.5 Source Water Protection and Intake Protection Zone

The Subject Lands are subject to the policies of the Essex Region Source Protection Plan, which contains specific policies that aims to protect local drinking water sources. Policies within this Source Protection Plan are based on technical studies and the science included within the Assessment Report, which examines the current and future sources of municipal residential drinking water, while simultaneously identifying potential threats to these sources. According to the County’s Official Plan, the most prevalent type of Significant Drinking Water Threat within the Essex Region, is associated with the storage, handling, or transportation of significant quantities of liquid fuels (2.5.1).

The Subject Lands are located within the Essex Region Conservation Authority (ERCA) Regulatory Area. As classified by the ERCA through their Interactive Mapping Tool (see **Figure 10**), and reflected in Schedule ‘C3’ in the County’s Official Plan, the Subject Lands are encompassed by two Intake Protection Zones (IPZs) – Zone 1 on the west end, and Zone 2 on the east end (see **Figure 10**).

As described in Section 2.5.1.1 in the County’s Official Plan, Intake Protection Zones are:

“areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes.”

The area that immediately surrounds the intake crib, by a semi-circle within a 1 km radius upstream from the centre of the intake crib and 100 m downstream of the same point for Detroit River intakes, is classified as Intake Protection Zone 1. The west end of the subject property has been classified as IPZ-1 by the ERCA and County Official Plan. In this area, the County Official Plan mandates that a setback must only be included on areas of the land that drains into the surface water body measured



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from the high water mark. The County Official Plan notes that such setback must not be greater than 120 m, or a Conservation Authority Regulation Limit, whichever is greater (2.5.1.1).

Areas classified as Intake Protection Zone 2 (IPZ-2), lies outside of IPZ-1 areas and accounts for the influence of nearby watersheds and potential contaminants from nearby runoff that may affect water quality. Such areas, including the lands on the east end of the property, generally cover areas that are within a few kilometres of the intakes, according to the County's Official Plan (2.5.1.1).

As the Subject Lands are contained within these Intake Protection Zones, and is considered to be an area of higher vulnerability (see **Figure 11**) by the ERCA, the development proposed on the Subject Lands will be required to conform with all the applicable Source Water Protection policies so as to not exacerbate significant drinking water threat activity on the Subject Lands. In addition to the Source Water Protection Plan, reference should also be made to the technical Assessment Report for further details and guidance, according to the County's Official Plan.

It is our professional Planning Opinion that the proposed residential use of the Subject Lands is not classified as a Significant Drinking Water Threat.

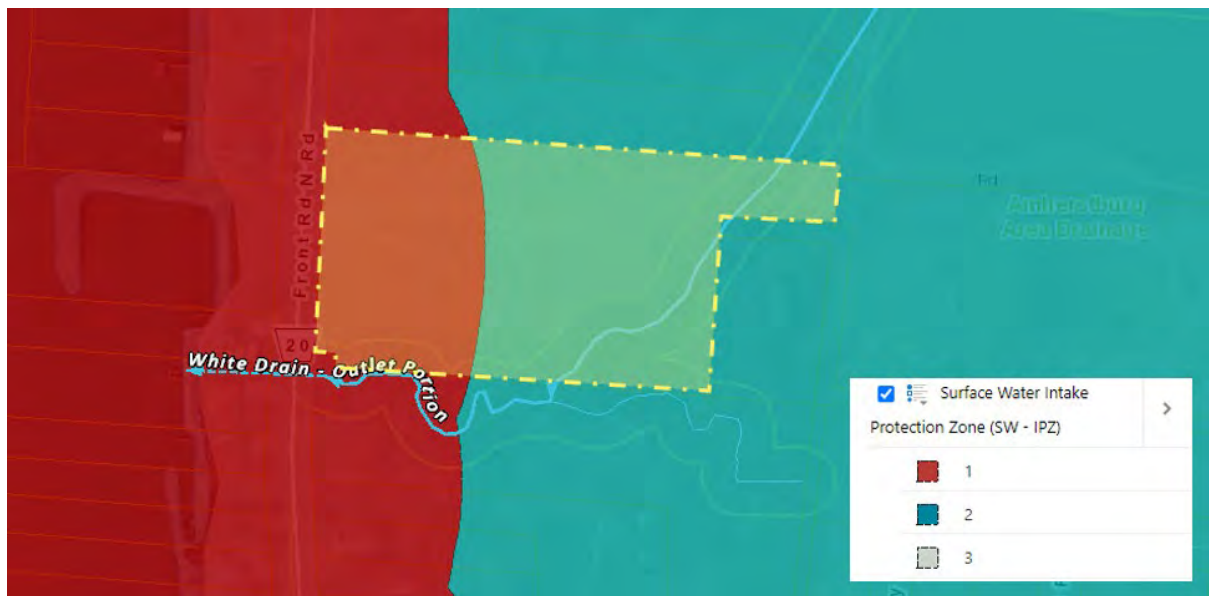


Figure 10: ERCA Classified Intake Protection Zones



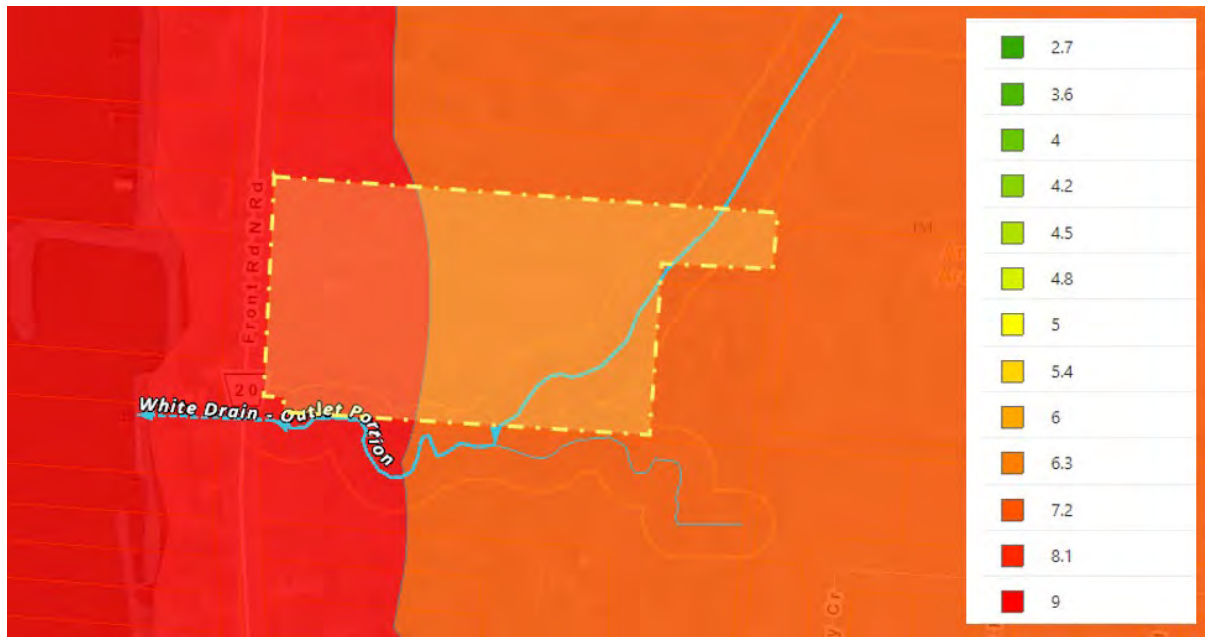


Figure 11: ERCA Vulnerability Scoring Area for Surface Water

6.2.6 Archeological Resources

An Archaeological Assessment has been cited as a required study for the purposes of this submission. The Client has retained Earthworks to complete an Archeological Assessment, which is currently underway. The results of the Assessment will be shared with Council once the study and report has been completed.

6.3 Other Supporting Studies

In support of the proposed development and associated application(s), the following studies were completed:

- Phase 1 Environmental Site Assessment (ESA)
- Archeological Study
- Environmental Impact Statement (EIS) Report
- Drainage Report
- Traffic Impact Study (TIS)

For information about these studies and the conclusions of such in support of the proposed development, please refer to the above mentioned studies directly.



7.0 Conclusions

Based on the analysis of the existing policy framework, supporting studies, the planning justification discussed within this Report and recommendations provided herein, we provide the following conclusions:

- That this Planning Justification Report, along with other supporting studies, be considered as part of a complete application for a Zoning By-law Amendment with Special Provisions, and a Draft Plan of Subdivision application
- The proposed development is consistent with the Provincial Policy Statement, 2020;
- It conforms with the purpose and intent of the County of Essex Official Plan;
- The proposed Zoning By-law Amendment is consistent with the intent of the County and Town Official Plans and will implement the proposed Plan of Subdivision; and
- The proposed application and development represent good planning and addresses the requirements of the Planning Act as outlined in Section 51.

In summary, we are proposing to rezone the Subject Lands to the RM2 Zone, with Special Provisions to support the development of a mix and range of housing forms within the subdivision. A draft amendment to the Zoning By-law for the proposed Special Provisions have been included in Section 4.4.3 of this report.

8.0 Recommendations

It is our professional planning opinion and recommendation that:

- This report together with the supporting materials, application, plans and drawings should be deemed as a “Complete Application” and be circulated appropriately;
- This report together with the other supporting studies, application, plans and drawings should be made available to the Planning Review Agencies, the Public and Council;
- That the Town of Amherstburg support changes in the Zoning By-law to rezone the Subject Lands from a Residential Type 1A (R1A)/Commercial Neighbourhood (CN-4) Zone to the requested Residential Multiple Second Density (RM2) Zone with Special Provisions to permit a mix and range of housing forms within the proposed subdivision; and
- That the County of Essex support the Draft Plan of Subdivision for the Subject Lands, as presented in this application.



APPENDIX A: DRAFT PLAN OF SUBDIVISION CONCEPT



Legend

Notes

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Client/Project
WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

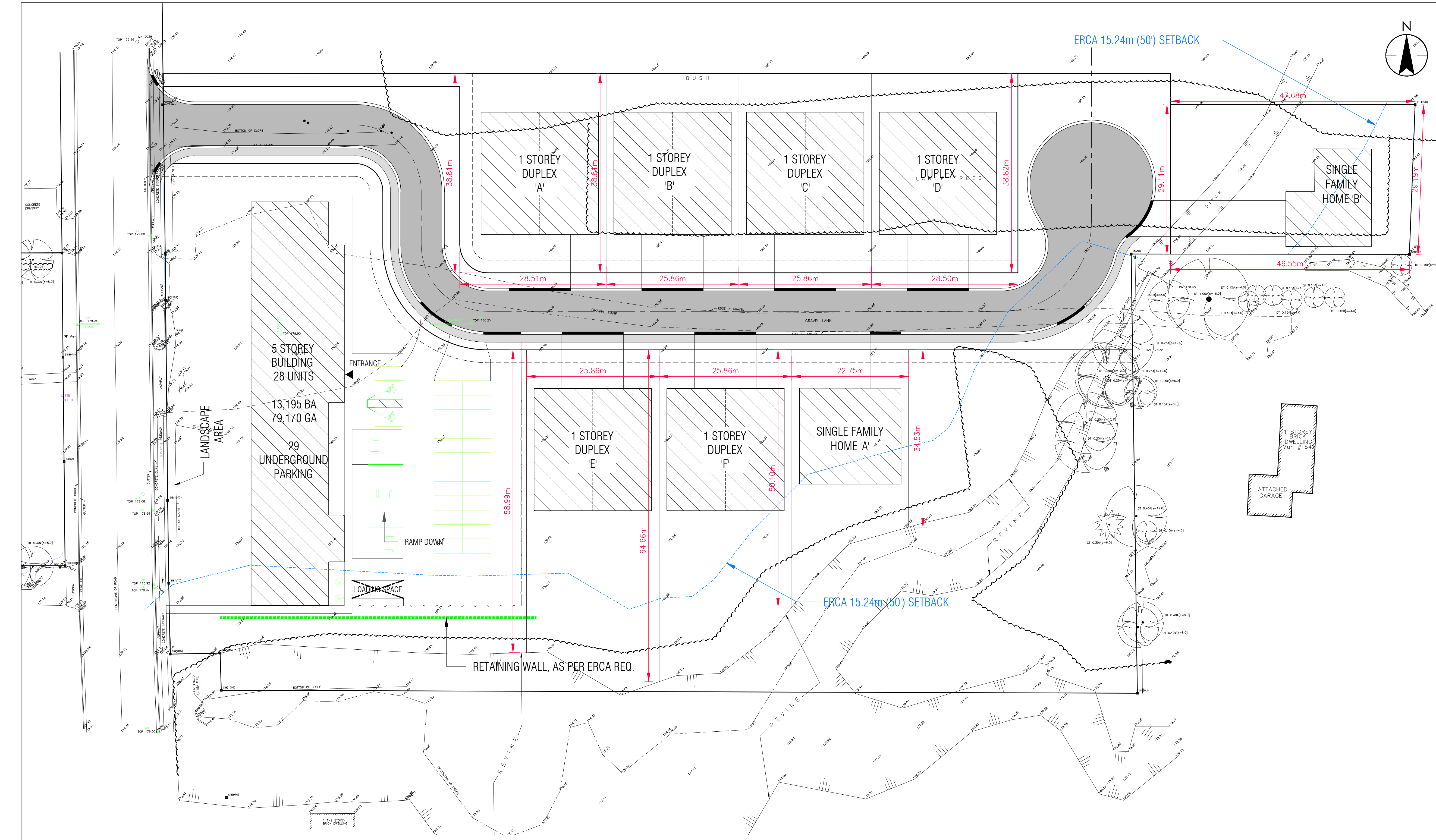
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Project No.
165620244

Revision Sheet

Scale
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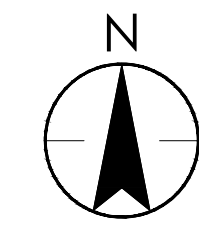
Drawing No.
LM-1



LOT	FRONTAGE
DUPLEX 'A'	28.51m
DUPLEX 'B'	25.86m
DUPLEX 'C'	25.86m
DUPLEX 'D'	28.50m
DUPLEX 'E'	25.86m
DUPLEX 'F'	25.86m
S.F. HOME 'A'	22.75m
S.F. HOME 'B'	29.11m

PPENDIX B: SERVICING CAPACITY & PHYSICAL CONSTRAINTS





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FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

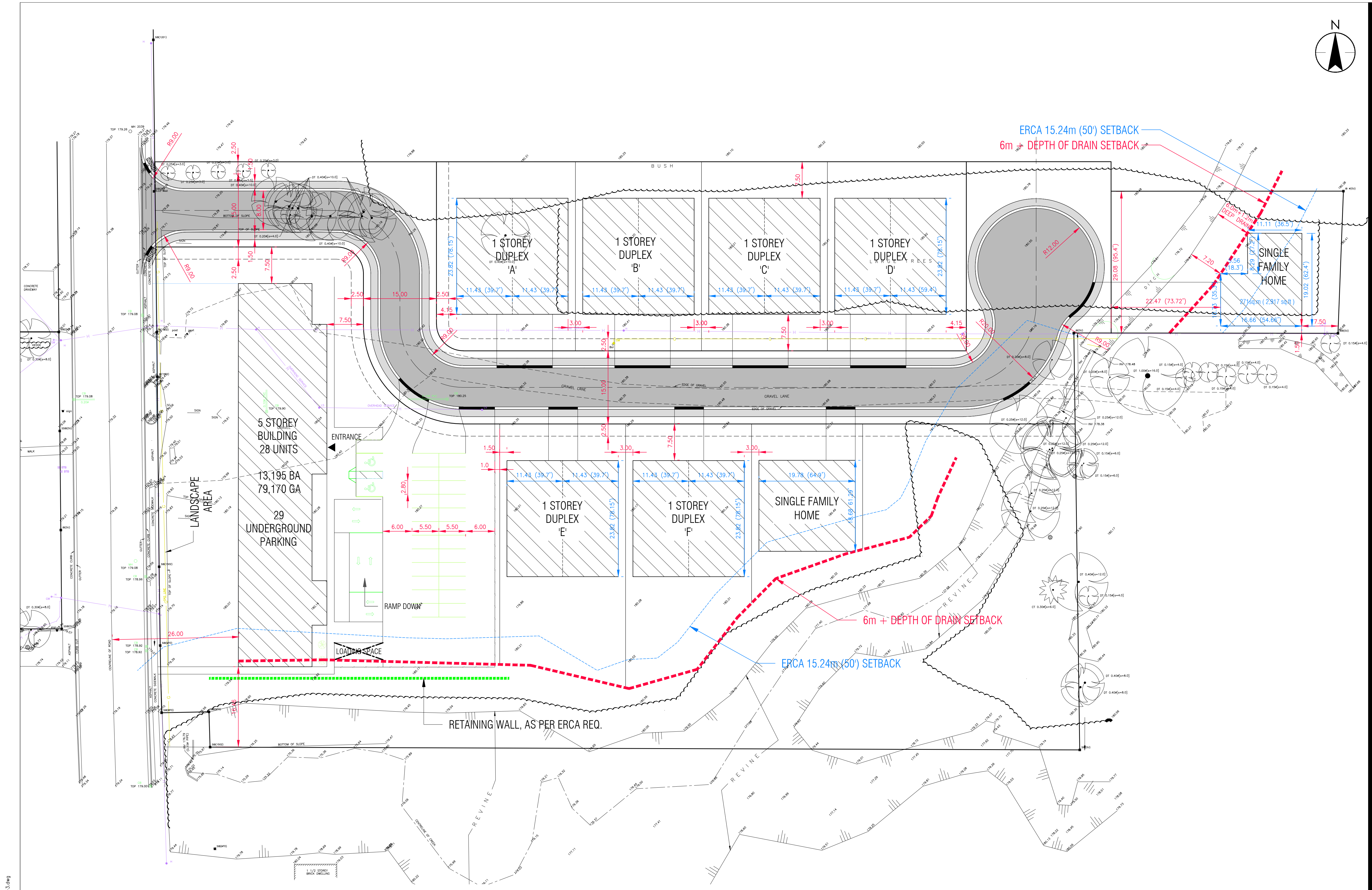
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SETBACKS AND LOT SIZES

Project No.
165620244

Scale
1:400

Revision Sheet

Drawing No.
SB-1



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WATERSTONE ANDERDON DEVELOPMENTS

FRONT ROAD SUBDIVISION IN THE TOWN OF AMHERSTBURG

FEBRUARY 2022

Project Number: 165620244

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Issued	By	Appd.	YY.MM.DD

File Name:	K.F.F.	C.R.G.J.	C.R.G.J.	2019.09.12
165620244_G_001-2		Dwn.	Chkd.	Dgn.

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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

Title

SITE PLAN, KEY PLAN, LEGEND, NOTES
AND INDEX TO DRAWINGS

Project No.
165620244

Revision Sheet

Scale

SCALE

Drawing No.

G-002

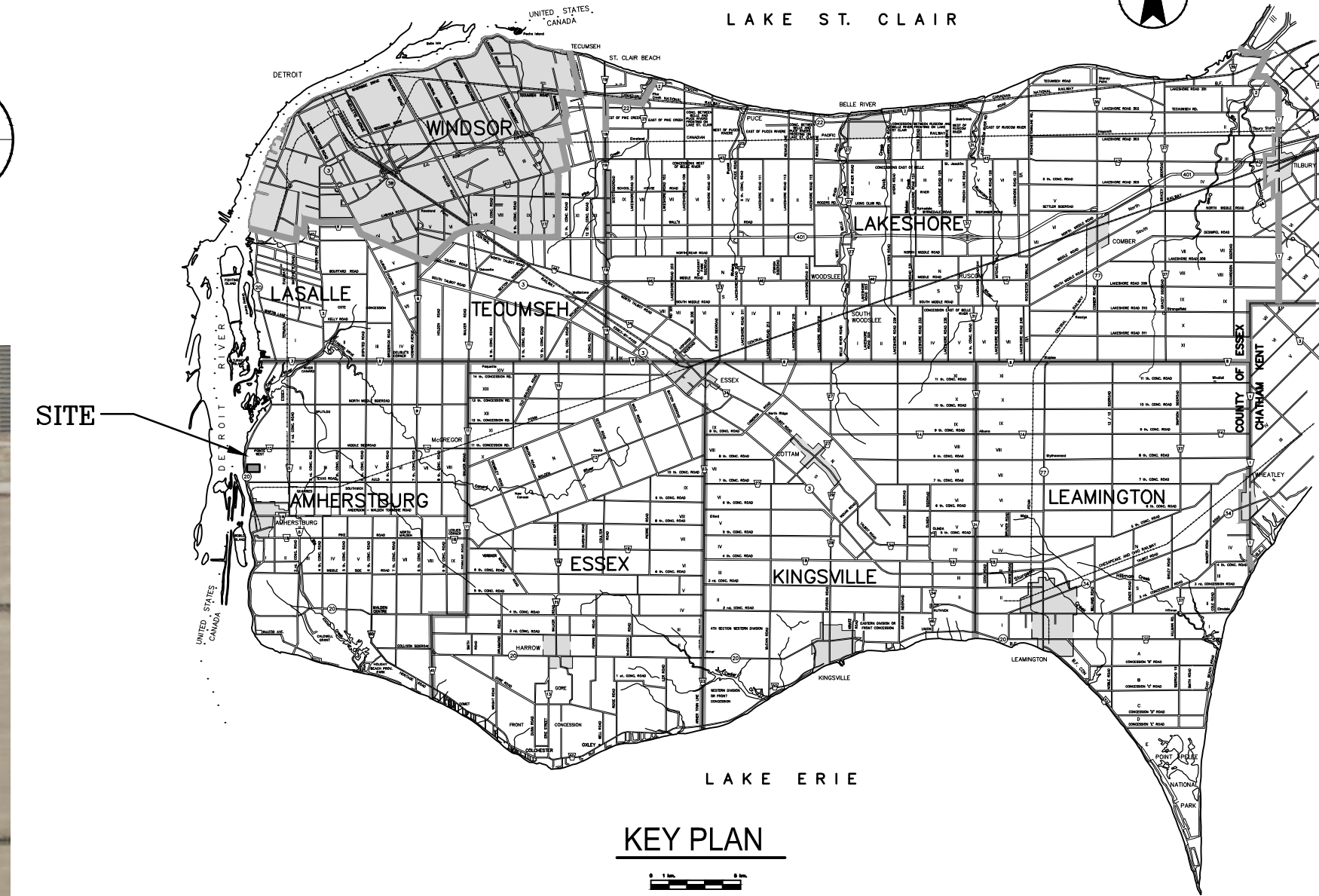


SITE PLAN

SCALE = 1:7,500

LEGEND

--- SAN --- --- ST --- --- COMB --- --- W --- --- G --- --- B --- --- H --- --- TV --- --- T --- --- P/L --- --- X WF --- --- Wd F --- --- St R --- --- CONC WALK --- --- GR DR --- --- ASPH DR --- --- CONC DR ---	Sanitary Sewer Storm Sewer Combined Sewer Watermain Gasmain Buried Bell Cable Buried Hydro Cable Buried Television Cable Buried Traffic Light Cable Property Line Wire Fence or Chain Link Fence Wood Fence Vinyl Fence Guide Rail Hedge Ditch Concrete Sidewalk Gravel Drive Asphalt Drive Concrete Drive	■ C.M. ■ S.I.B. ■ I.B. ● R.I.B. ● C.C. X H&TRANS ● H&LS ● H ● H ● H ● GP ● T ● TL ○ LS ○ MH ○ BTMH ○ WMH	Concrete Monument Standard Iron Bar Iron Bar Round Iron Bar Cut Cross Hydro Pole & Transformer Hydro Pole & Light Standard Hydro Pole & Guy Wire Hydro Pole Bell Telephone Pole Guy Pole Telegraph Pole Traffic Light Pole Light Standard Sewer Manhole Bell Telephone Manhole Water Manhole	○ HMH ■ CB ◆ HYD ⊗ WV ⊗ WSV ⊗ WM ⊗ GV ⊗ GM ⊗ BTB ⊗ CTV △ MB ⊙ S ○ S ○ S	Hydro Manhole Catch Basin Hydrant Water Valve Water Service Valve Water Meter Gas Valve Gas Meter Bell Telephone Box Cable Television Box Mail Box Sign Deciduous Tree (Size & Type) Coniferous Tree (Size & Type) Bushes & Shrubs
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KEY PLAN

INDEX TO DRAWINGS

- G-001 COVER SHEET
- G-002 SITE PLAN, KEY PLAN, LEGEND, NOTES AND INDEX TO DRAWINGS
- C-001 OVERALL SANITARY SEWER LAYOUT
- C-002 OVERALL STORM SEWER LAYOUT
- C-003 OVERALL WATERMAIN LAYOUT
- C-004 LOT GRADING PLAN
- C-005 REMOVALS
- CU-001 STREET 'A' - STA. 0+000 TO STA. 0+130
- CU-002 STREET 'A' - STA. 0+130 TO STA. 0+260
- ~~C-107 HIGH VOLTAGE DISTRIBUTION AND TRANSFORMER LAYOUT~~
- ~~C-108 SECONDARY DISTRIBUTION AND STREETLIGHTING~~
- ~~C-109 DUCT LINE~~
- ~~C-110 ELECTRICAL DETAILS~~
- ~~C-111 ELECTRICAL TRANSFORMER DETAILS~~
- ~~C-112 ELECTRICAL MVI DETAILS~~
- ~~C-113 ELECTRICAL DETAILS~~
- C-301 TYPICAL CROSS SECTION
- C-501 STANDARD DETAILS
- C-502 STANDARD DETAILS
- C-503 STANDARD DETAILS
- C-504 STANDARD DETAILS
- ~~C-701 REFERENCE DRAWING - LEGAL SURVEY PLAN~~

BENCHMARK :
BENCH MARK 0011959U510 ELEVATION 181.21
RED BRICK HOUSE NO. 687 ON EAST SIDE OF HIGHWAY NO. 18, 3.9 KM
NORTH OF POST OFFICE, 670 M NORTH OF LIMEKILN CROSSING REAR RANGE
LIGHT, NEARLY OPPOSITE LIVINGSTON CHANNEL UPPER ENTRANCE LIGHT,
TABLET IN WEST FACE OF HOUSE, 12 CM FROM SOUTHWEST CORNER, 57 CM
ABOVE WATER TABLE. ESTABLISHED BY UNITED STATES LAKE SURVEY.

SITE BENCH MARK
NAIL IN WOOD UTILITY POLE ELEVATION 180.50
NAIL IN EAST FACE OF WOOD UTILITY POLE, 0.5 M ABOVE GRADE, LOCATED ON
EAST SIDE OF COUNTY ROAD 20, 25 M SOUTH OF NORTHWEST CORNER OF
SUBJECT PROPERTY

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Legend

- 250 — DENOTES SIZE OF EXISTING SANITARY SEWER
- 300 — DENOTES SIZE OF PROPOSED SANITARY SEWER
- 200 — DENOTES SIZE OF FUTURE SANITARY SEWER
- MH S-2 DENOTES MANHOLE AND MANHOLE NUMBER
- 0.988 DENOTES AREA IN HECTARES
- 56.0 DENOTES NUMBER OF PEOPLE

Notes

Revision	By	Appd.	YY.MM.DD

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File Name:	Dwn.	Chkd.	Dsgn.	YY.MM.DD
165620244_C_001-3				2020.

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 WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

Title
 OVERALL SANITARY SEWER PLAN

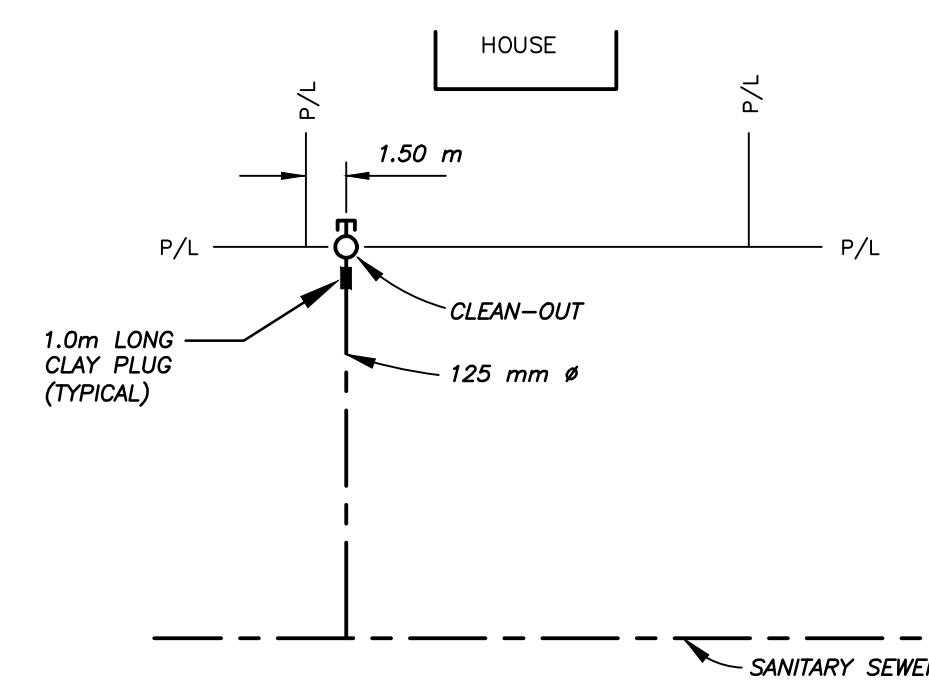
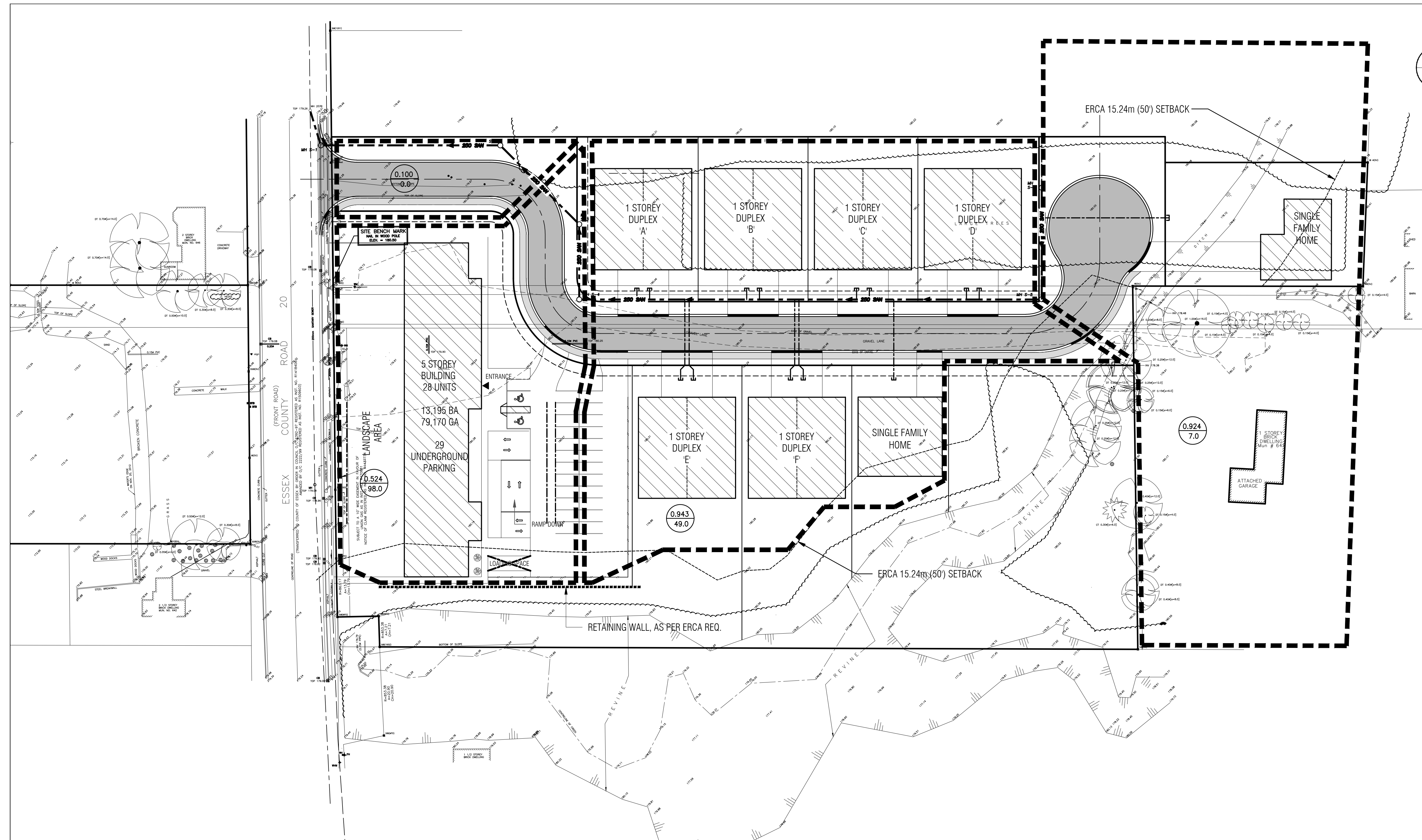
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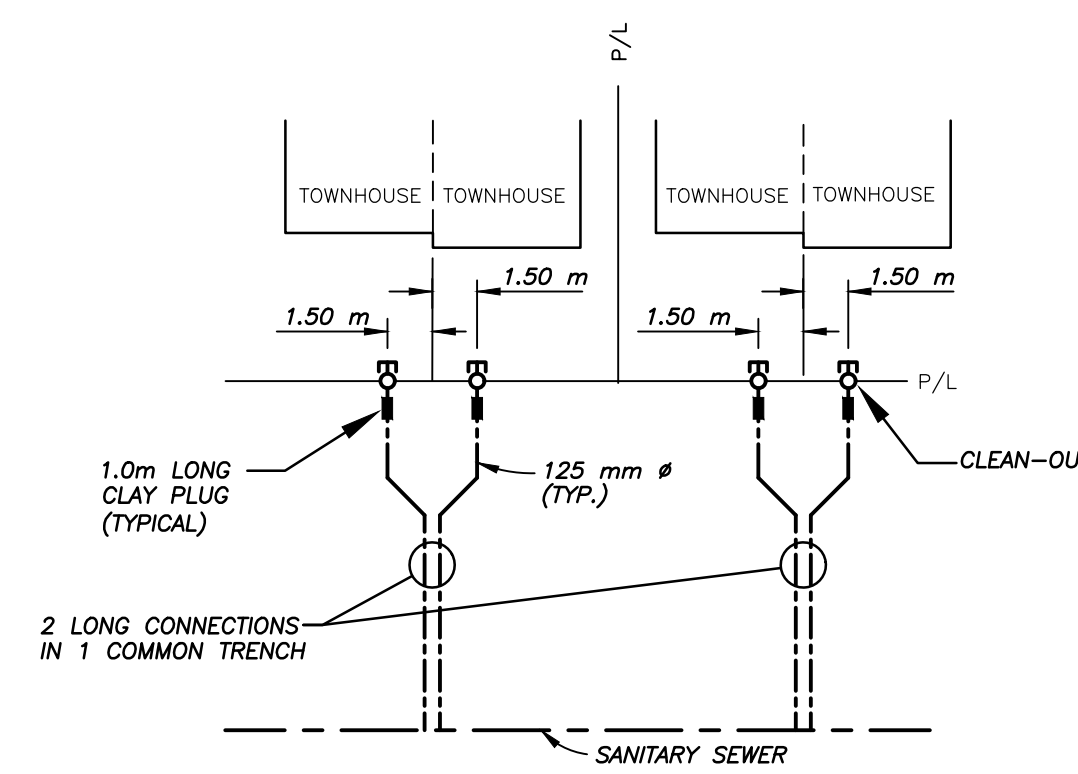
Scale
 1:500

Drawing No.

C-001



SANITARY SERVICE CONNECTION
 N.T.S.
 NOTE: CLEANOUTS TO BE INSTALLED AS PART OF THIS CONTRACT



SANITARY SERVICE CONNECTION TO TOWNHOUSE
 N.T.S.
 NOTE: CLEANOUTS TO BE INSTALLED AS PART OF THIS CONTRACT

Notes

Revision	By	Appd.	YY.MM.DD

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165620244_C_001-3			2020

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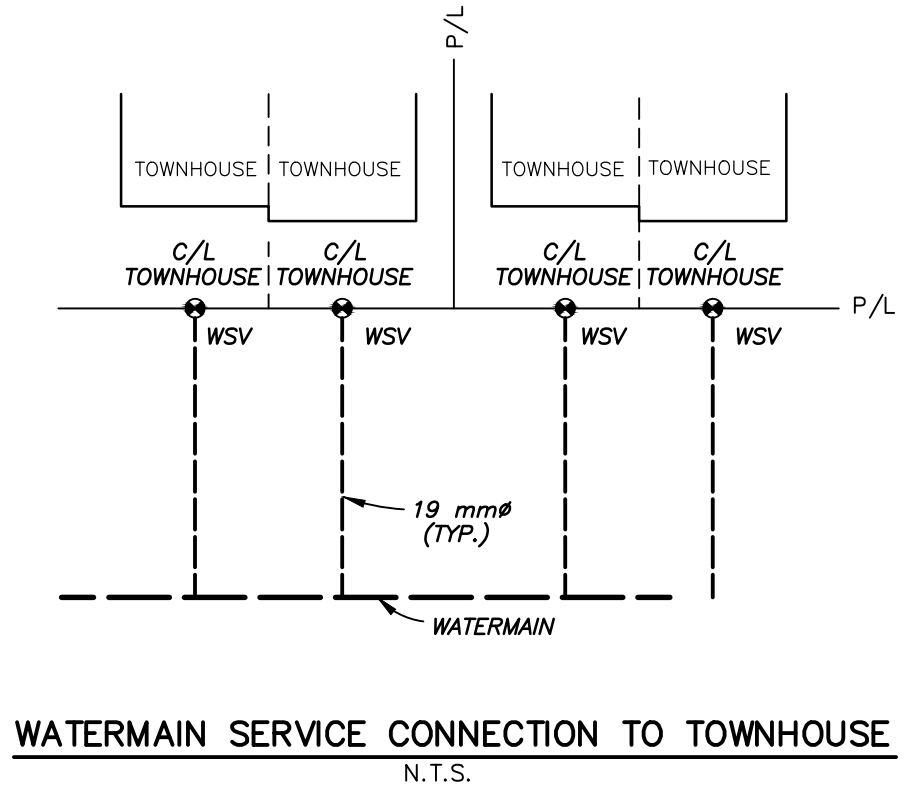
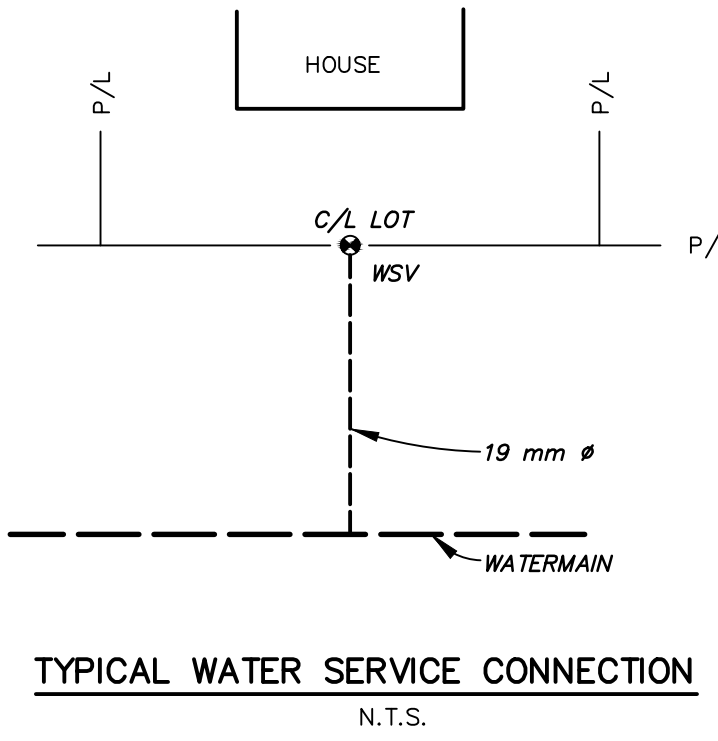
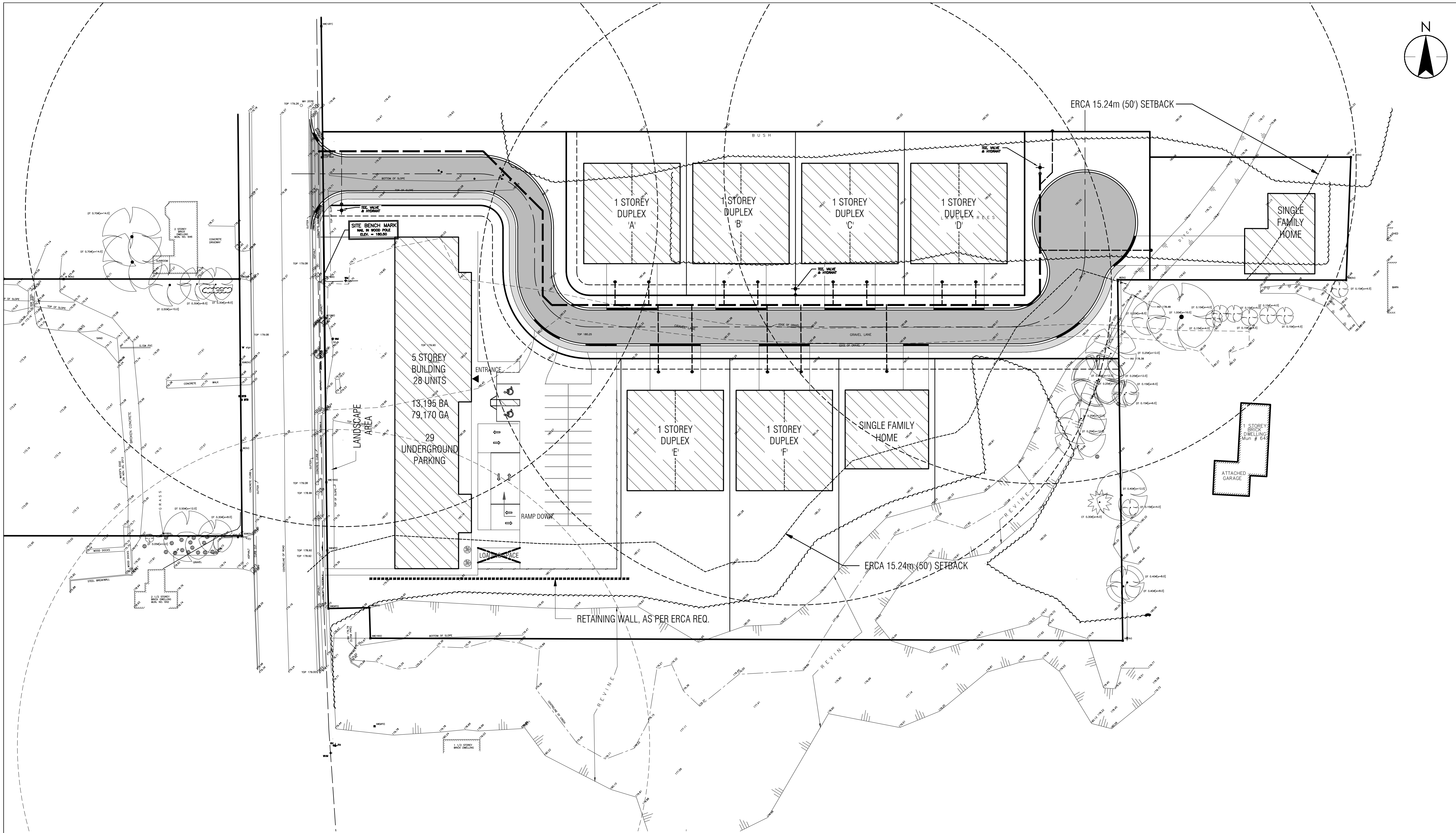
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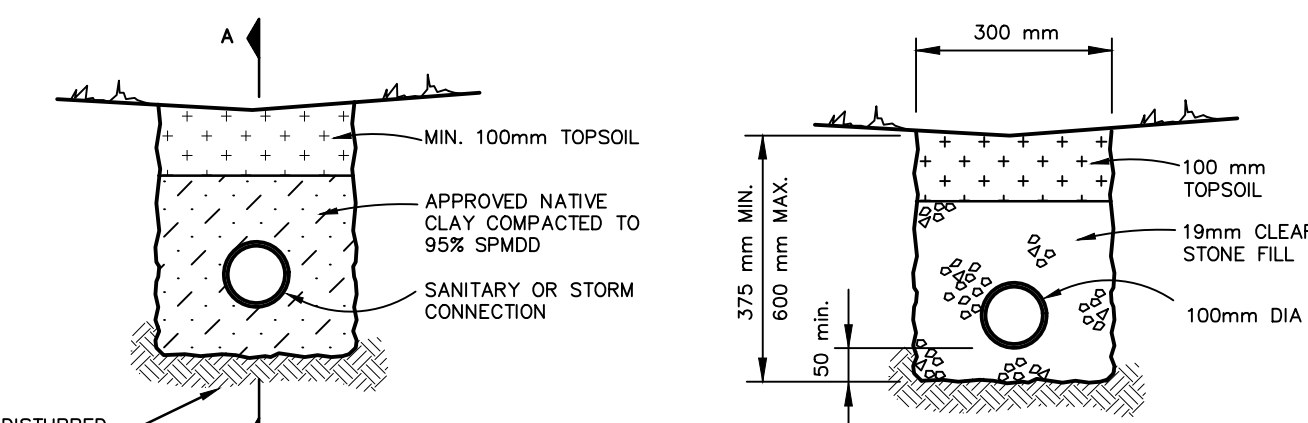
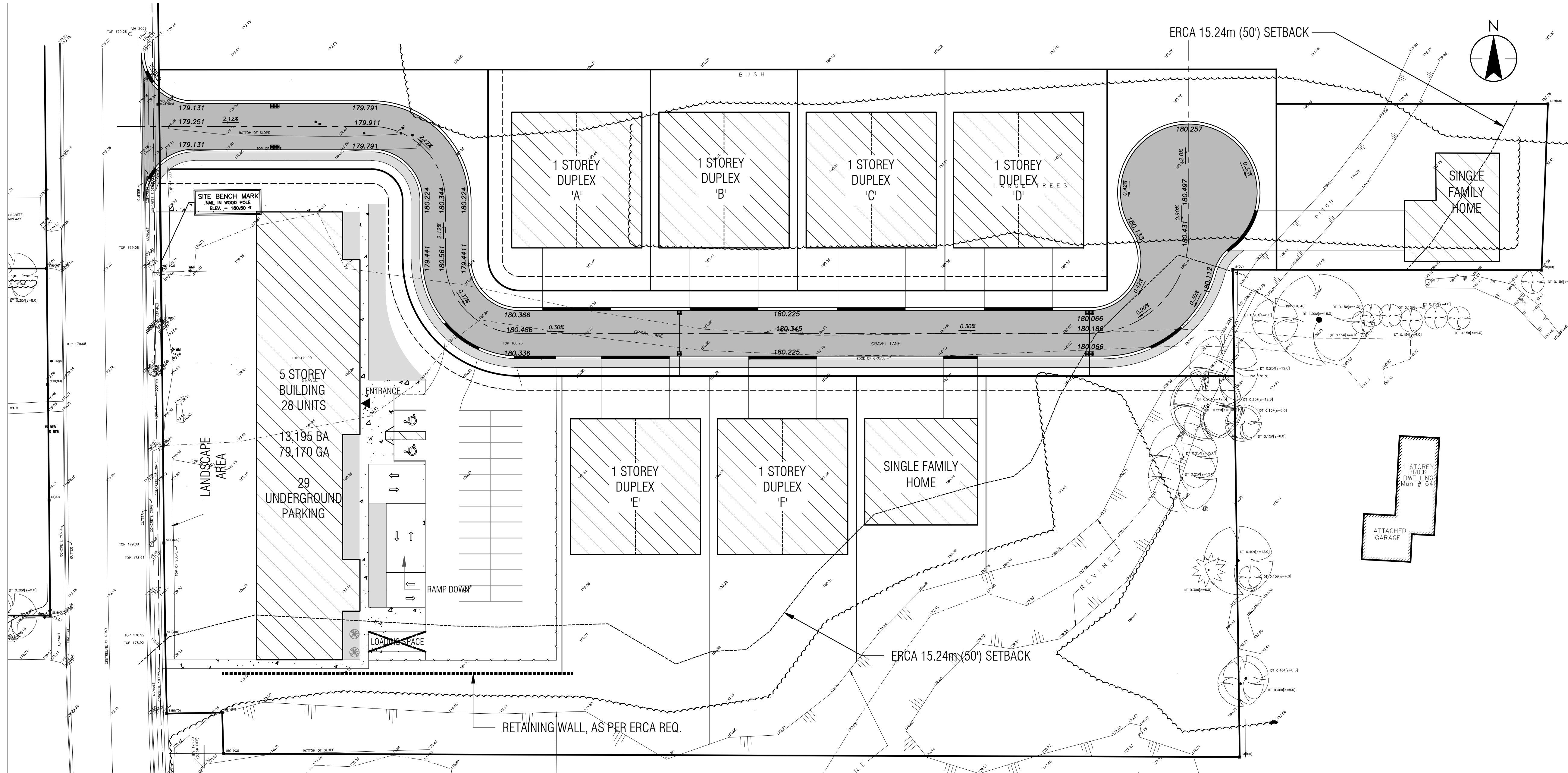
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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

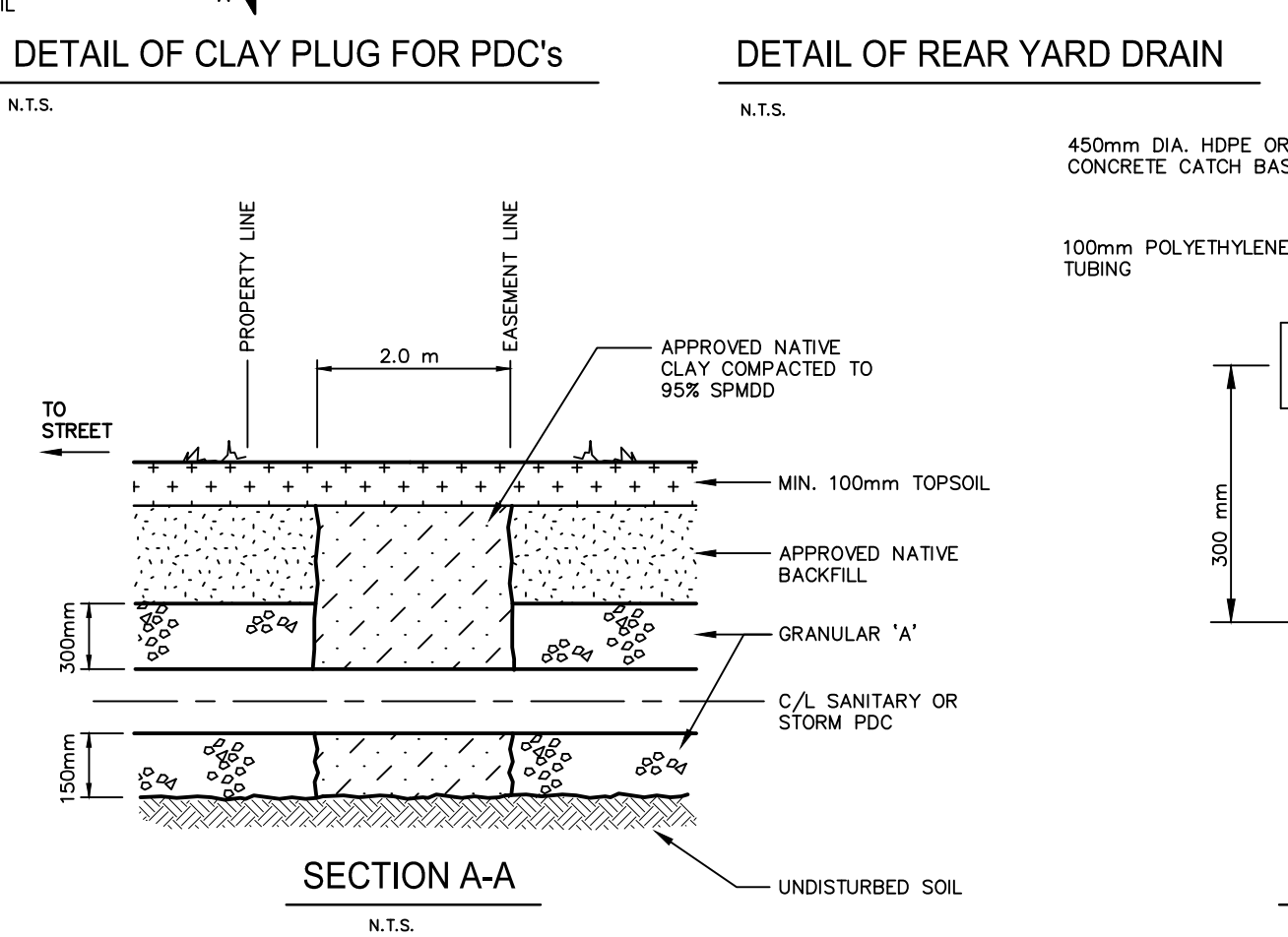
Town of Amherstburg, Ontario
Title
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Project No. 165620244 Scale 1:500
Revision Sheet Drawing No. **C-003**

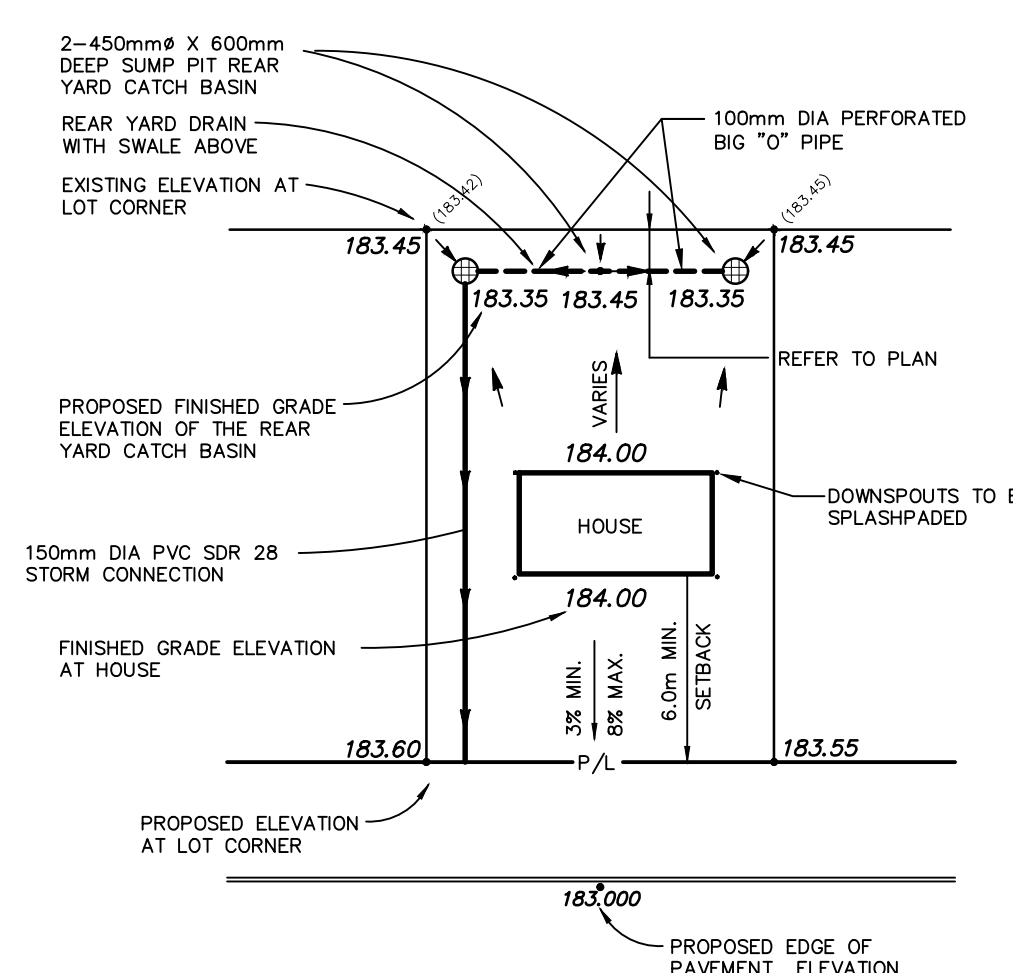




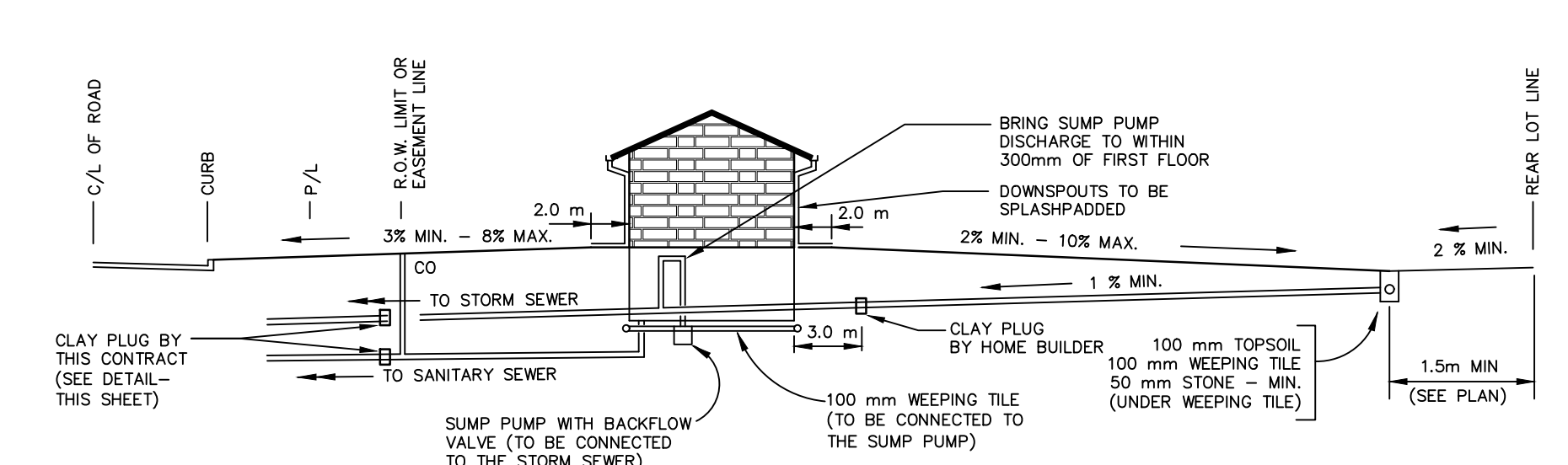
NOTES:
1. REAR YARD DRAINAGE IS THE RESPONSIBILITY OF THE HOUSE BUILDER.



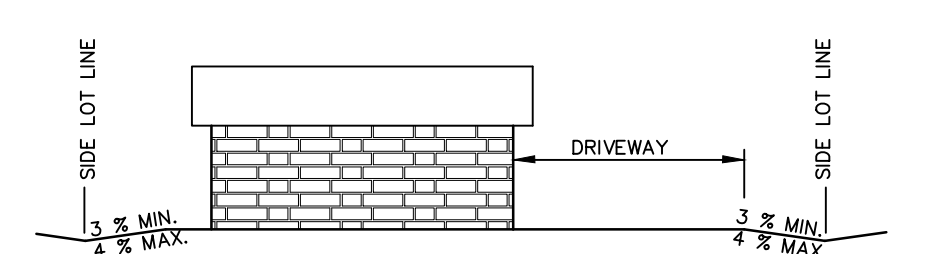
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A. GRANULAR BACKFILL TO BE PLACED TO A MINIMUM OF 300mm ALL AROUND.
B. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SHOWN.



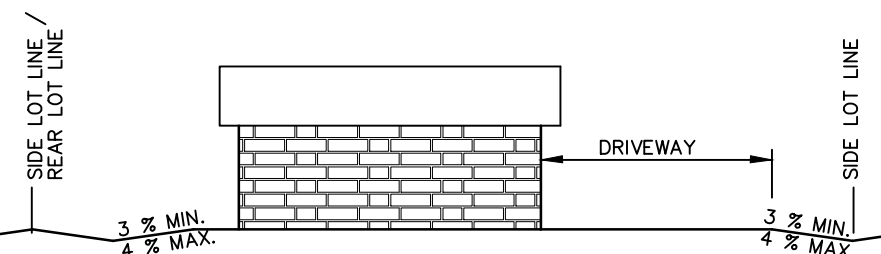
LOT GRADING PLAN
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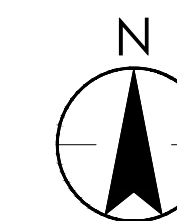
SECTION THROUGH FRONT AND REAR YARDS
N.T.S.



SECTION THROUGH SIDE YARDS
N.T.S.



SECTION THROUGH SIDE YARD ABUTTING REAR YARD
N.T.S.



Legend	
	ASPHALT ROAD
	ASPHALT WALKS, DRIVEWAYS
	CONCRETE - WALKS, DRIVEWAYS
	MILL ASPHALT
	STRIP AND REMOVE DELETERIOUS MATERIAL AND INFILL DITCH WITH APPROVED FILL MATERIAL, COMPACT AS SPECIFIED
	CLEAR AND GRUB TREES AND BRUSH
	TREES TO BE REMOVED (INCLUDING STUMPS) BY OTHERS PRIOR TO CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE FOR REMOVAL OF STUMPS.
	C.B. TO BE REMOVED & LEAD PLUGGED UNLESS OTHERWISE NOTED ON UTILITY DRAWINGS.
	UTILITY POLES (H. & L. ETC.) AND TRAFFIC POLES (T.L.) TO BE REMOVED.
	SEWERS, GUIDE RAILS, CURBS, ETC. TO BE REMOVED

- Notes**
- CONTRACTOR TO PROVIDE DRIVEWAY ACCESS FOR ALL PROPERTIES AT ALL TIMES DURING CONSTRUCTION UNLESS ALTERNATE ARRANGEMENTS HAVE BEEN MADE WITH THE PROPERTY OWNER.
 - CONTRACTOR TO PROVIDE PEDESTRIAN ACCESS THROUGH THE SITE AND TO ALL BUSINESSES AT ALL TIMES DURING CONSTRUCTION.
 - COORDINATE ALL WORK WITH THE DETOUR STAGING.
 - COORDINATE ALL UTILITY REMOVALS WITH THE APPROPRIATE UTILITY ENGINEER OR THE TOWN.
 - CONTRACTOR TO SAWCUT FULL DEPTH ALL CURBS, ASPHALT, CONCRETE DRIVEWAYS, PARKING LOTS, WALKWAYS AND ROADWAYS TO BE FULLY REMOVED PRIOR TO REMOVAL.
 - EXISTING SIGNS TO BE REMOVED OR RELOCATED AS DIRECTED BY THE ENGINEER OR THE TOWN.
 - EXISTING GARBAGE BINS, PLANTERS, BENCHES, ETC ARE TO BE REMOVED BY THE TOWN PRIOR TO CONSTRUCTION.

Revision	By	Appd.	YY.MM.DD
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Issued	By	Appd.	YY.MM.DD
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	Dgn.	YY.MM.DD

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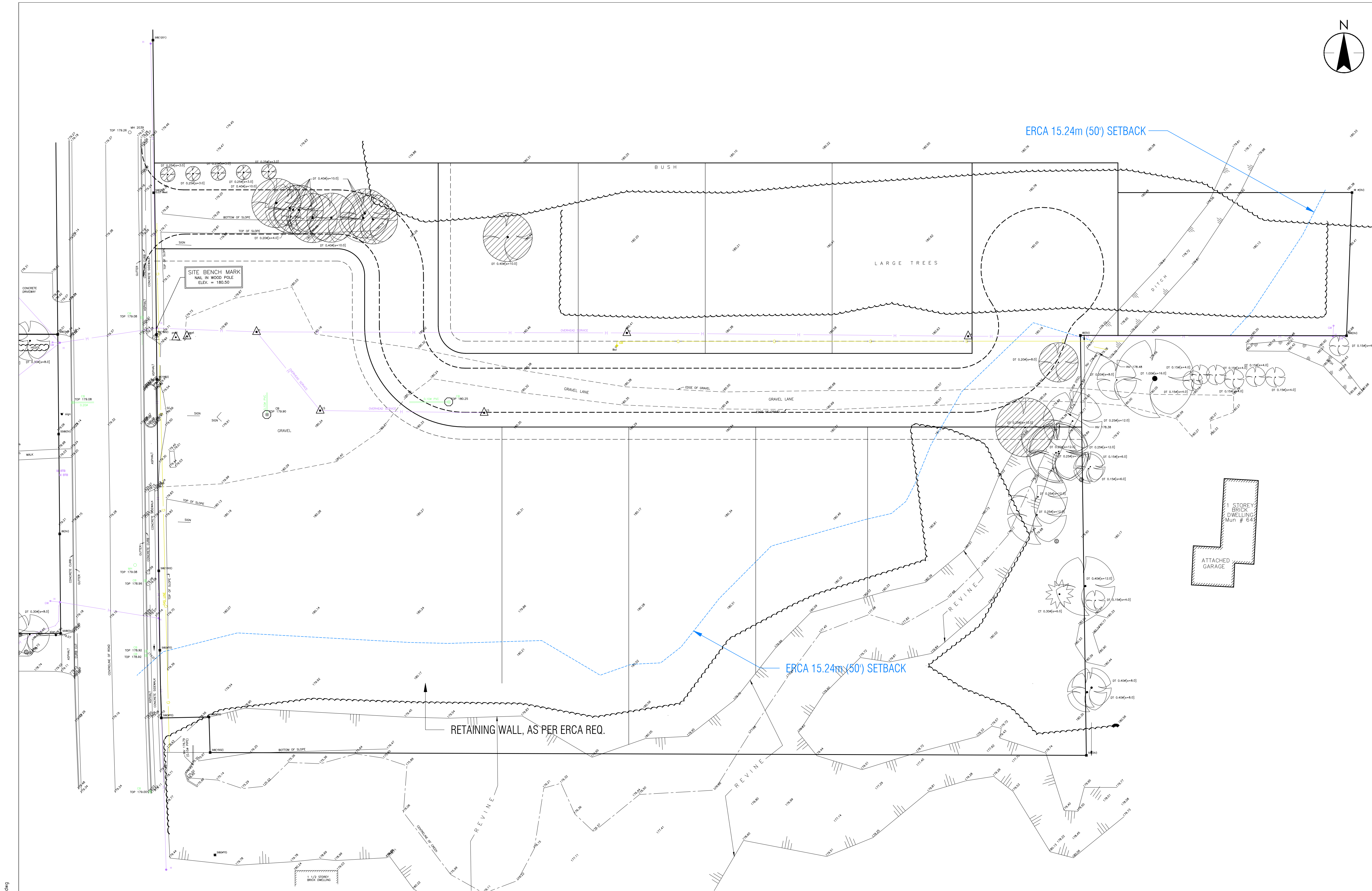
Client/Project
WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

Title
REMOVALS

Project No.	165620244	Scale	1:400
Revision	Sheet	Drawing No.	C-005





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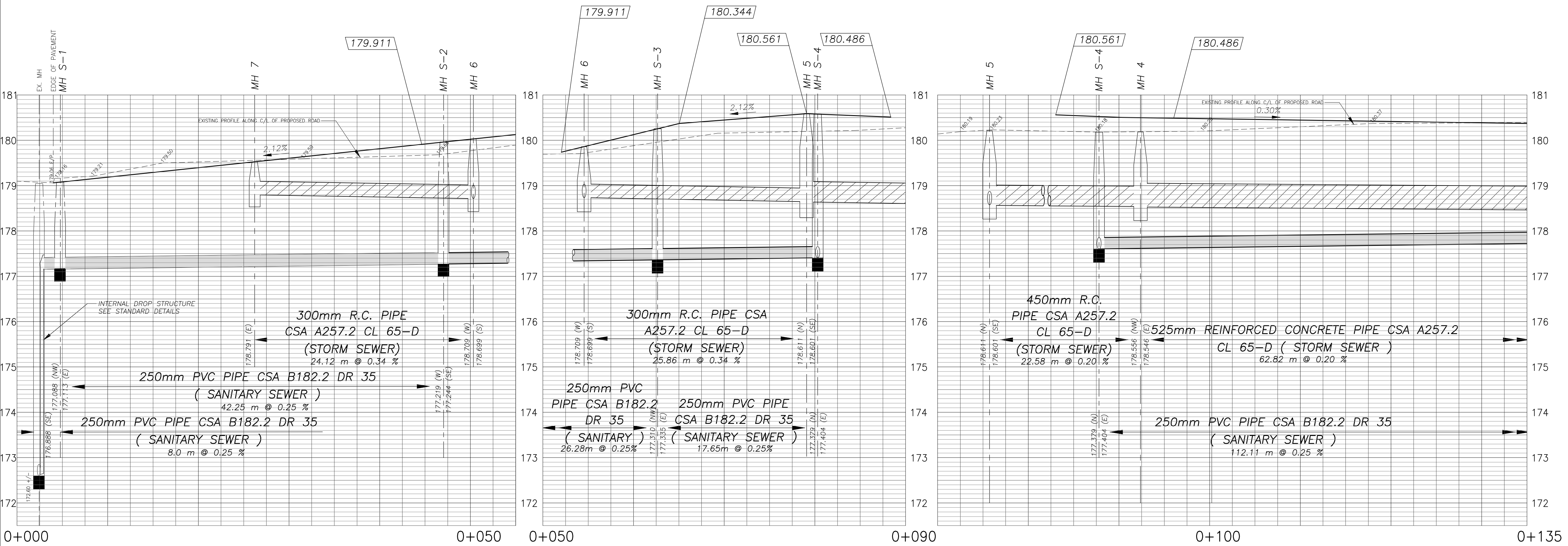
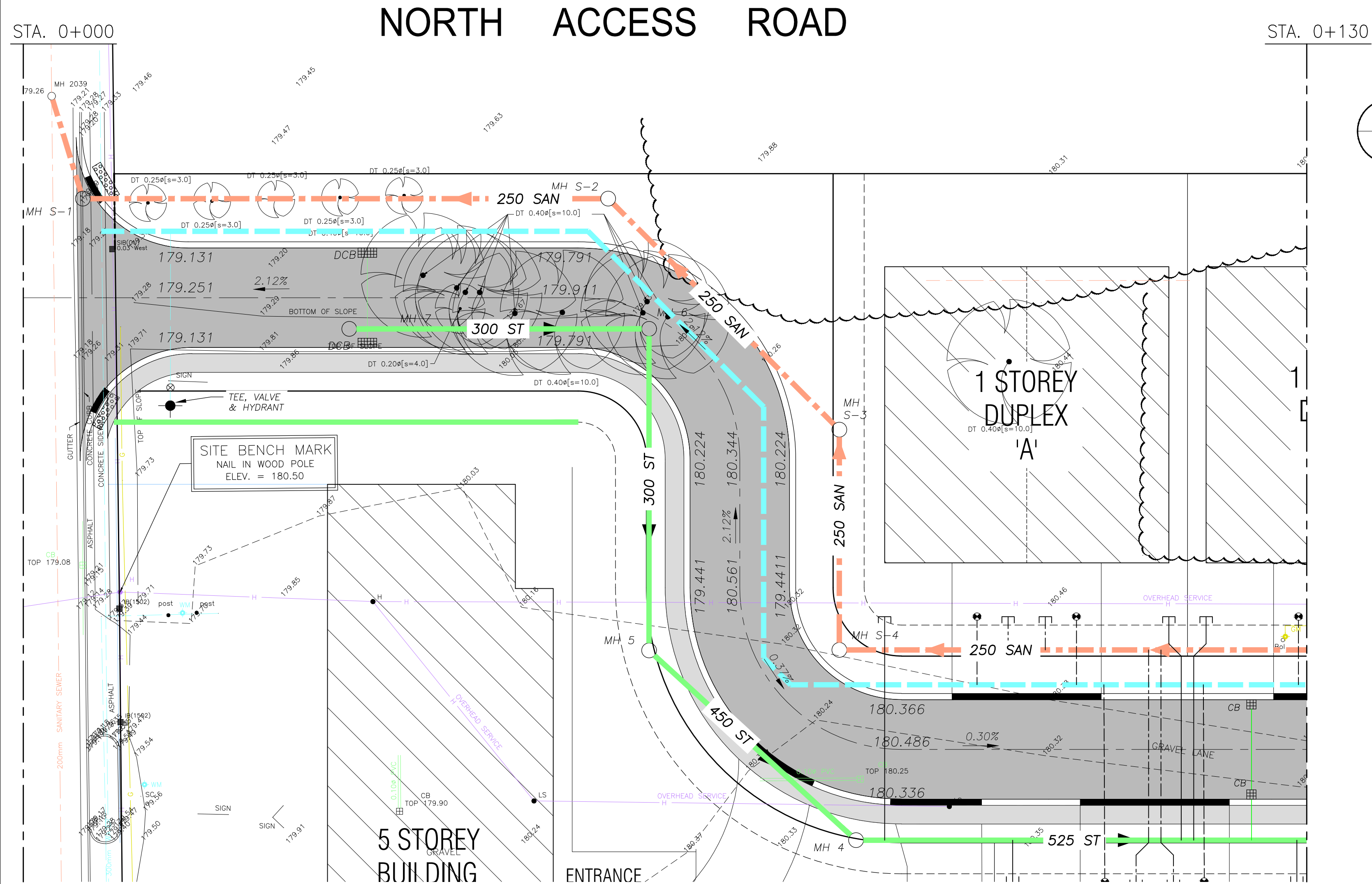
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 FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario
 Title
 PLAN AND PROFILE
 STA. 0+000 TO STA. 0+135

Project No. 165620244
 Revision Sheet

Scale
 Drawing No.
CU-001



STA. 0+135

STA. 0+230



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Issued	By	Appd.	YY.MM.DD

File Name: 165620244_C_001-3
2020
Dwn. Chkd. Dgn. YY.MM.DD

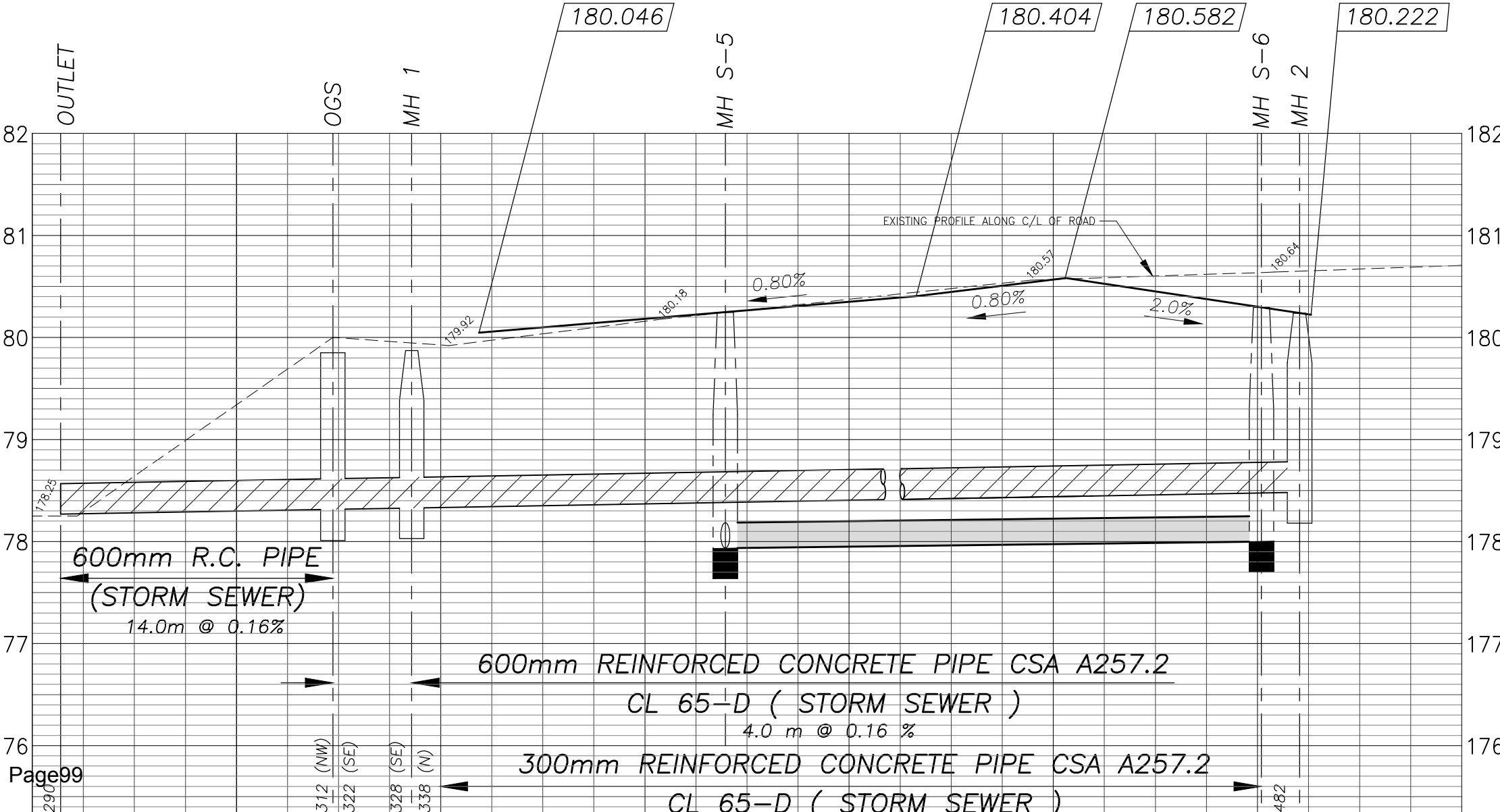
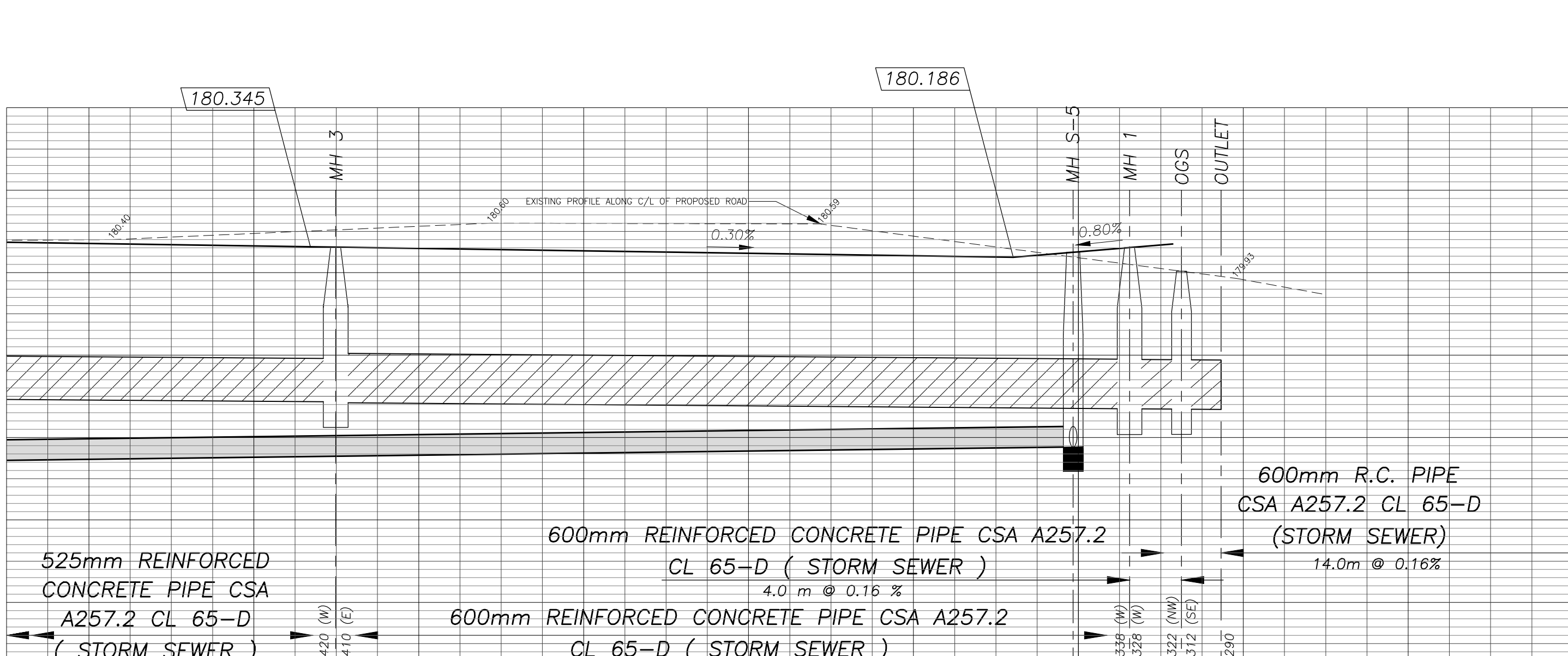
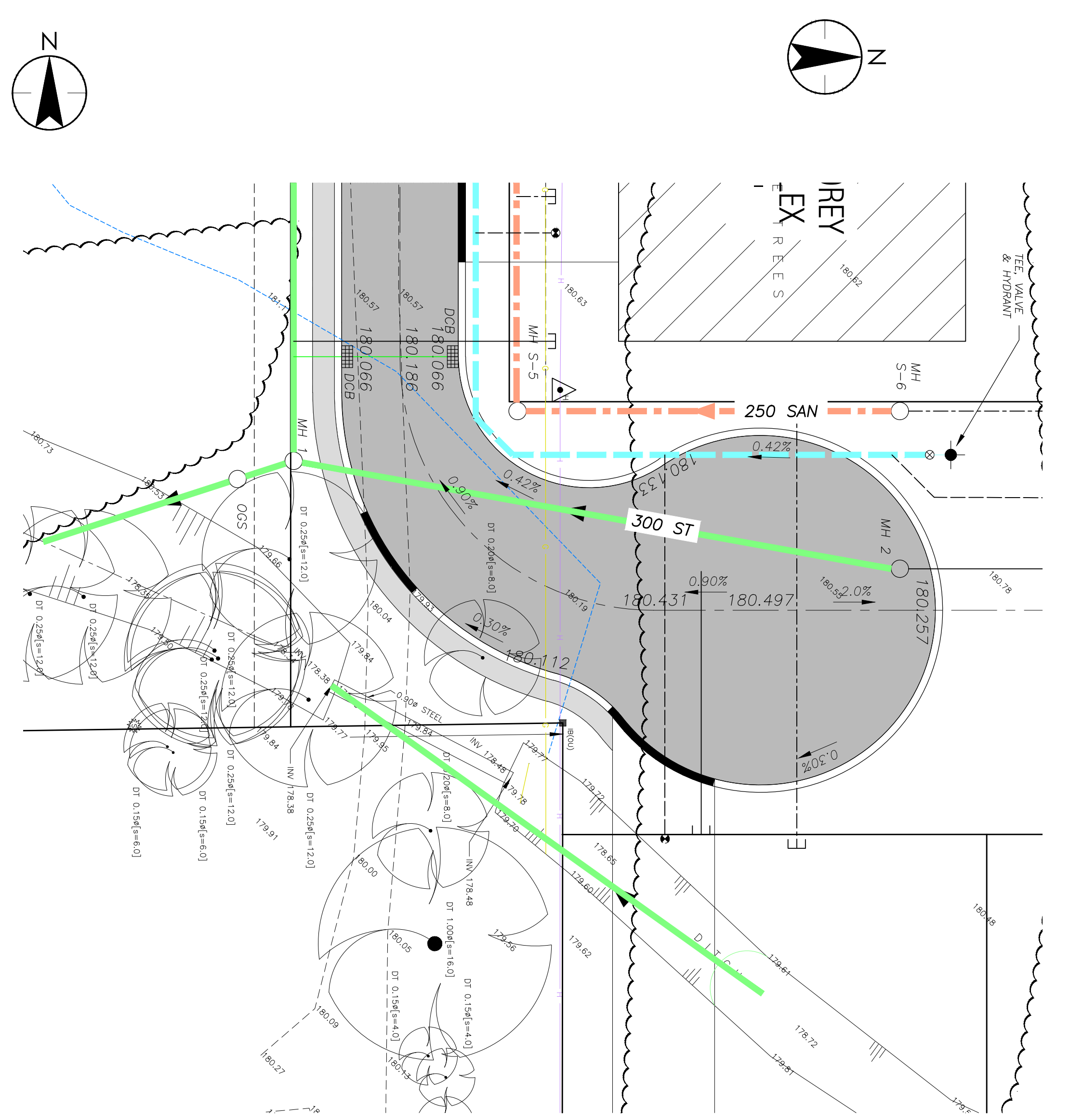
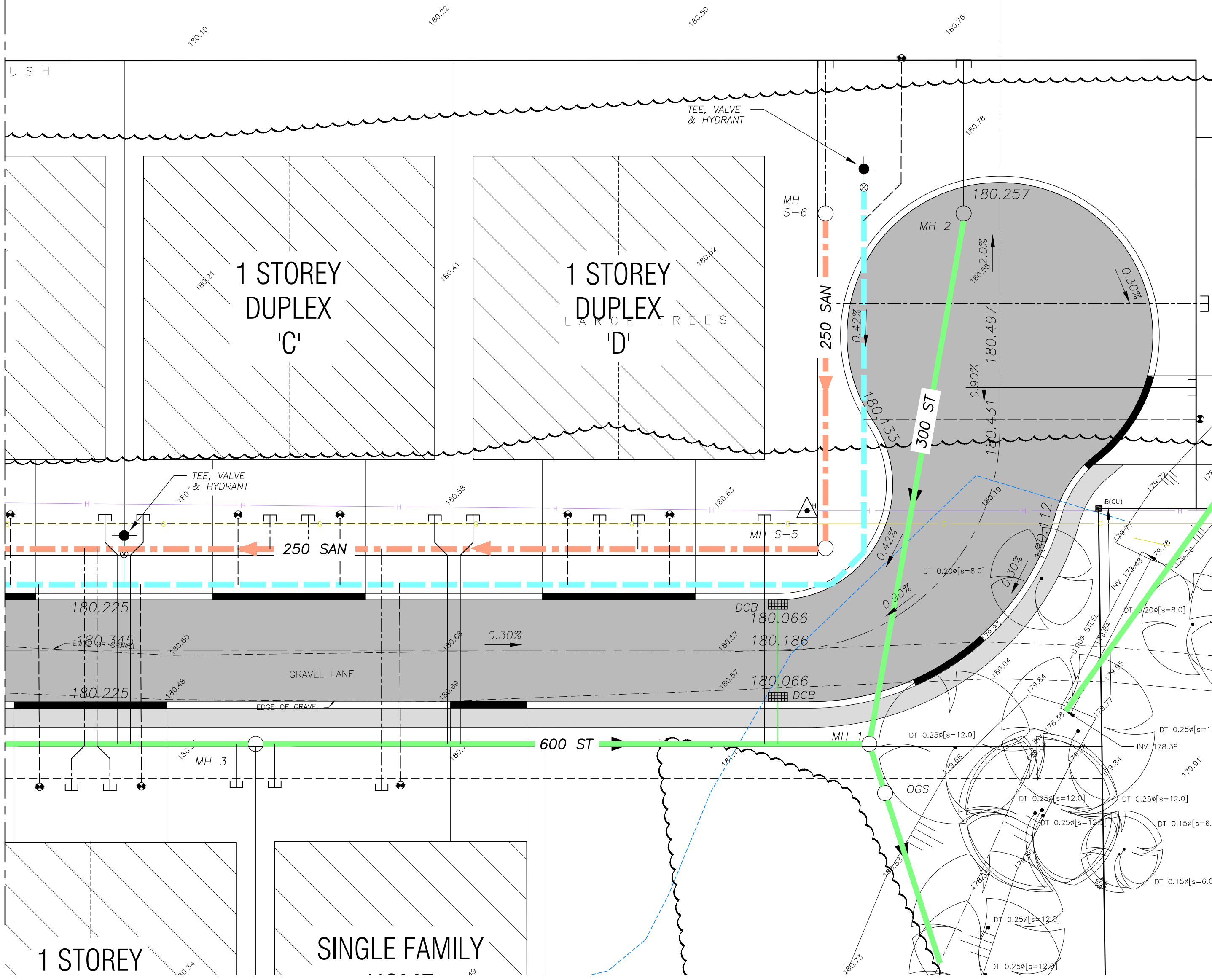
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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

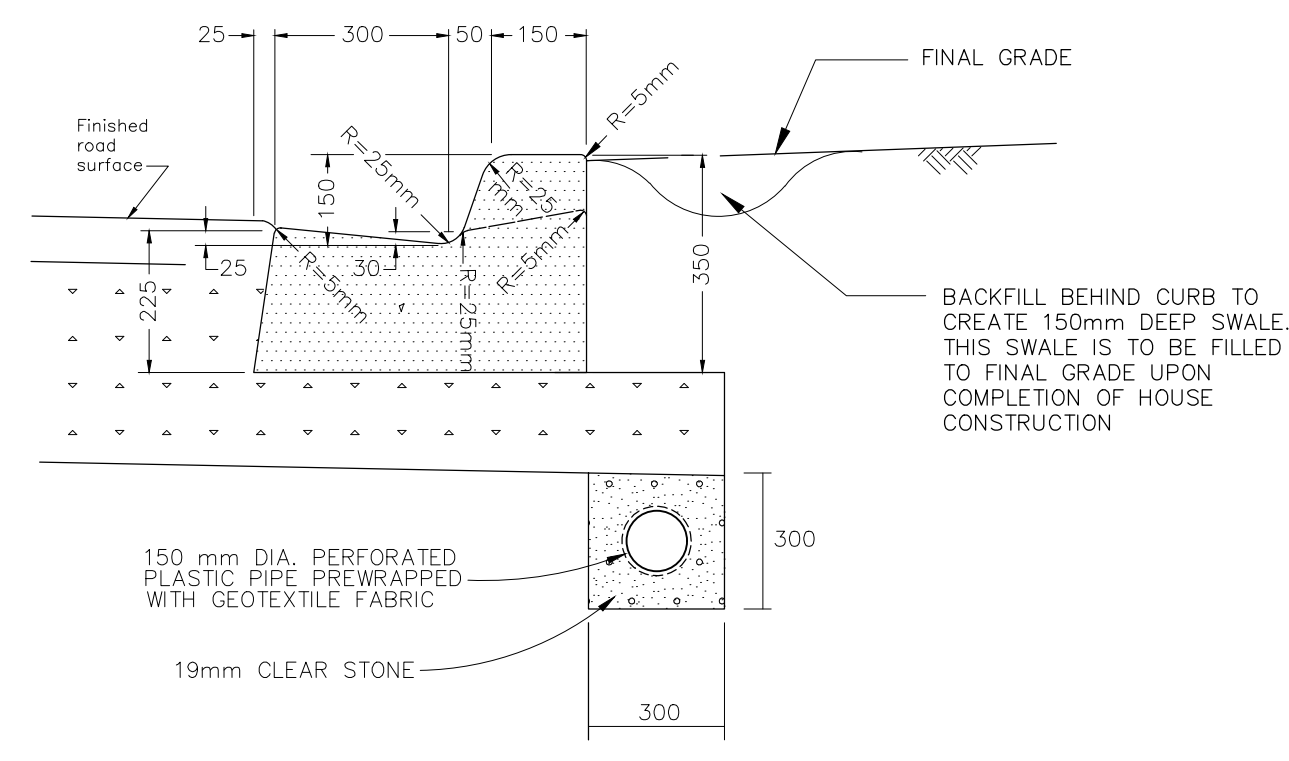
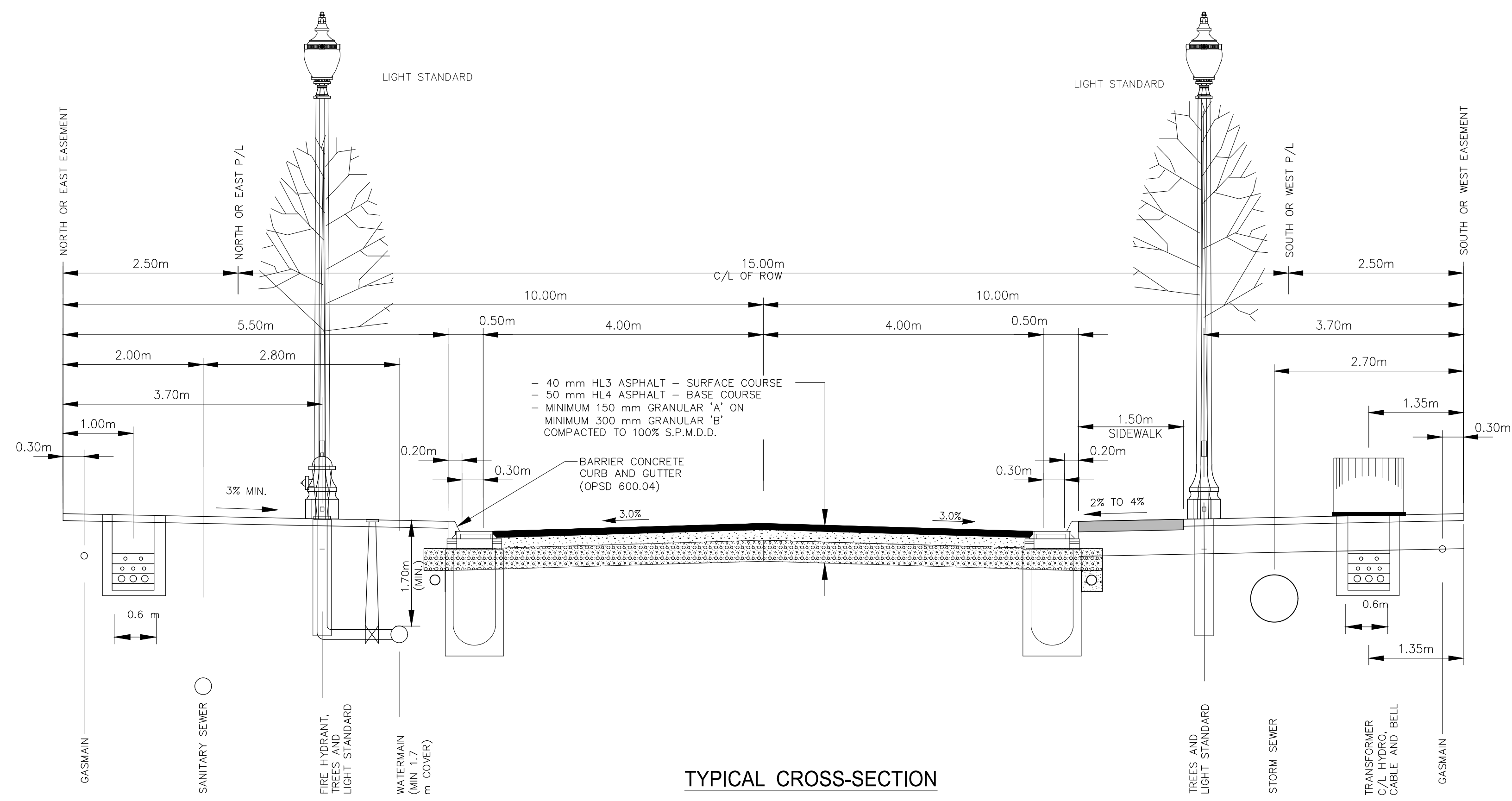
Town of Amherstburg, Ontario

Title
PLAN AND PROFILE
STA. 0+130 TO STA. 0+270



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OPSD 600.04 CURB AND SUB-DRAIN DETAIL

Legend

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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

Title
TYPICAL CROSS SECTIONS

Project No. 165620244	Scale 1:50
Revision Sheet	Drawing No. C-301

Revision	By	Appd.	YY.MM.DD

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File Name: 165620244_C_301			2020
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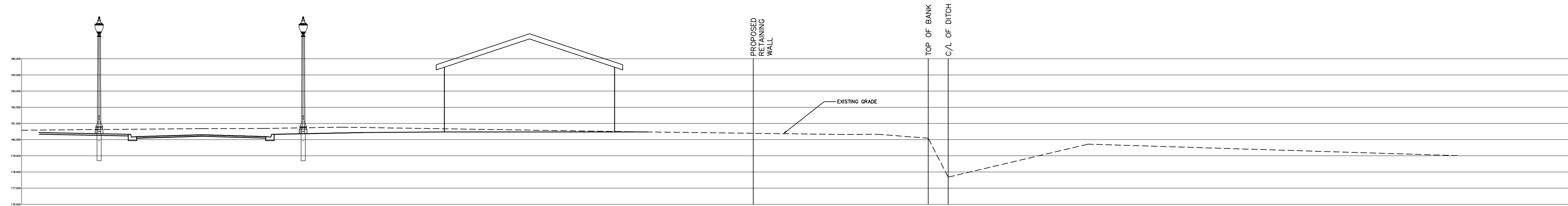
FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

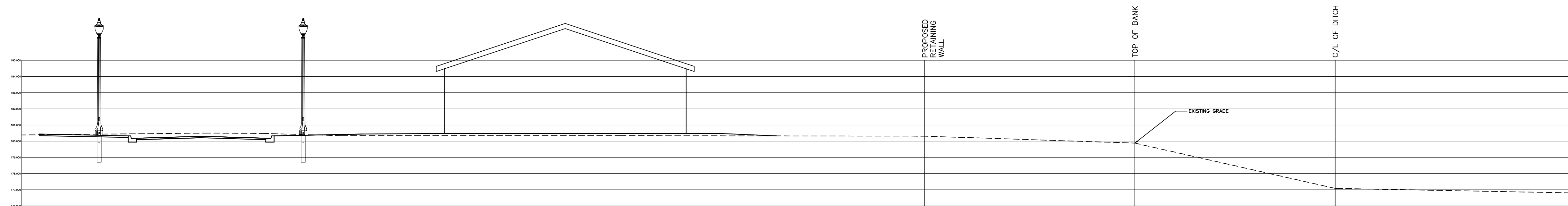
Title
CROSS SECTIONS OF UNITS ALONG SOUTH SIDE OF ROAD

Project No. 165620244
Revision Sheet

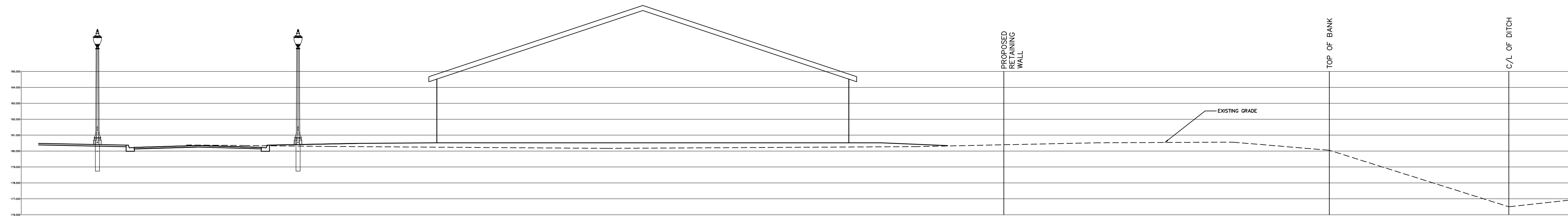
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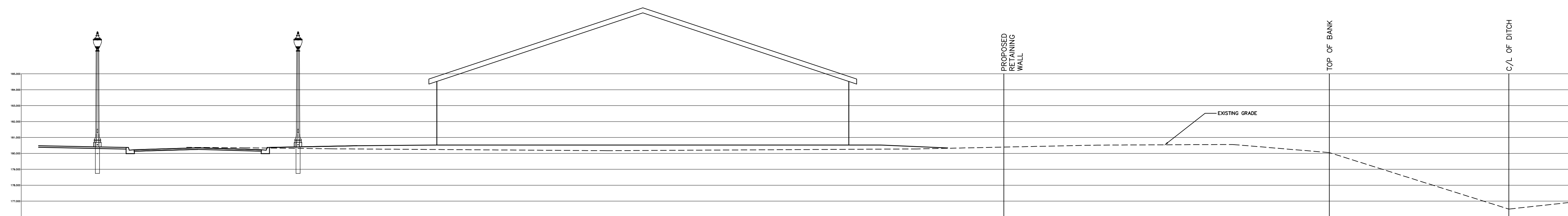
SINGLE FAMILY HOME - SECTION ALONG EAST PROPERTY LINE



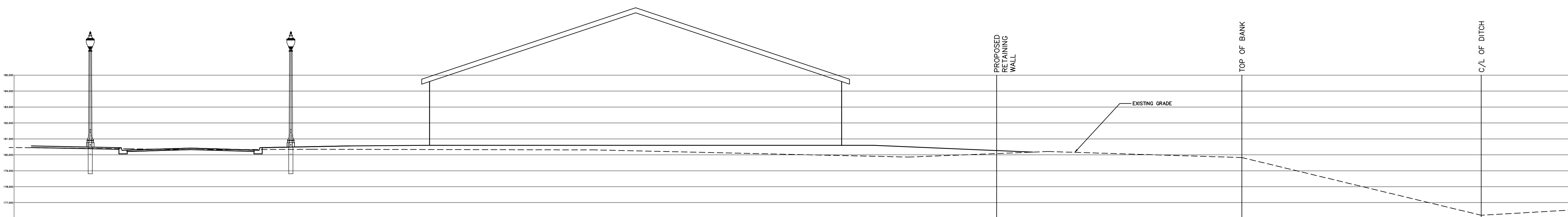
SINGLE FAMILY HOME - SECTION ALONG WEST PROPERTY LINE



1 STOREY DUPLEX 'F'

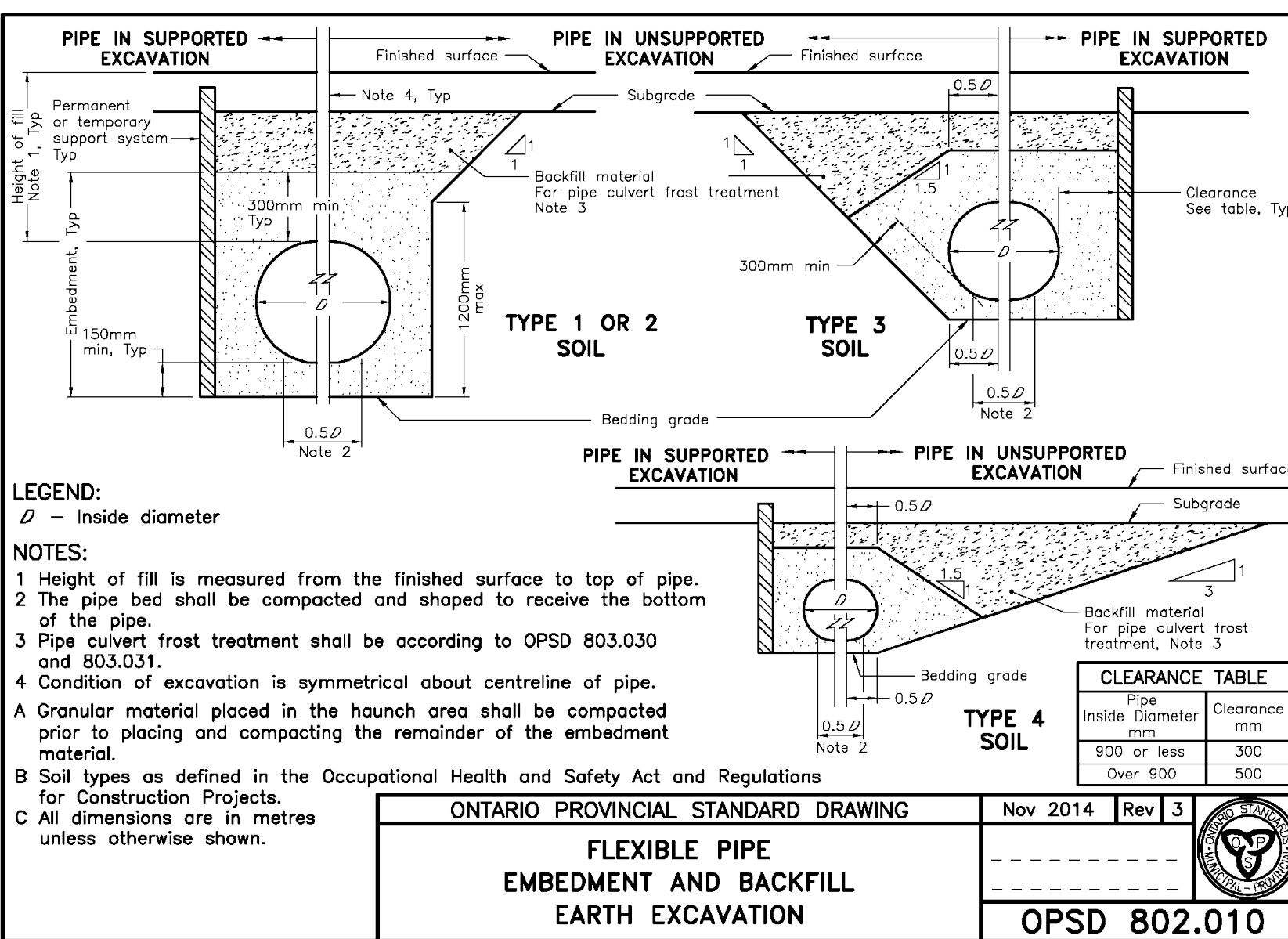
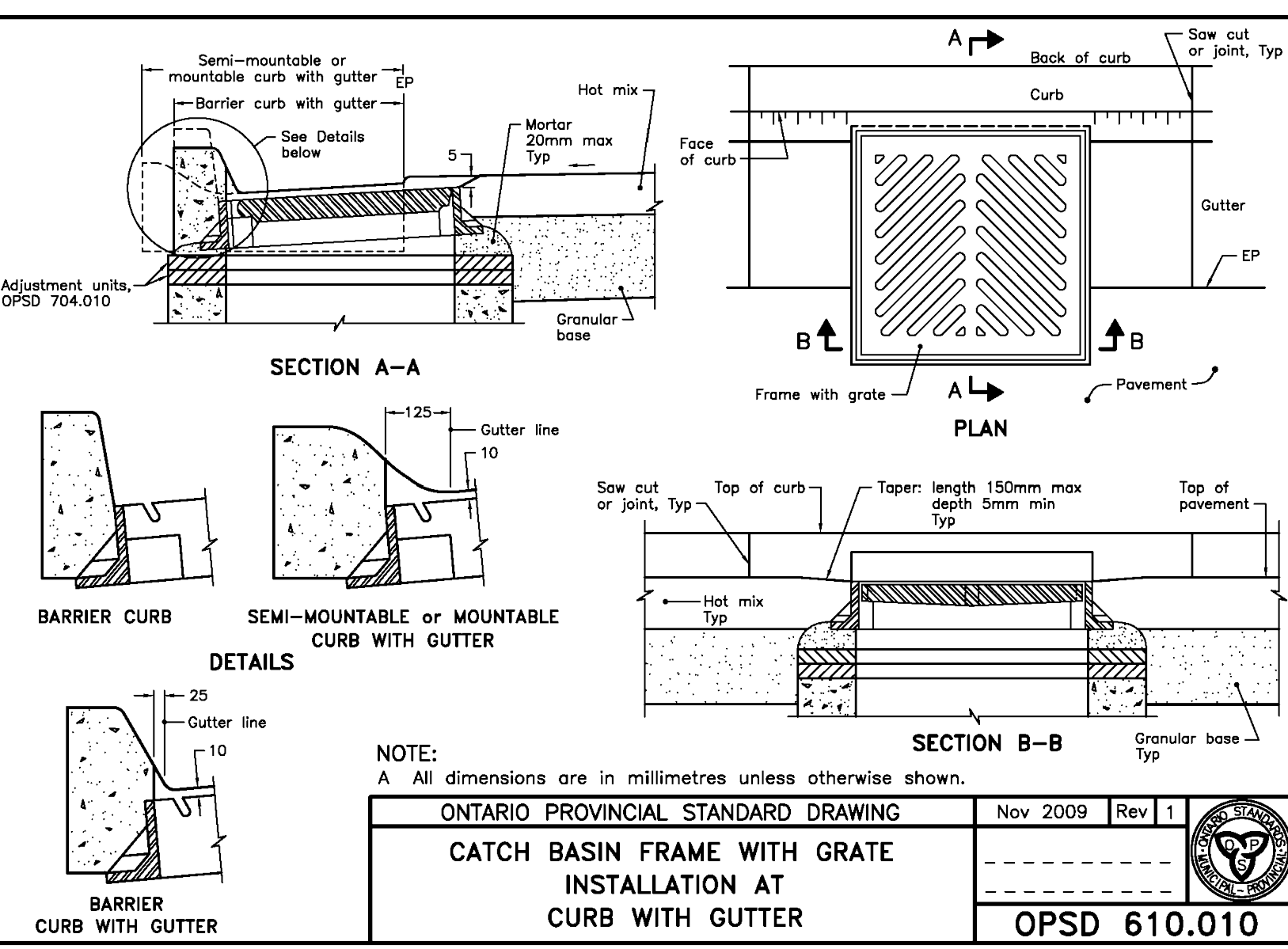
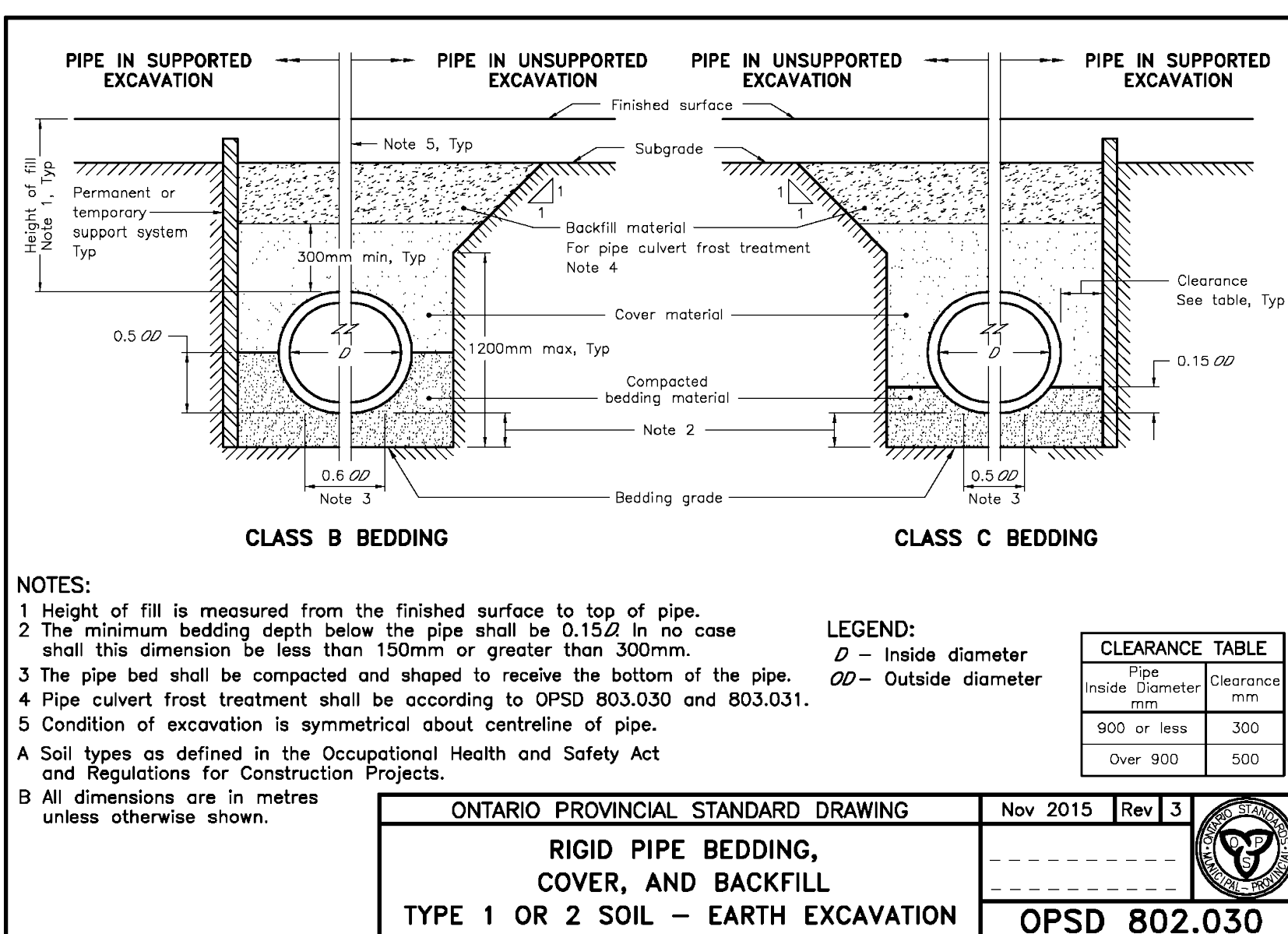
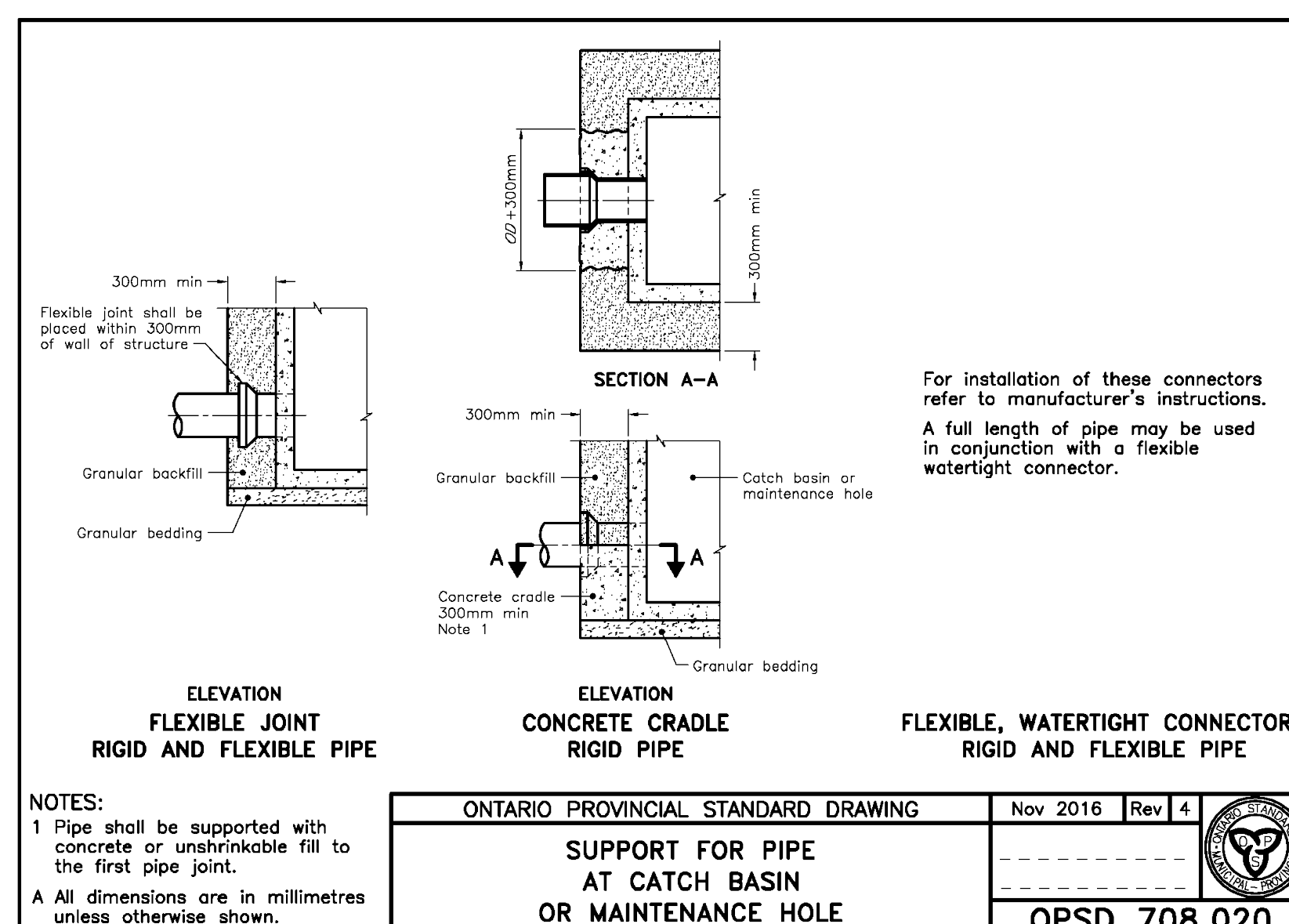
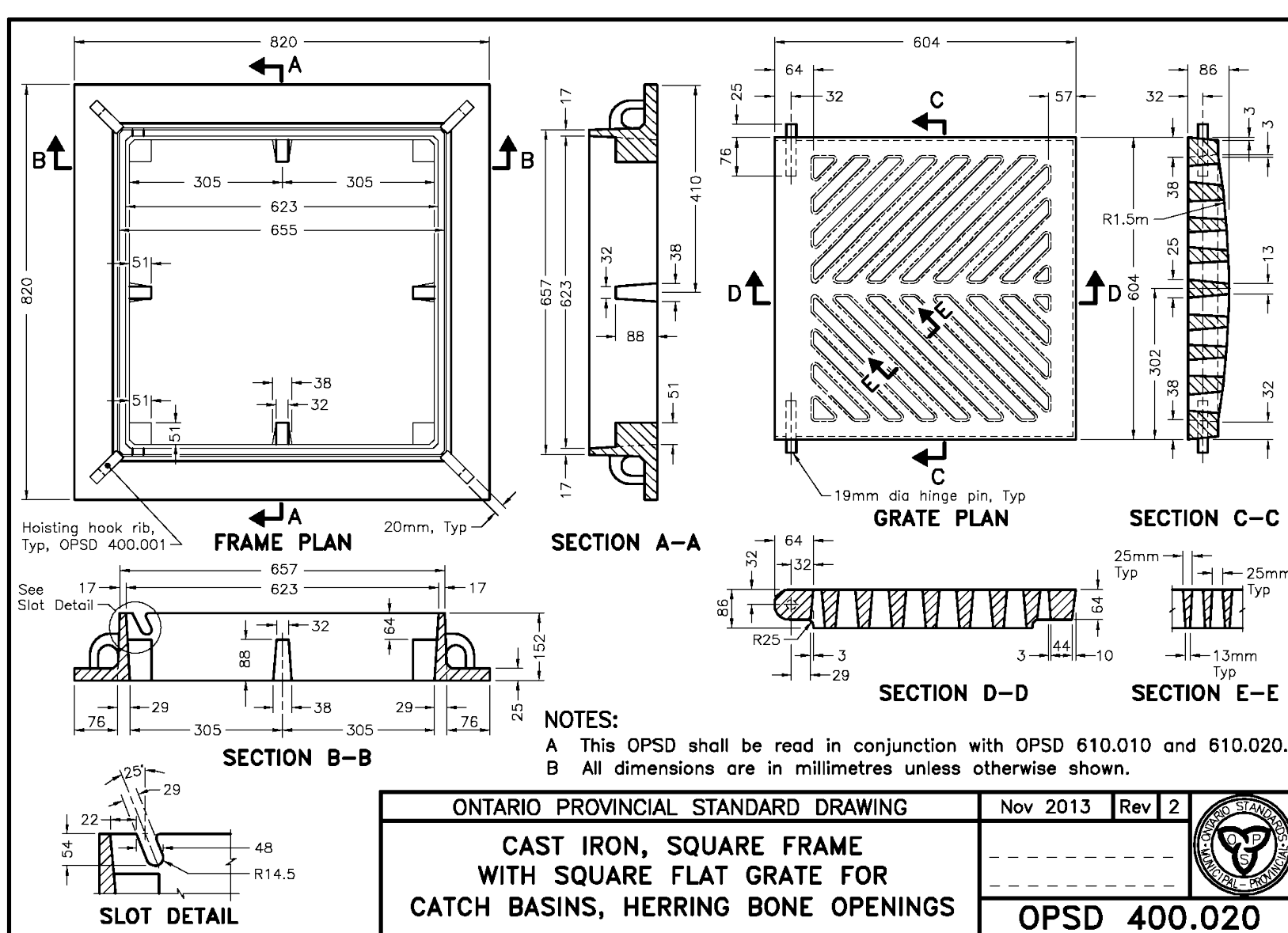
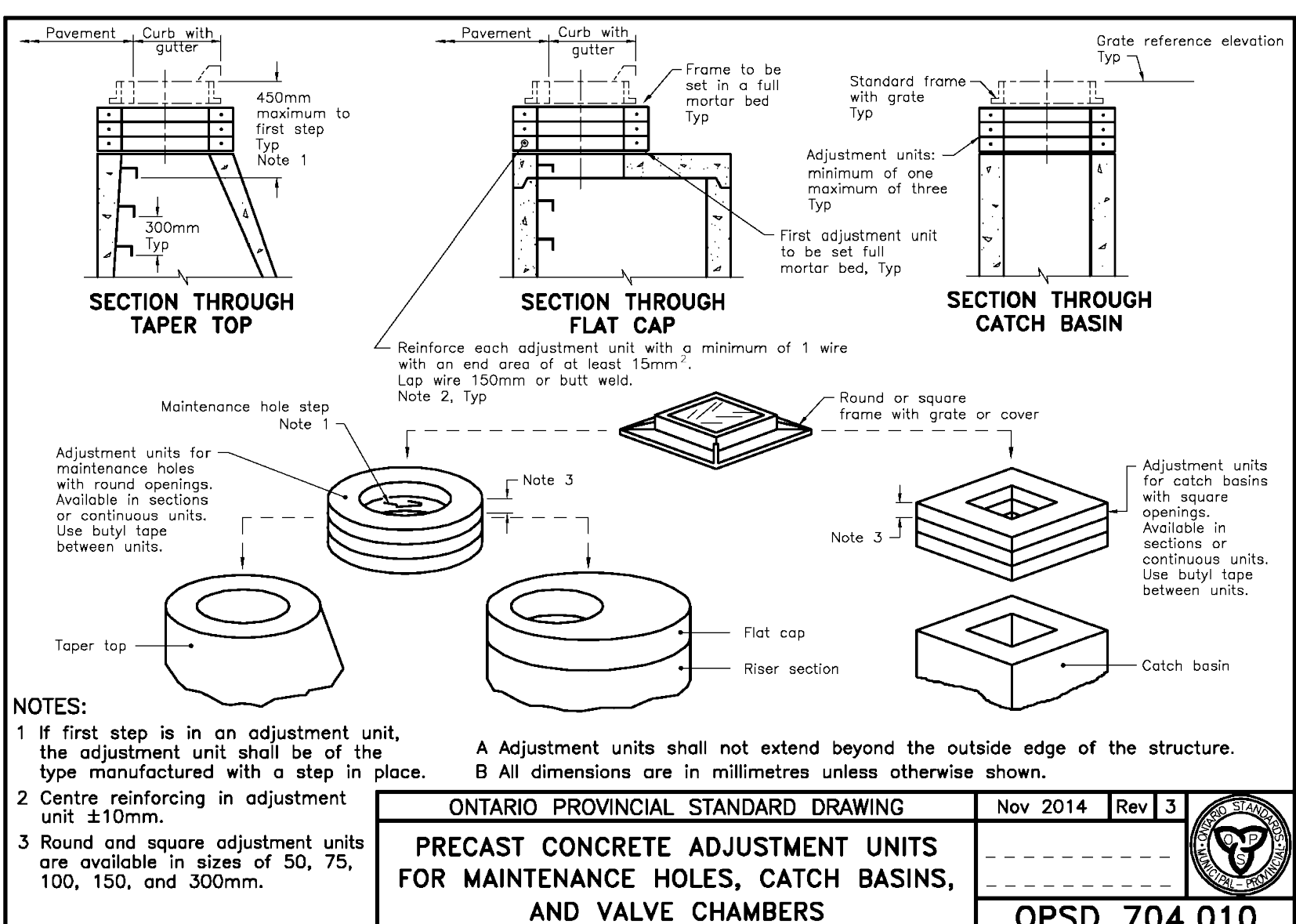
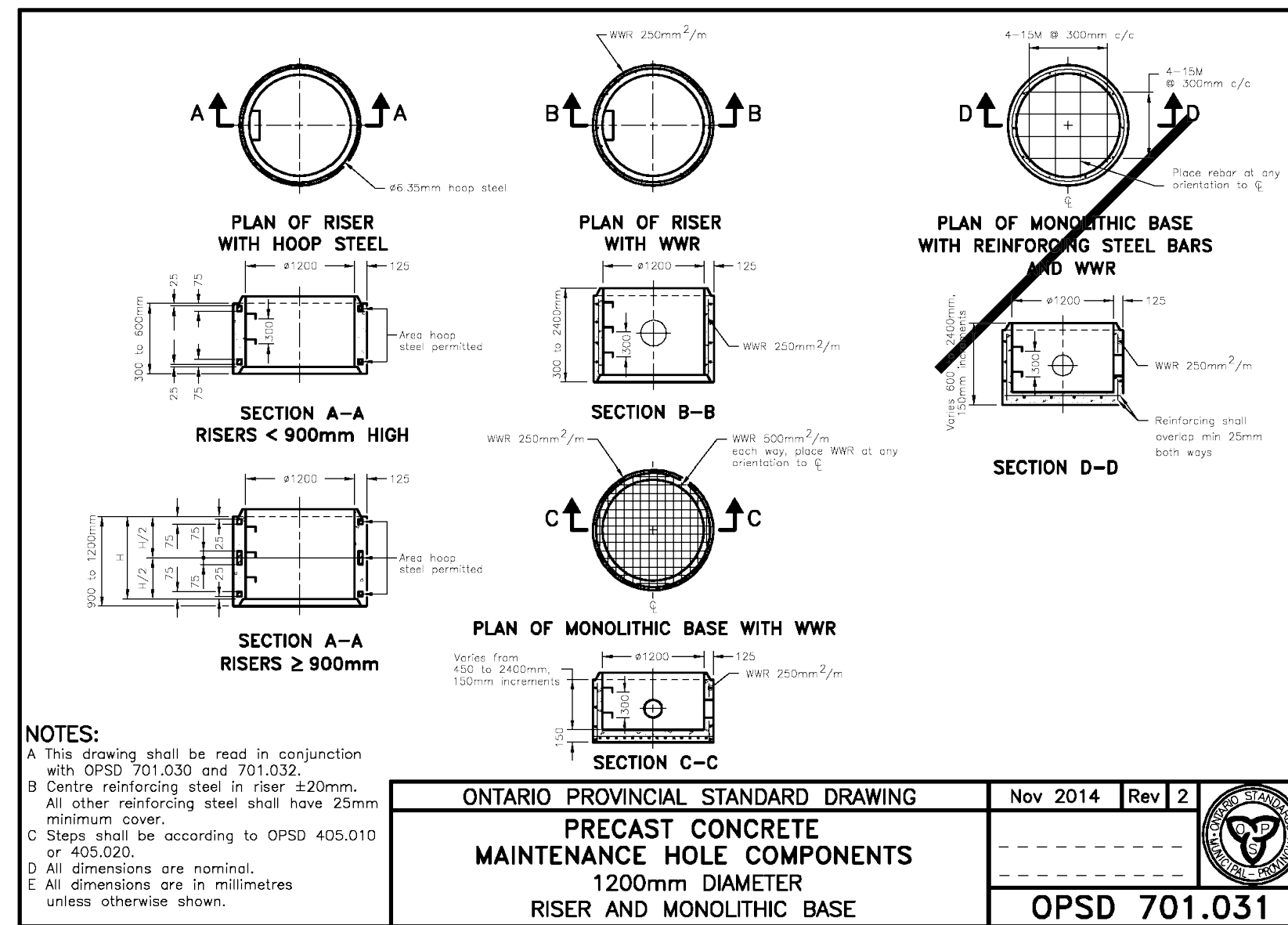
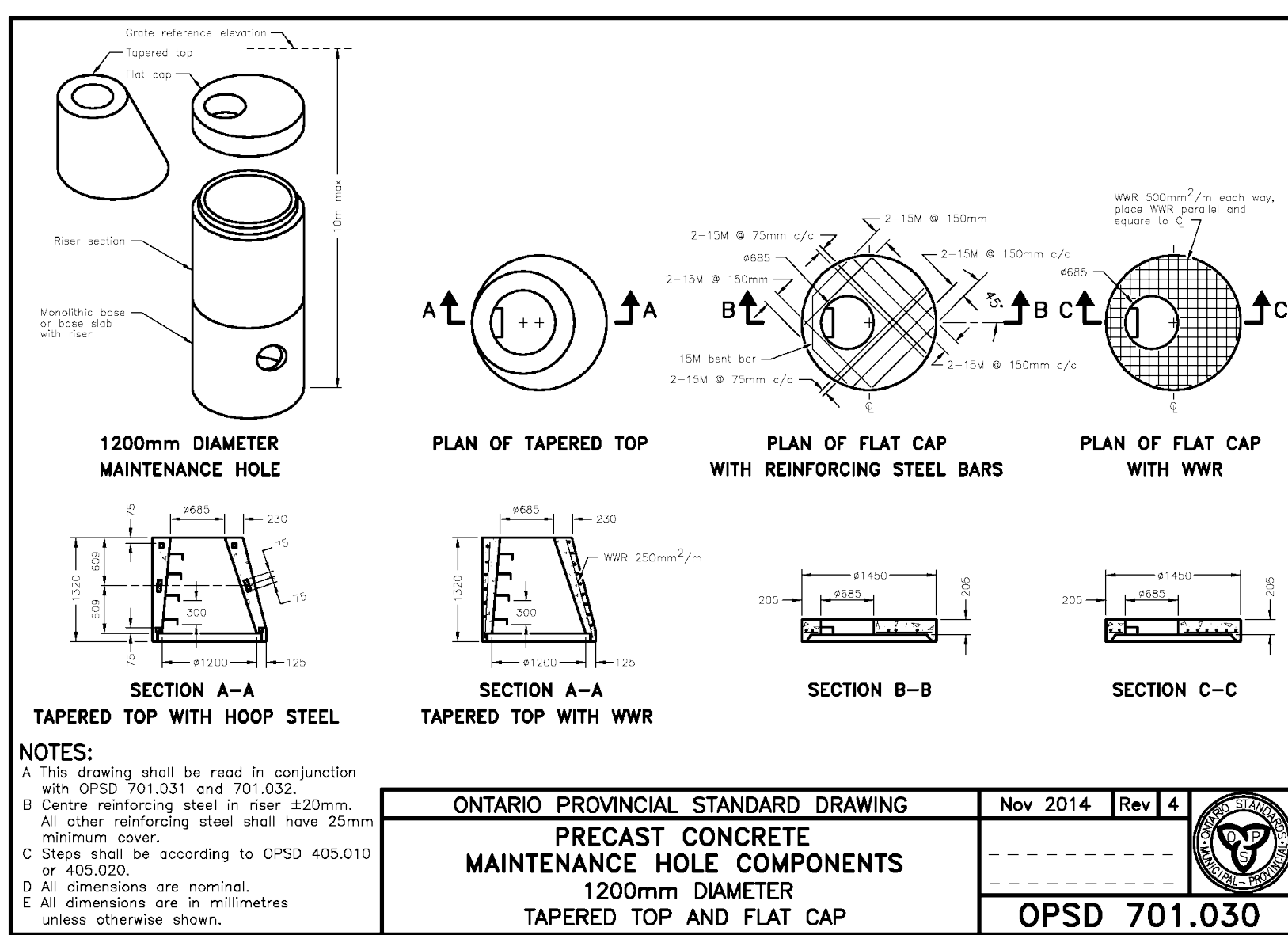
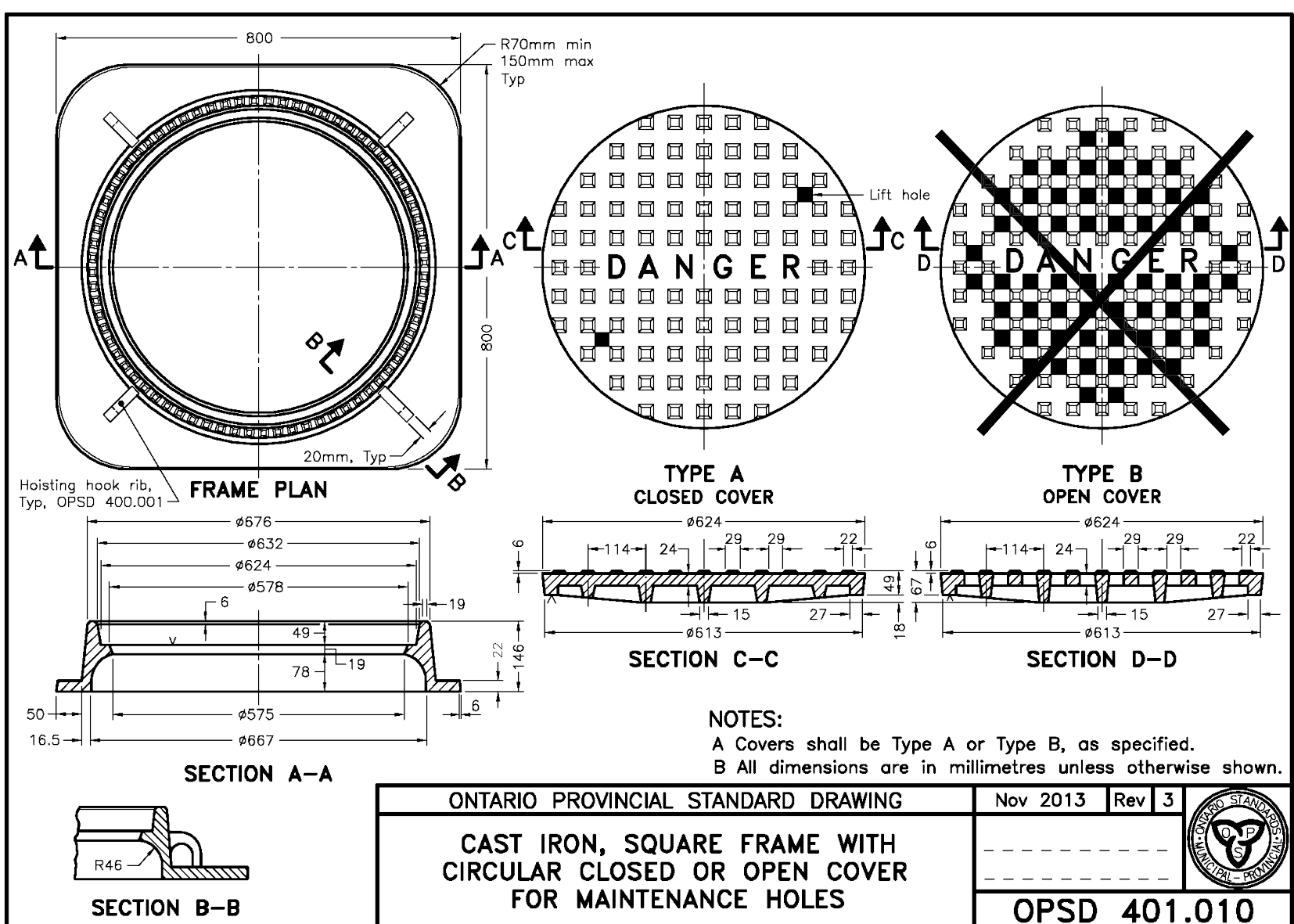


1 STOREY DUPLEX 'F'



1 STOREY DUPLEX 'E'

Legend



Notes

Revision	By	Appd.	YY.MM.DD

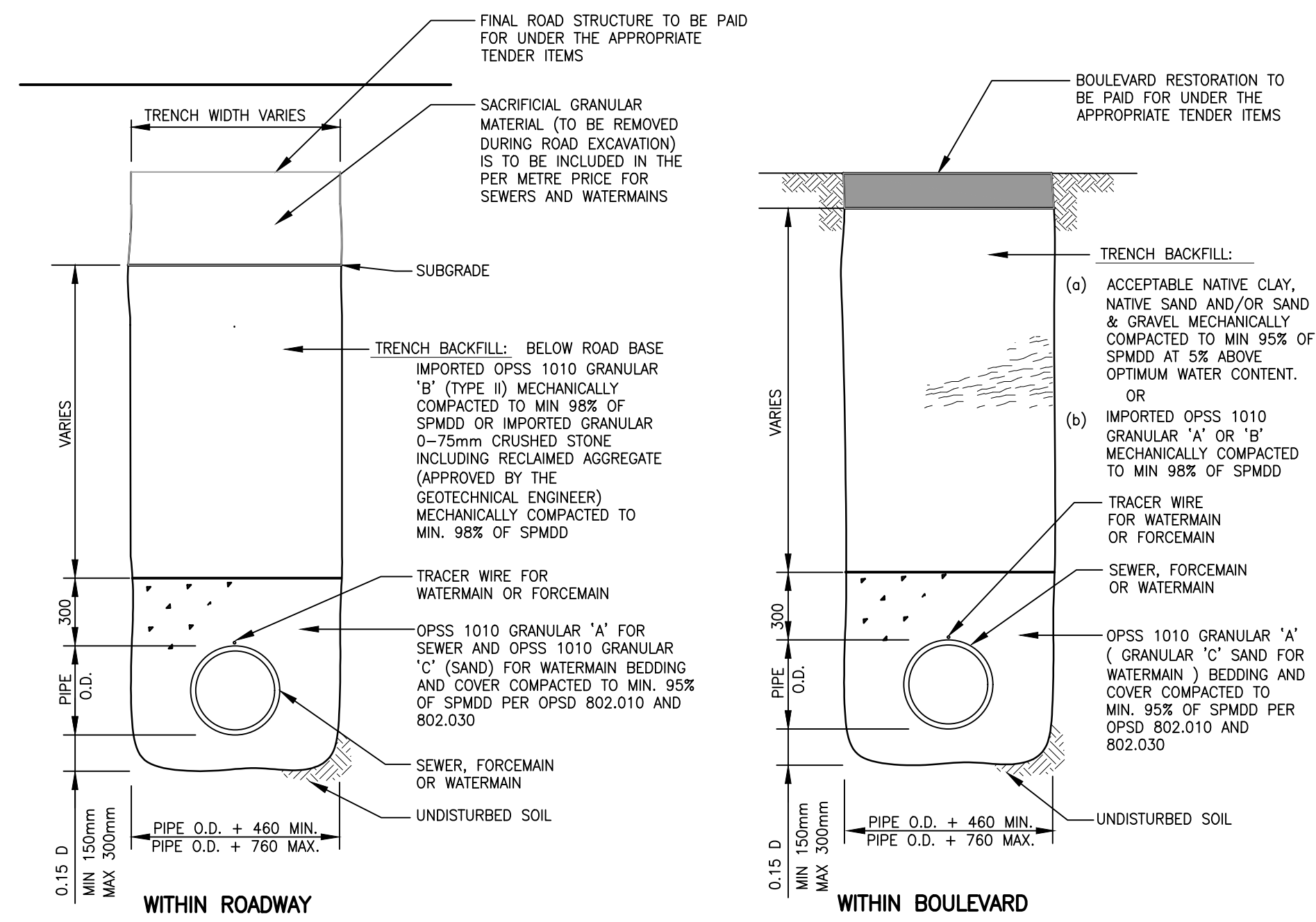
Permit/Seal

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Client/Project
WATERSTONE ANDERSON DEVELOPMENT
FRONT ROAD SUBDIVISION

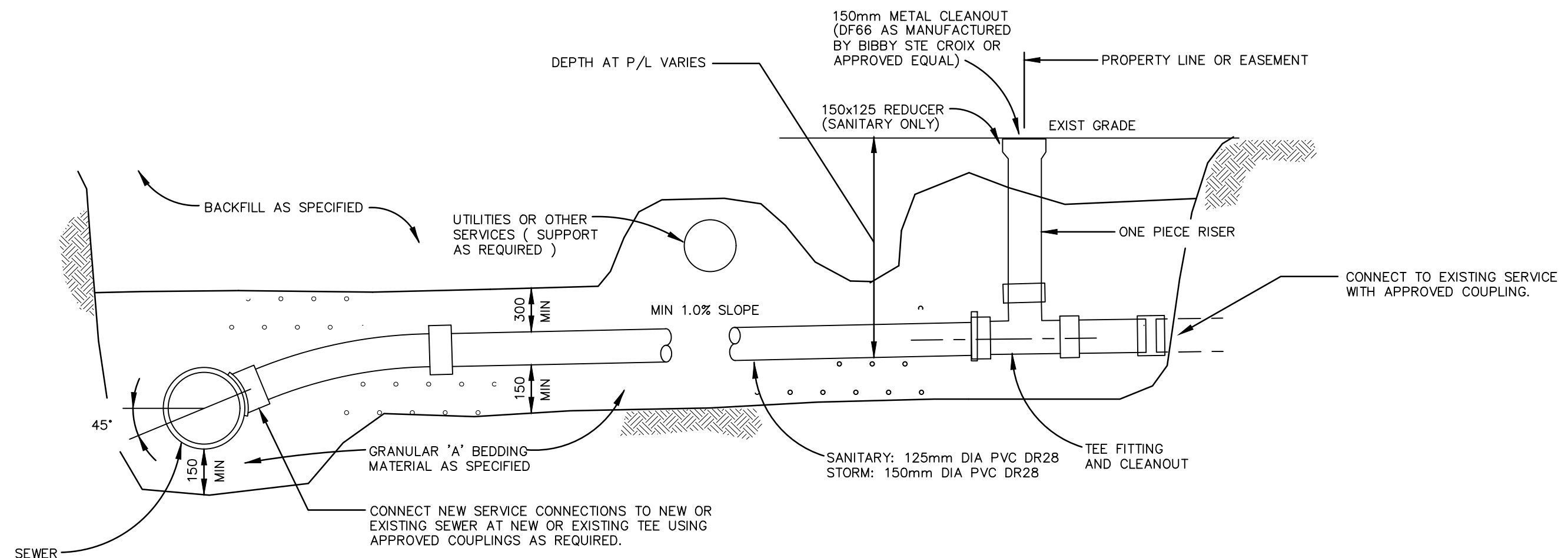
Town of Amherstburg, Ontario
Title
STANDARD DETAILS



PIPE BEDDING AND TRENCH BACKFILLING DETAILS

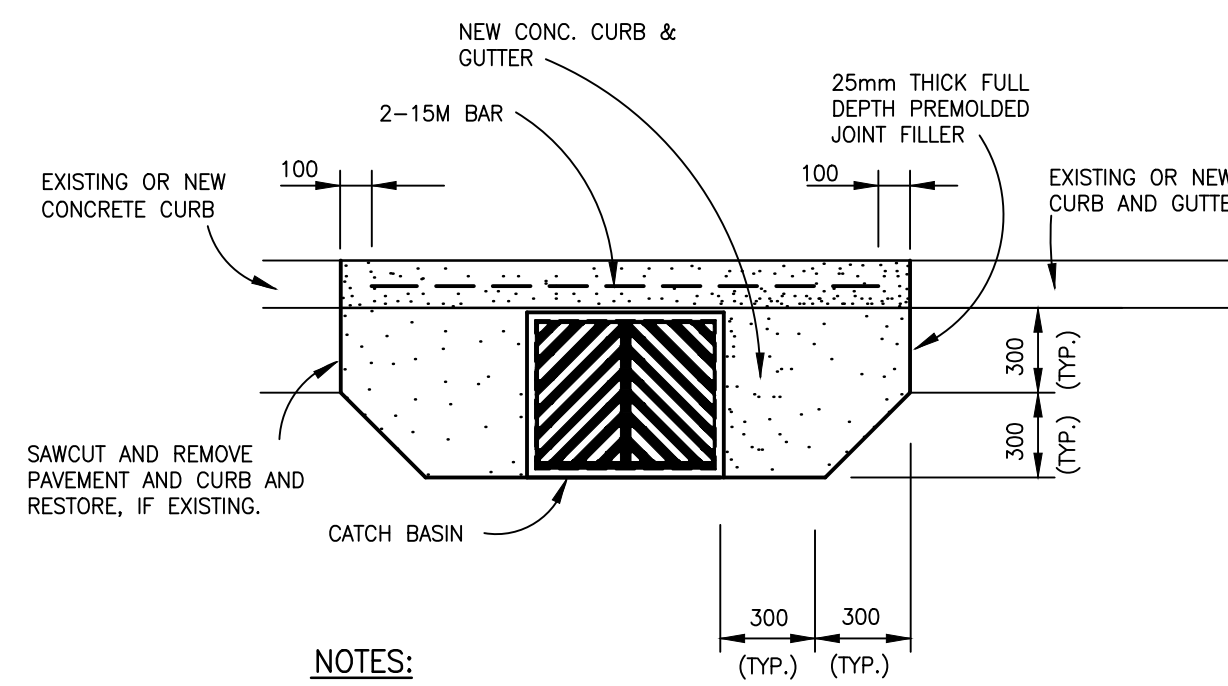
NOTES:

- 1. SUPPORT SIDES OF TRENCH EXCAVATION BY APPROVED SHORING METHOD IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST OCCUPATIONAL HEALTH AND SAFETY ACT & REGULATIONS FOR CONSTRUCTION PROJECTS.
- 2. WALLS OF TRENCH BOX SHALL NOT EXTEND BELOW SPRING LINE OF SEWER / WATERMAIN PIPE.
- 3. GRANULAR BEDDING MATERIAL TO BE MECHANICALLY COMPACTED AT SPRINGLINE OF WATERMAIN / SEWER PIPE PRIOR TO PLACING GRANULAR COVER MATERIAL.
- 4. TRENCH WIDTH VARIES TO SUIT CONSTRUCTION METHOD AND GROUND CONDITIONS.



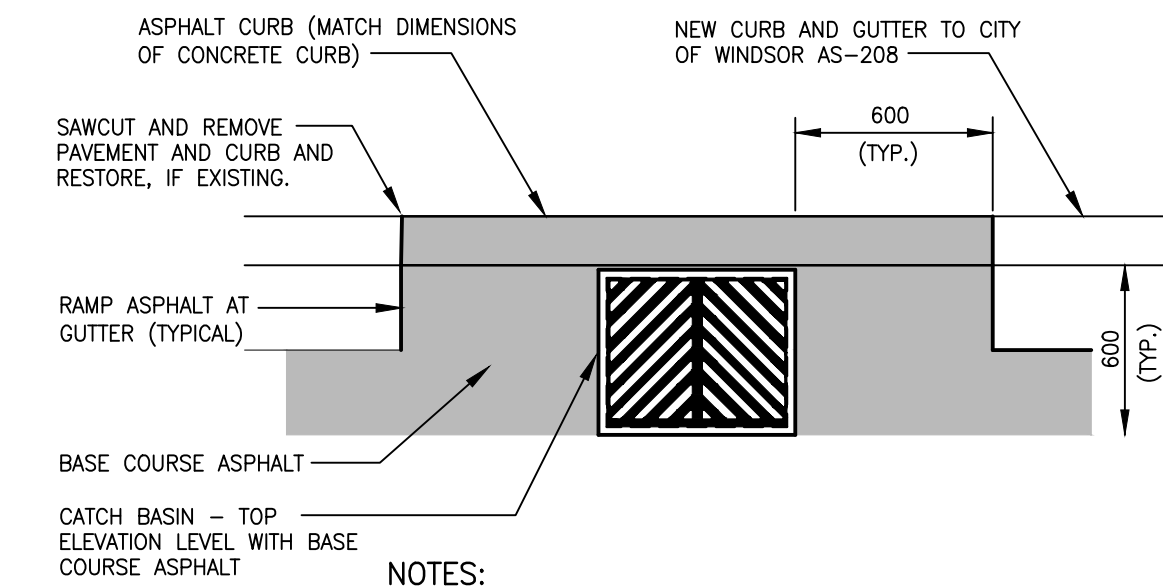
SEWER SERVICE CONNECTIONS

N.T.S.



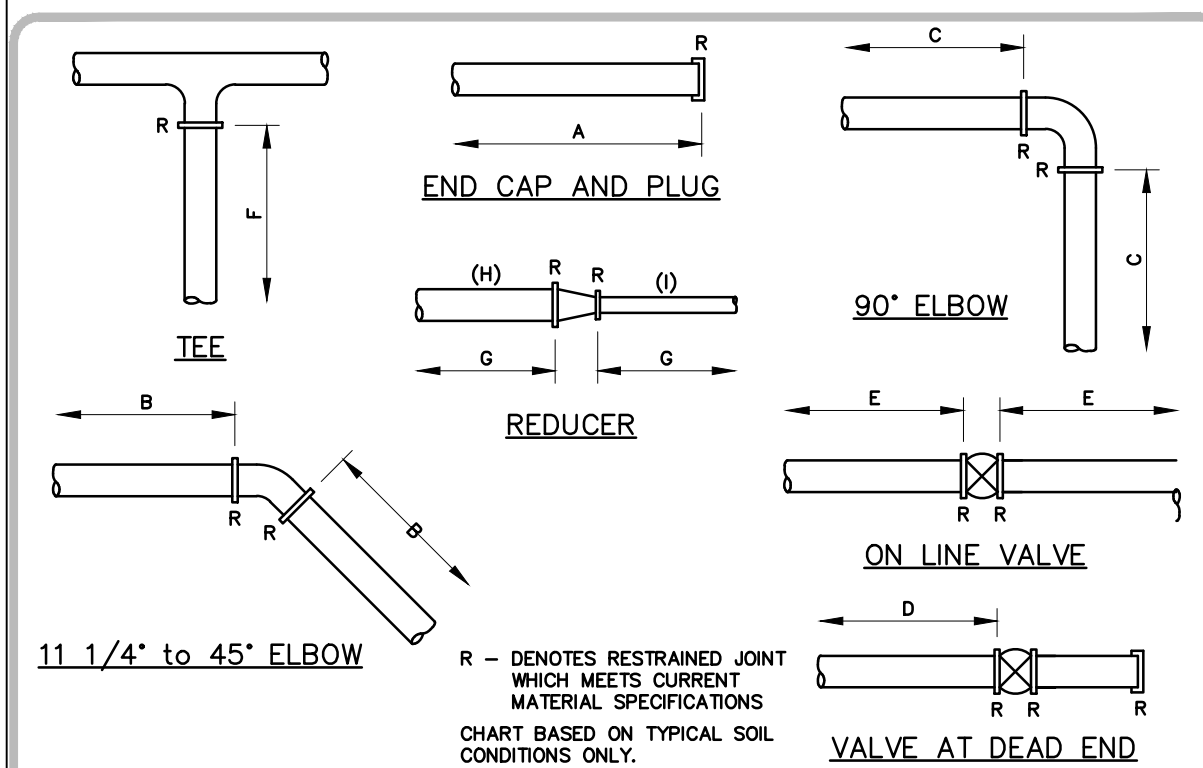
TYPICAL STANDARD INLET CATCH BASIN AND CONCRETE BOX-OUT DETAILS

N.T.S.



TYPICAL STANDARD INLET CATCH BASIN AND TEMPORARY ASPHALT BOX-OUT DETAILS

N.T.S.



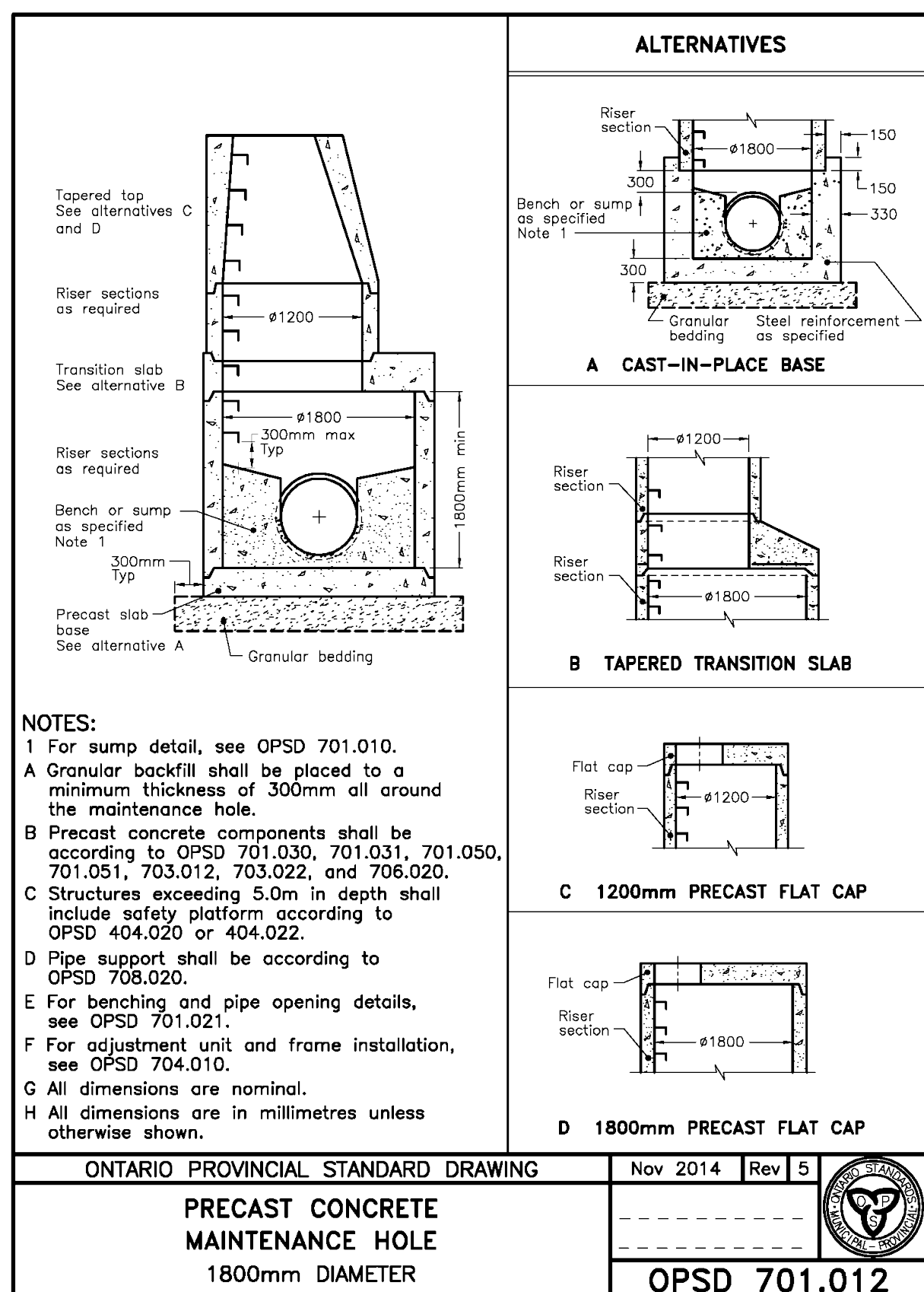
RESTRAINING LENGTH (A)	PIPE SIZE								
	100mm (4")	150mm (6")	200mm (8")	250mm (10")	300mm (12")	400mm (16")	450mm (18")	500mm (20")	600mm (24")
A	12m	15m	18m	24m	24m	24m	30m	33m	40m
B	3m	6m	6m	9m	9m	13m	13m	15m	16m
C	6m	9m	12m	15m	18m	32m	30m	33m	40m
D	12m	15m	18m	24m	24m	24m	30m	33m	40m
E	6m	6m	6m	6m	6m	6m	6m	6m	6m
F	9m	12m	18m	21m	24m	24m	24m	24m	24m
G									

RESTRAINING LENGTH (A)	PIPE SIZE - (H)							
	150mm (6")	200mm (8")	250mm (10")	300mm (12")	400mm (16")	450mm (18")	500mm (20")	600mm (24")
B	6m	9m	13m	16m	22m	28m	22m	39m
C	6m	6m	10m	13m	20m	27m	31m	37m
D		6m	10m	18m	24m	28m	35m	
E				6m	14m	21m	25m	33m
F					10m	16m	21m	29m

NOTE: ALL VERTICAL DEFLECTIONS TO BE FULLY RESTRAINED

SCALE: N.T.S.
DATE: 2007.03.28

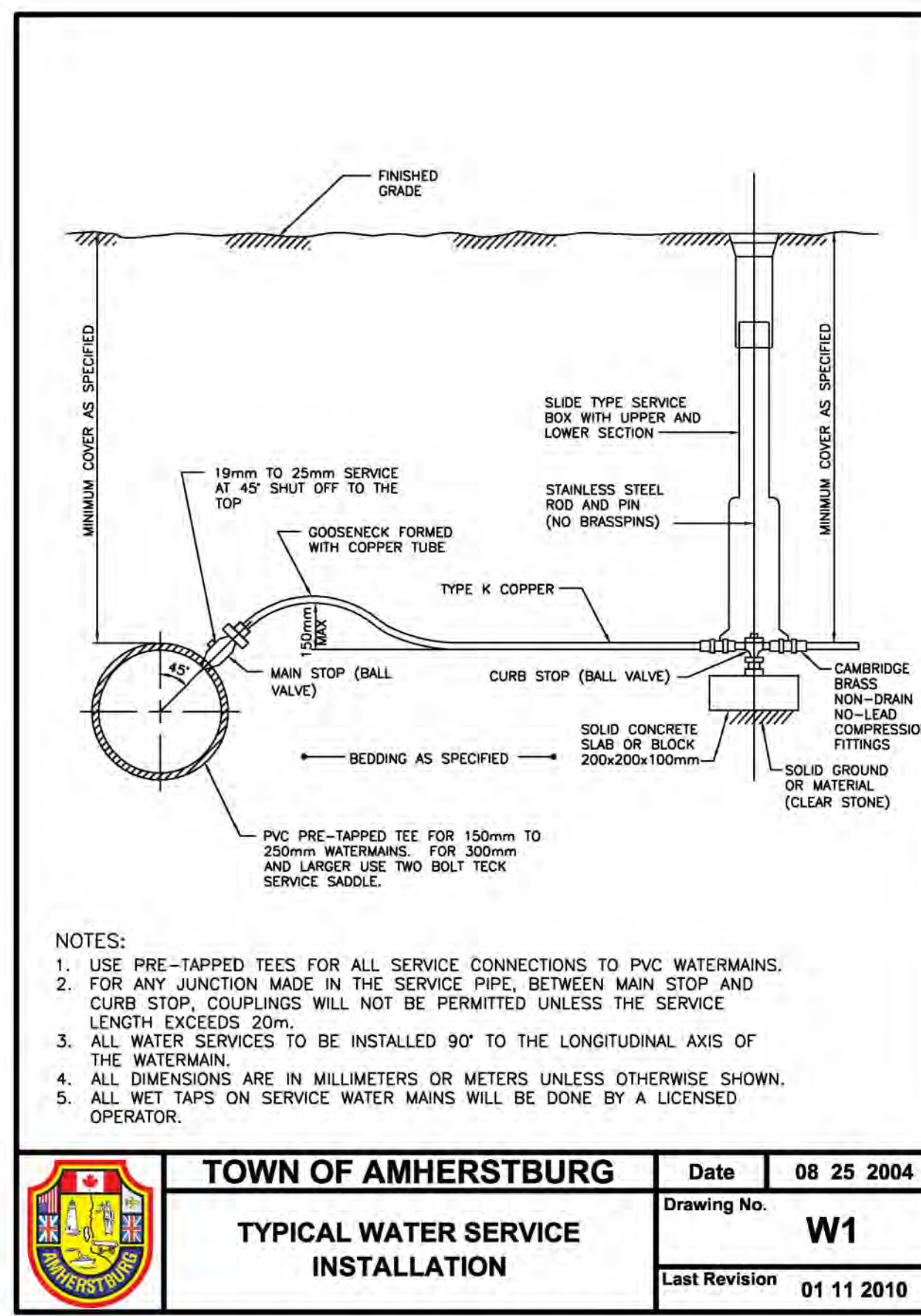
HORIZONTAL PIPE RESTRAINING FOR PVC AND DUCTILE IRON FITTINGS AND VALVES



ONTARIO PROVINCIAL STANDARD DRAWING Nov 2014 Rev 5

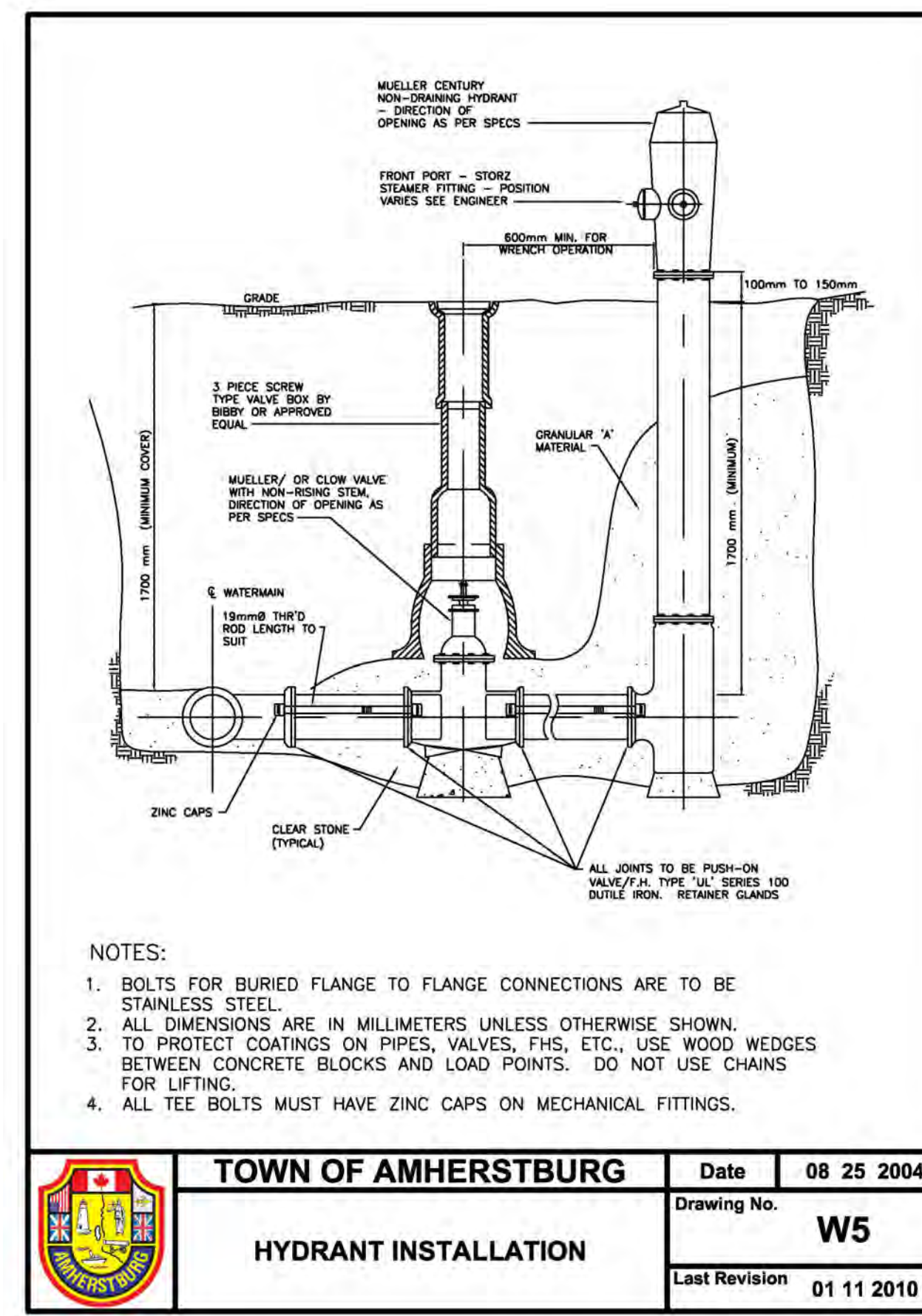
PRECAST CONCRETE MAINTENANCE HOLE 1800mm DIAMETER

OPSD 701.012



TOWN OF AMHERSTBURG
TYPICAL WATER SERVICE INSTALLATION

Date 08 25 2004
Drawing No. W1
Last Revision 01 11 2010



TOWN OF AMHERSTBURG
HYDRANT INSTALLATION

Date 08 25 2004
Drawing No. W5
Last Revision 01 11 2010

Project No. 165620244
Revision Sheet

Scale SCALE
Drawing No.

2019.08.26
Dwn. Ckd. Dgn. YY.MM.DD

Permit/Seal

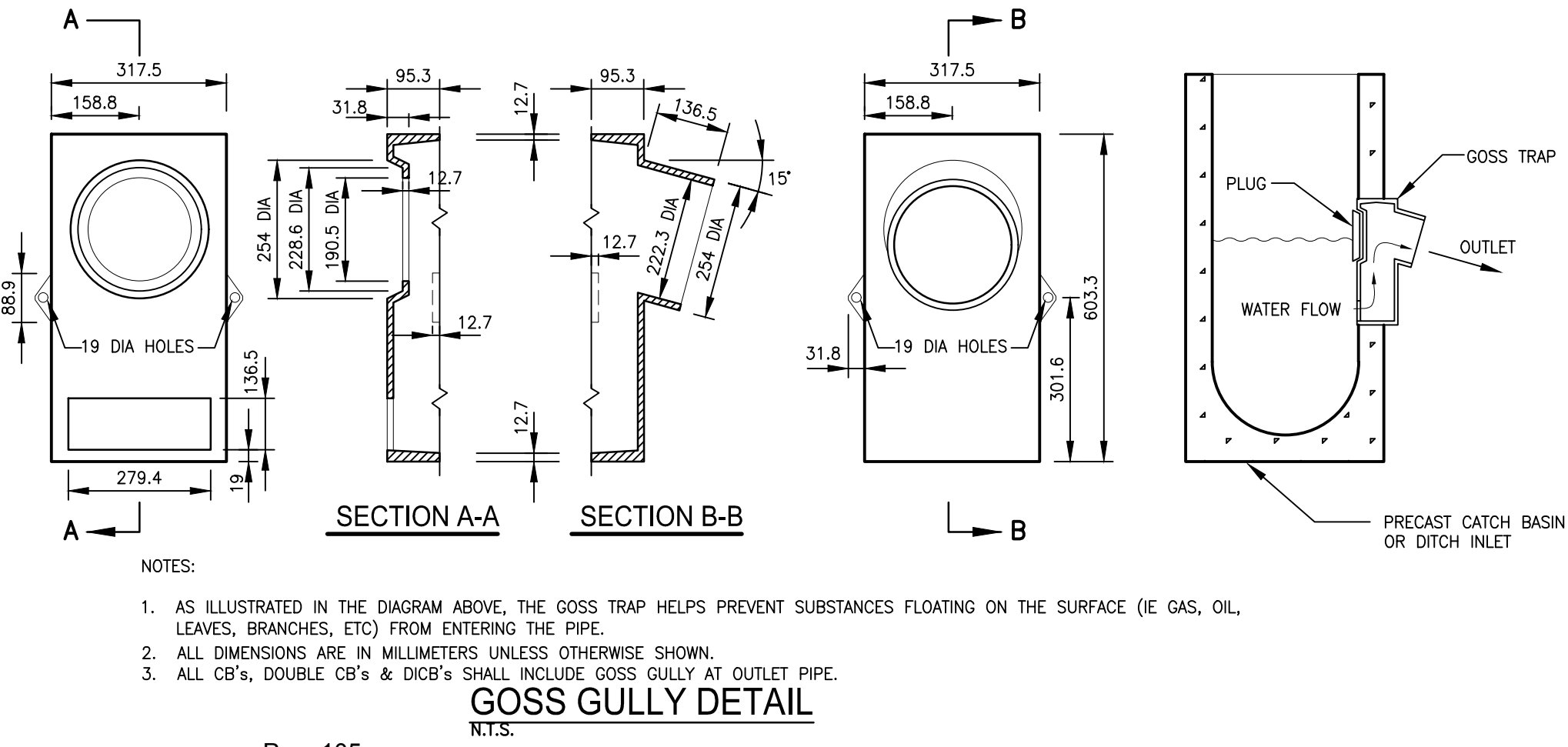
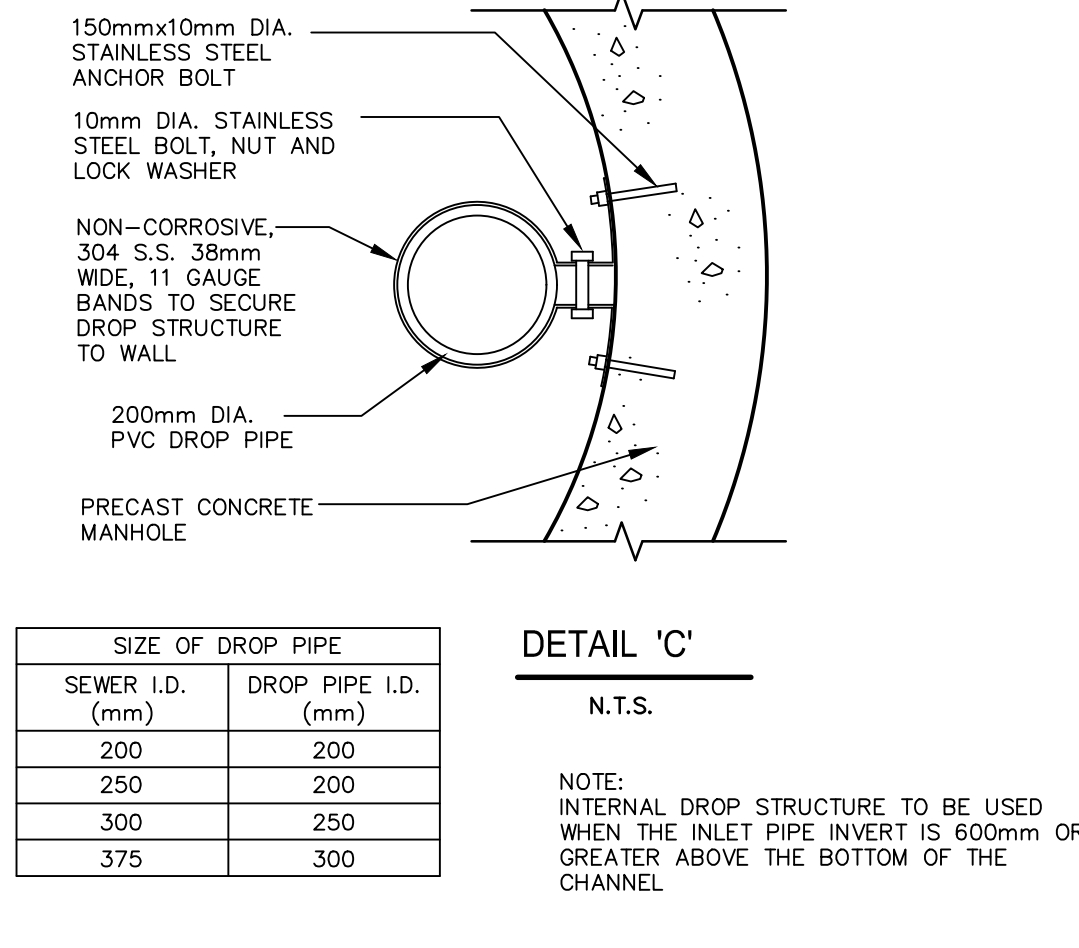
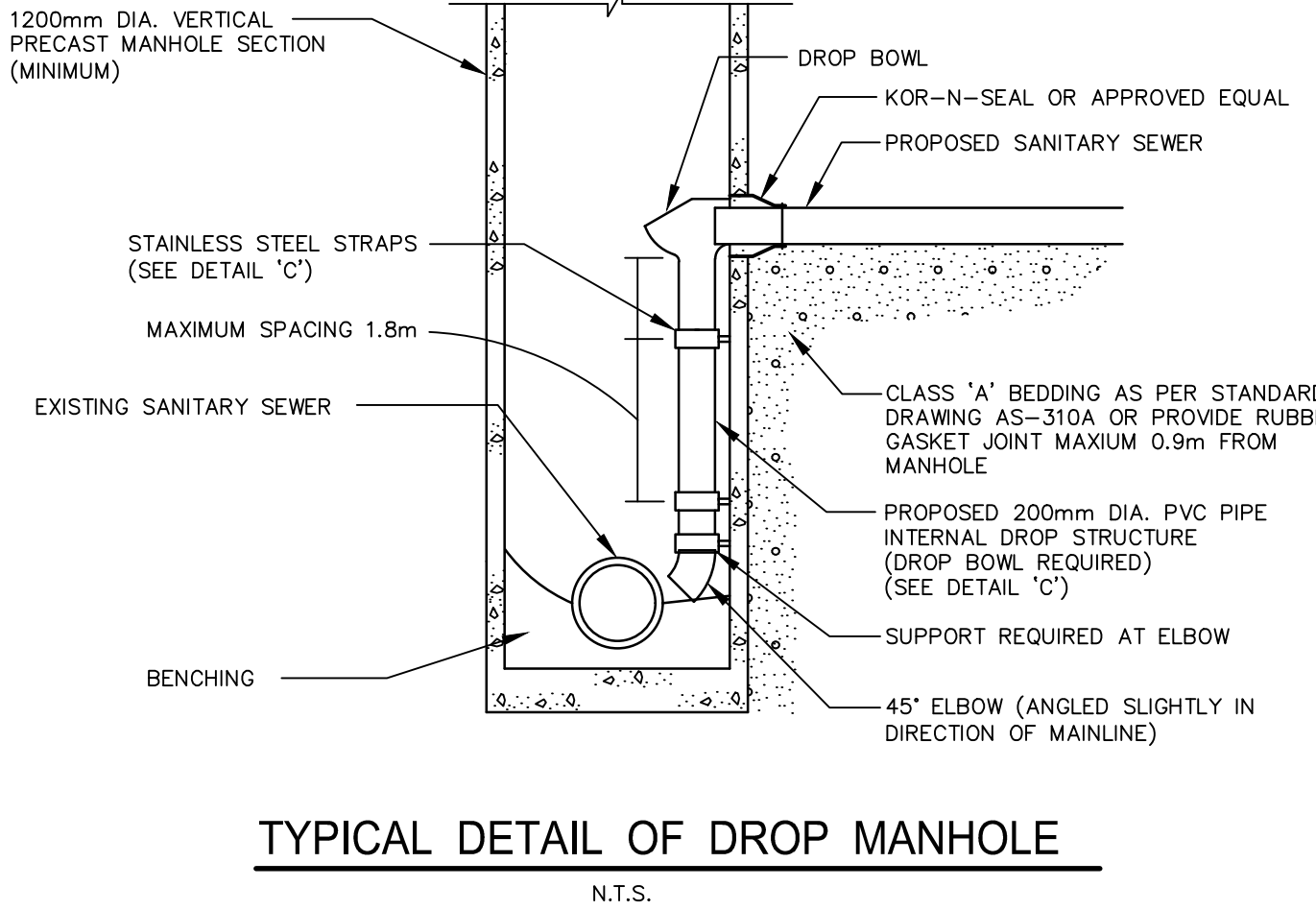
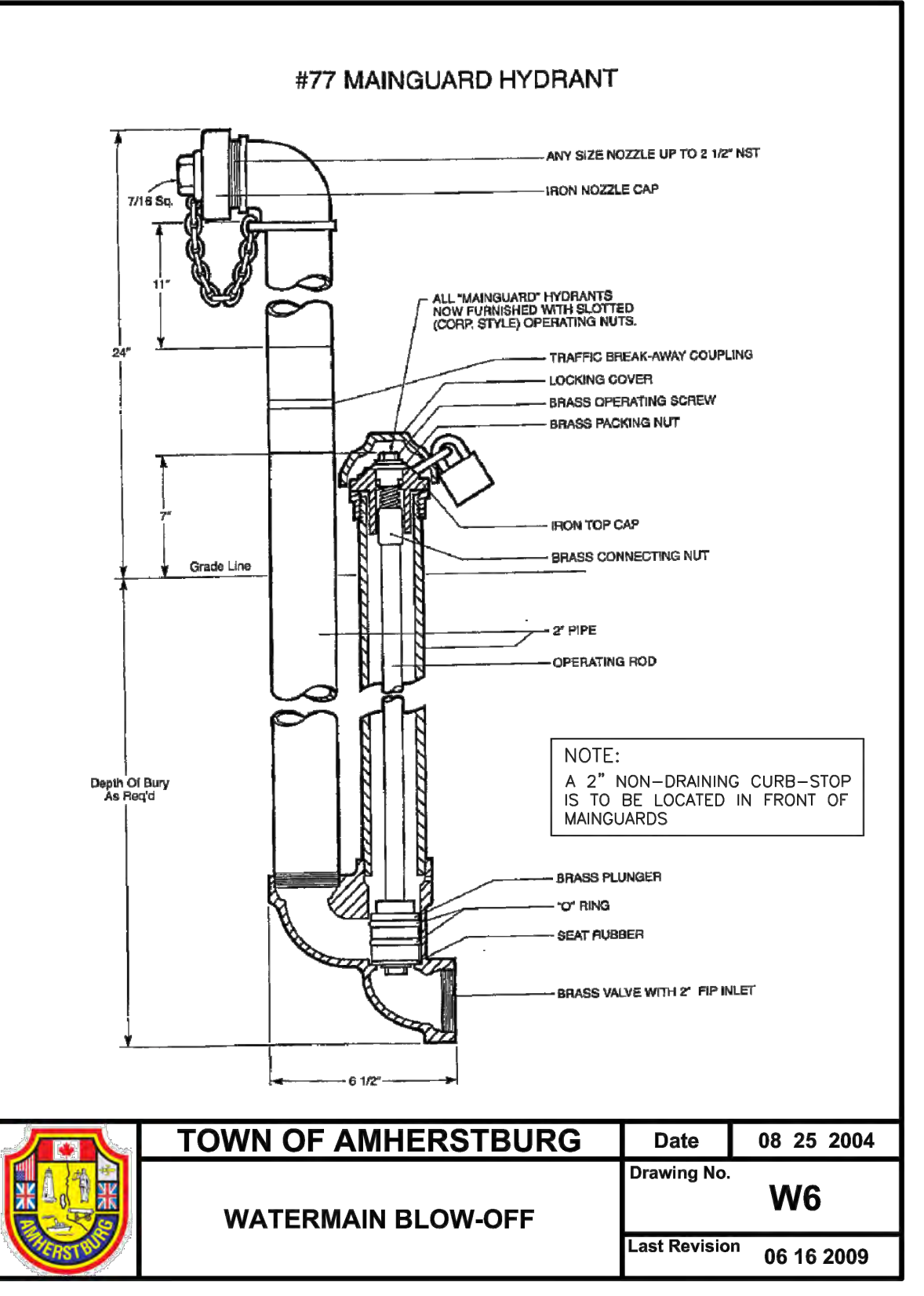
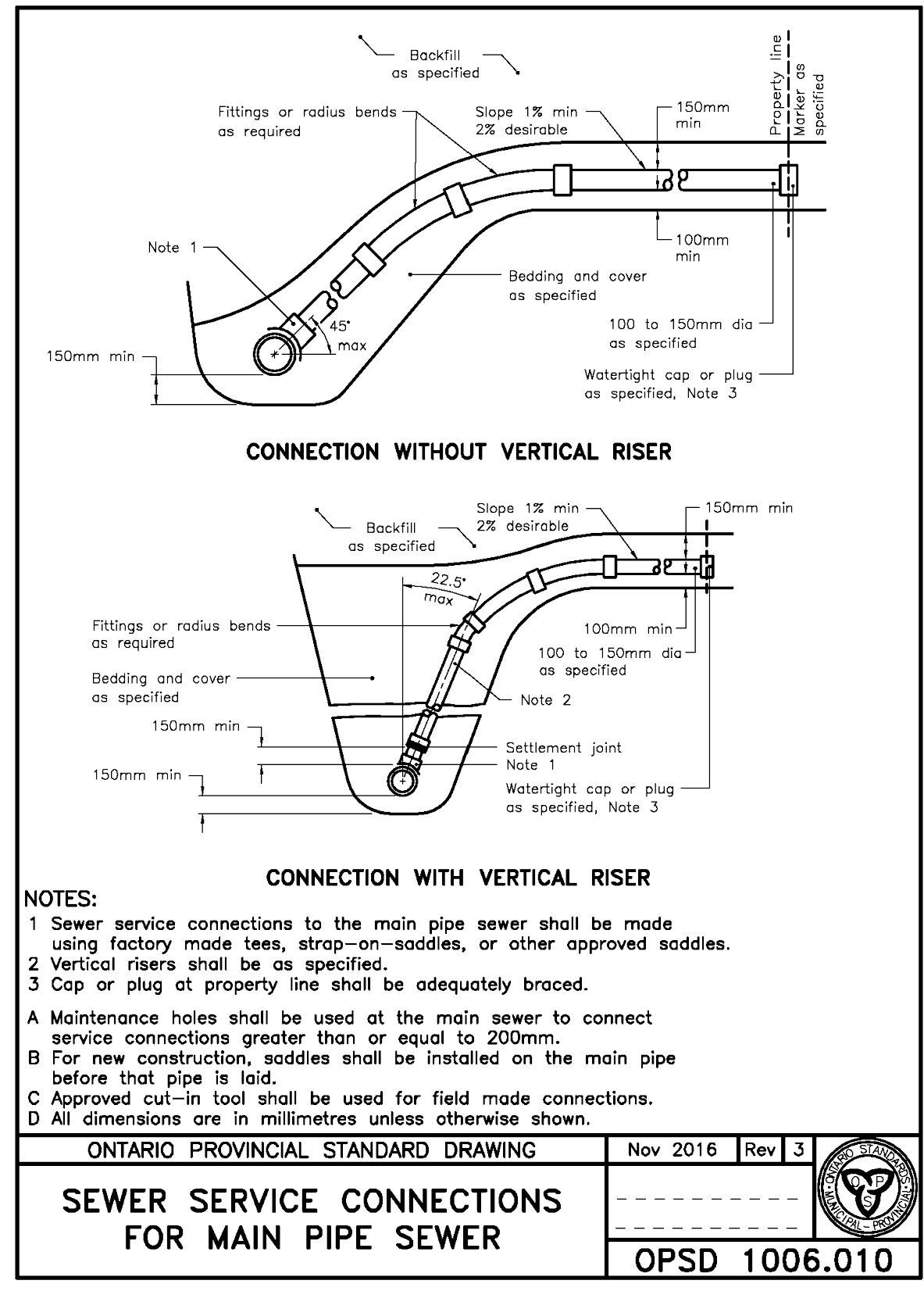
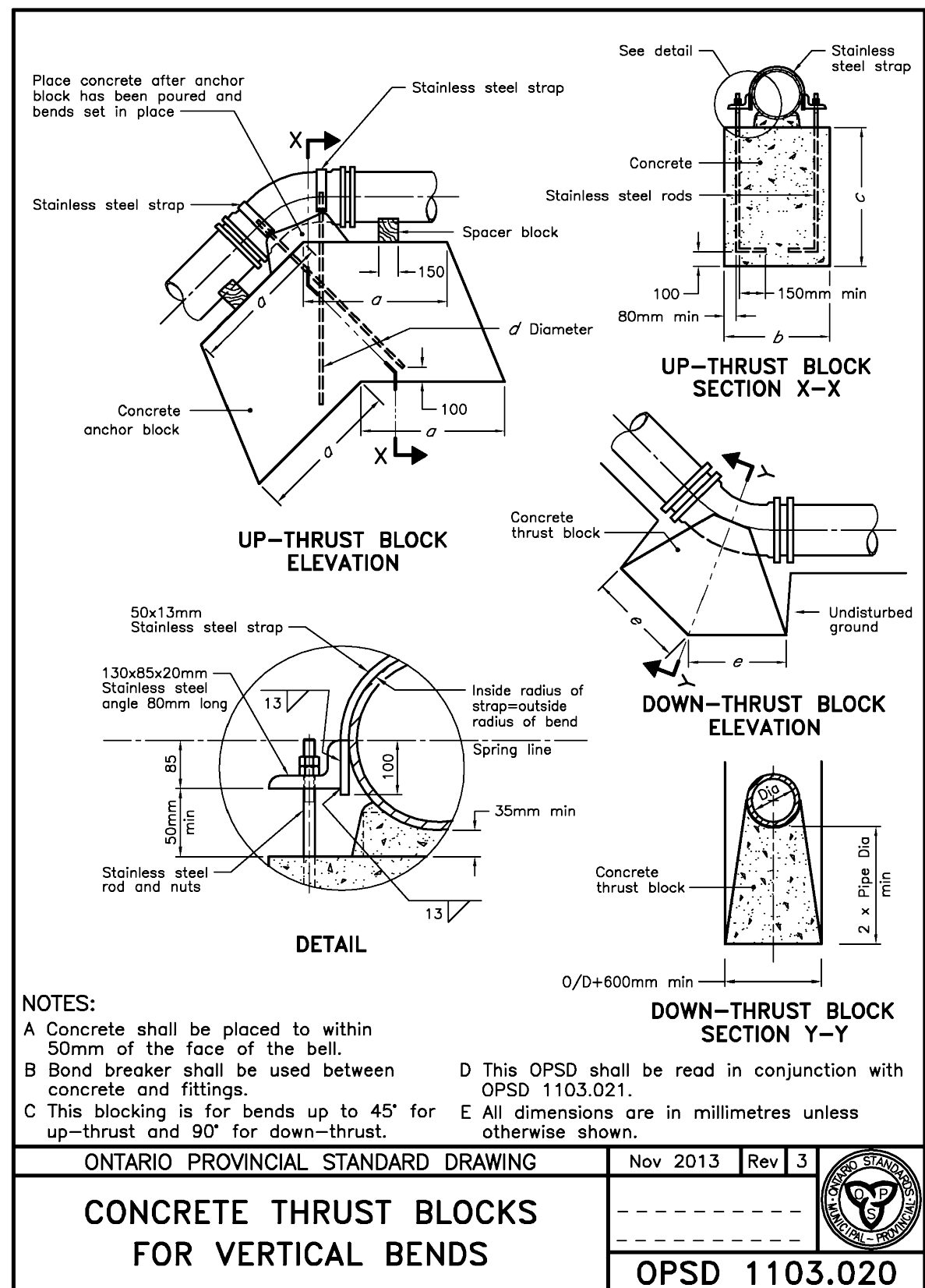
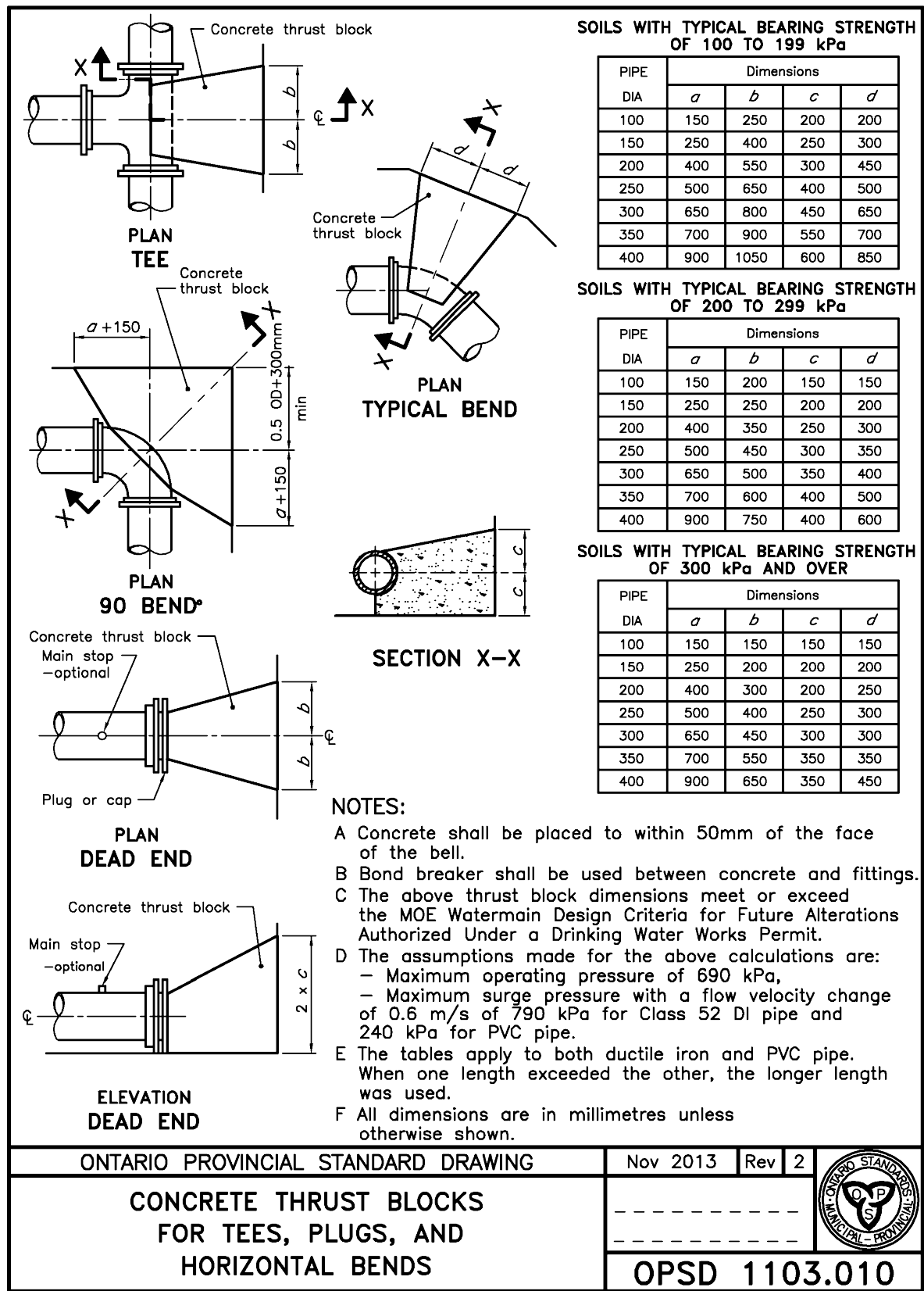
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Client/Project WATERSTONE ANDERSON DEVELOPMENT
FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario
Title STANDARD DETAILS

C-503



NOTES:
1. AS ILLUSTRATED IN THE DIAGRAM ABOVE, THE GOSS TRAP HELPS PREVENT SUBSTANCES FLOATING ON THE SURFACE (IE GAS, OIL, LEAVES, BRANCHES, ETC) FROM ENTERING THE PIPE.
2. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN.
3. ALL CB'S, DOUBLE CB'S & DICB'S SHALL INCLUDE GOSS GULLY AT OUTLET PIPE.

Revision	By	Appd.	YY.MM.DD

File Name: 165620244_C_501-4
K.F.F. C.R.G.J. C.R.G.J. 2019.08.26
Dwn. Chkd. Dign. YY.MM.DD

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Client/Project
WATERSTONE ANDERSON DEVELOPMENT
FRONT ROAD SUBDIVISION
Town of Amherstburg, Ontario
Title
STANDARD DETAILS

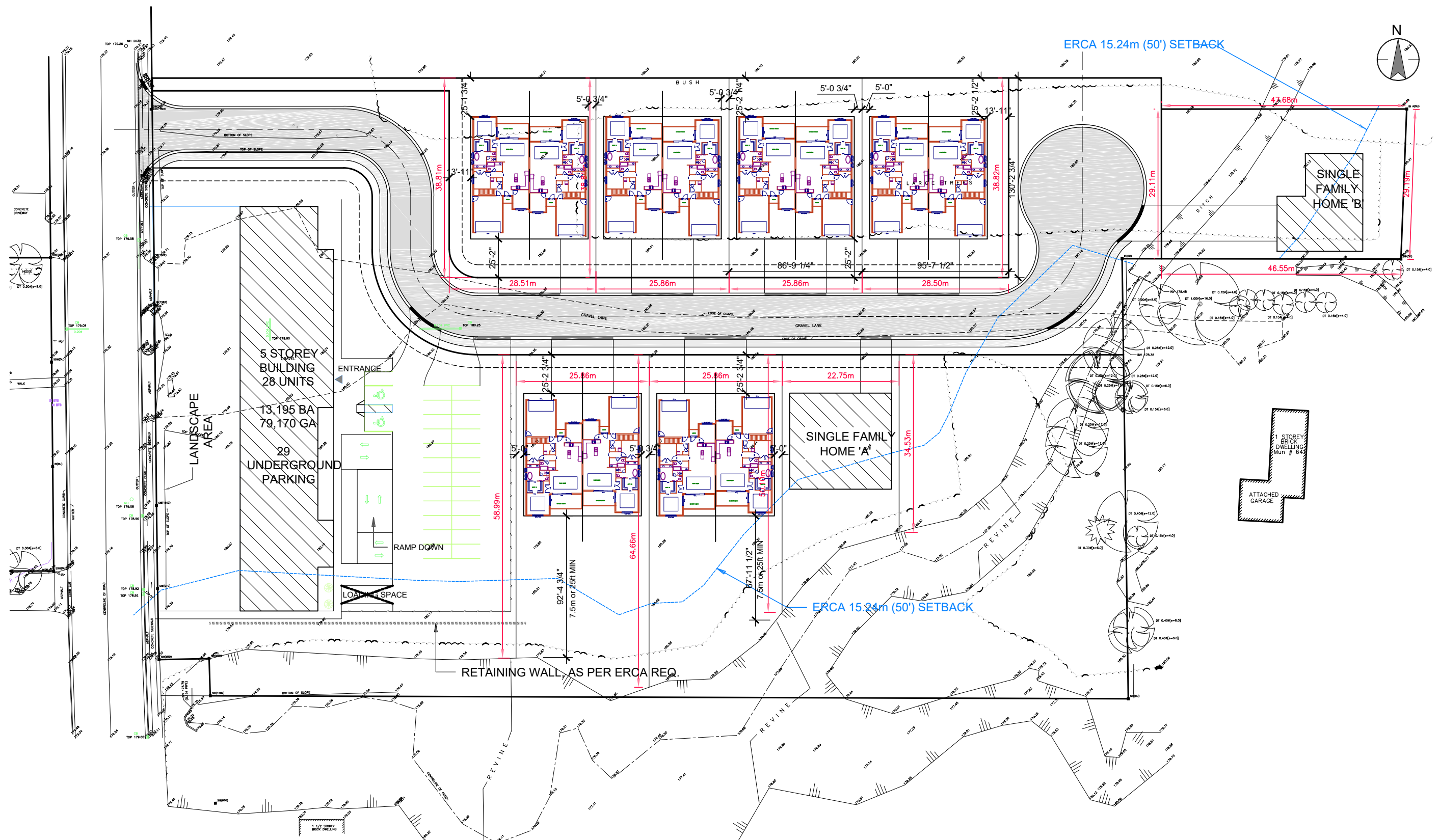
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Revision Sheet
Scale SCALE
Drawing No.

APPENDIX C: FLOOR PLANS & RENDERINGS

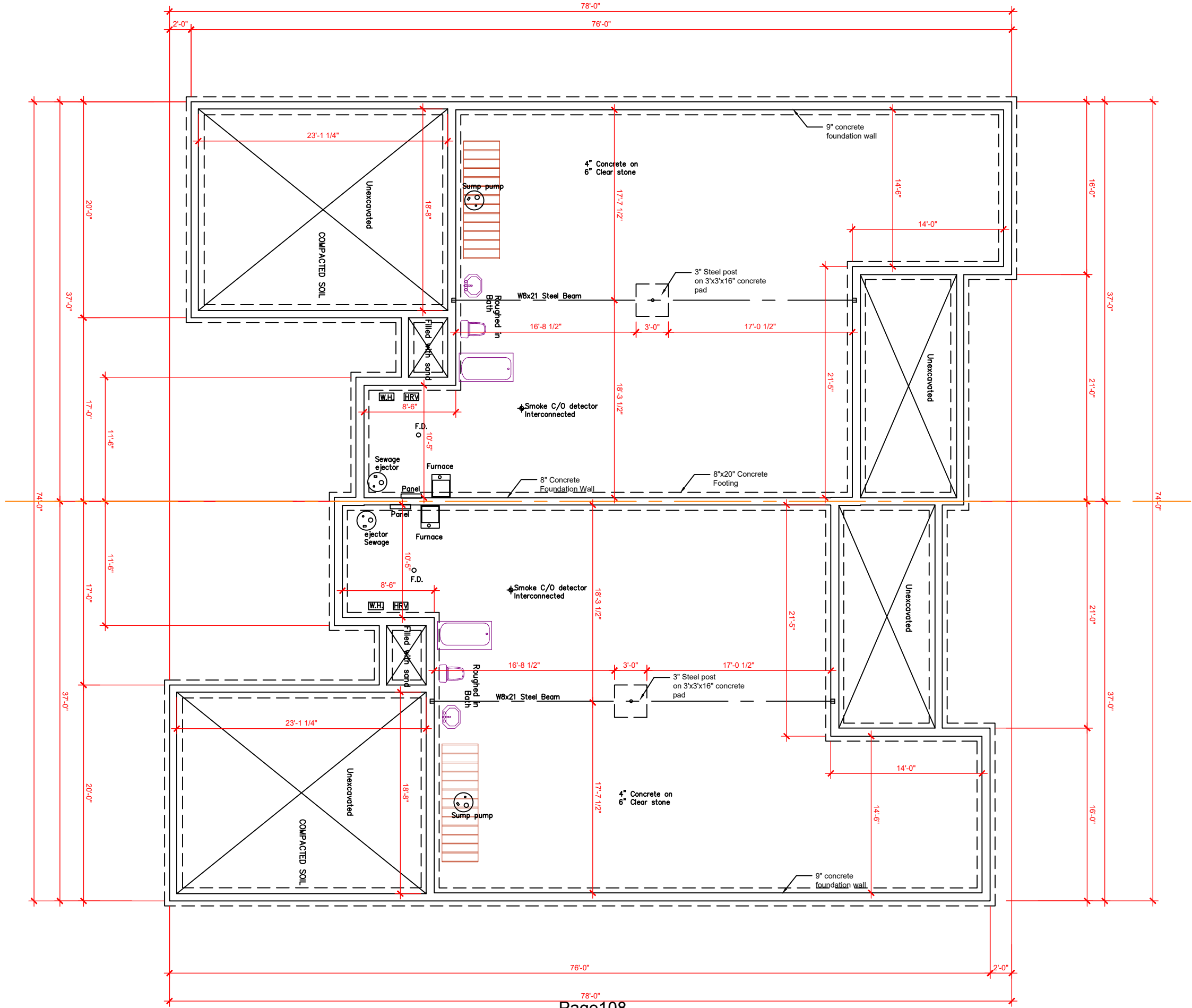


PRODUCED BY AN AUTODESK STUDENT VERSION

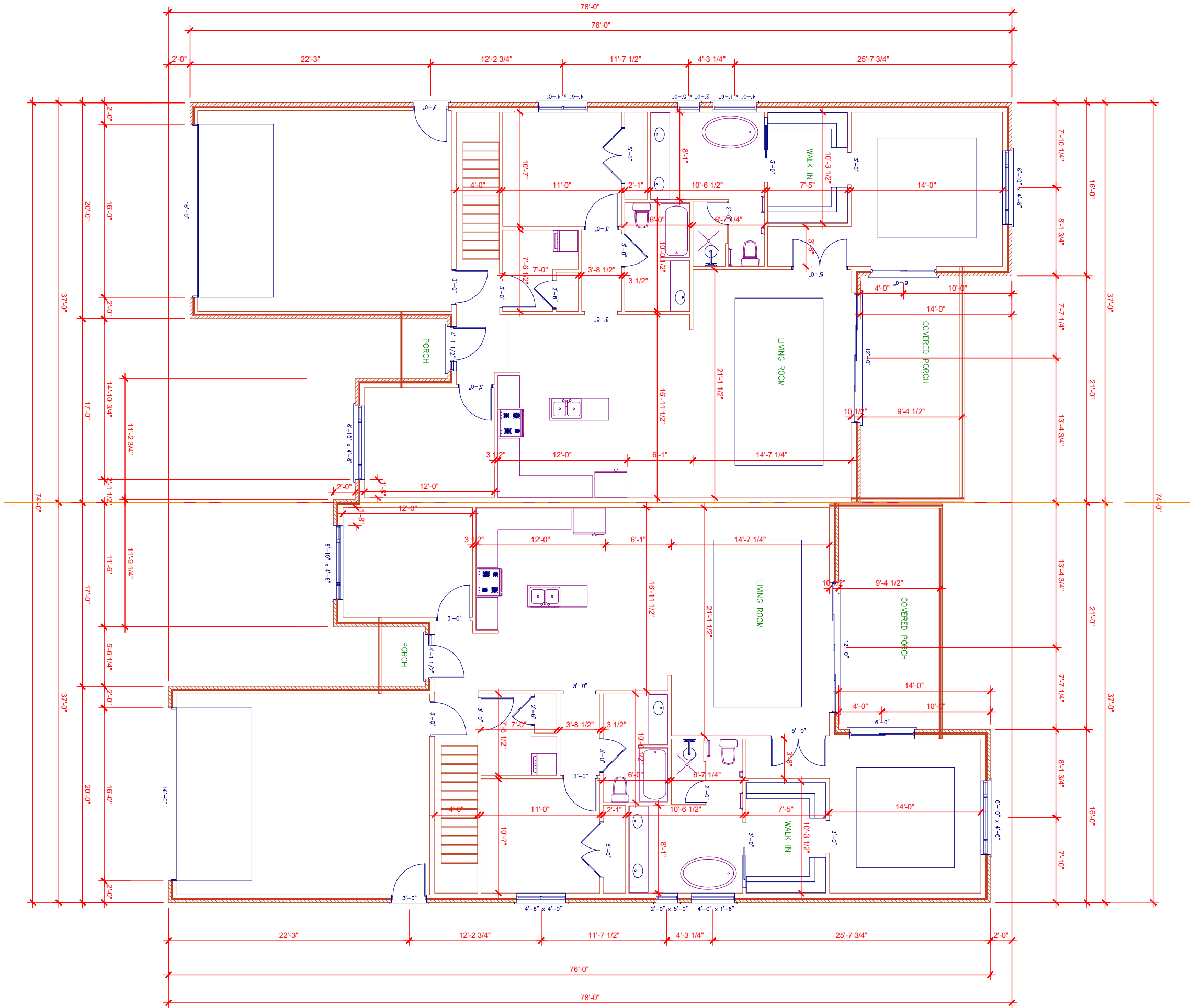
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FOUNDATION PLAN



1ST FLOOR LAYOUT



PRODUCED BY AN AUTODESK STUDENT VERSION

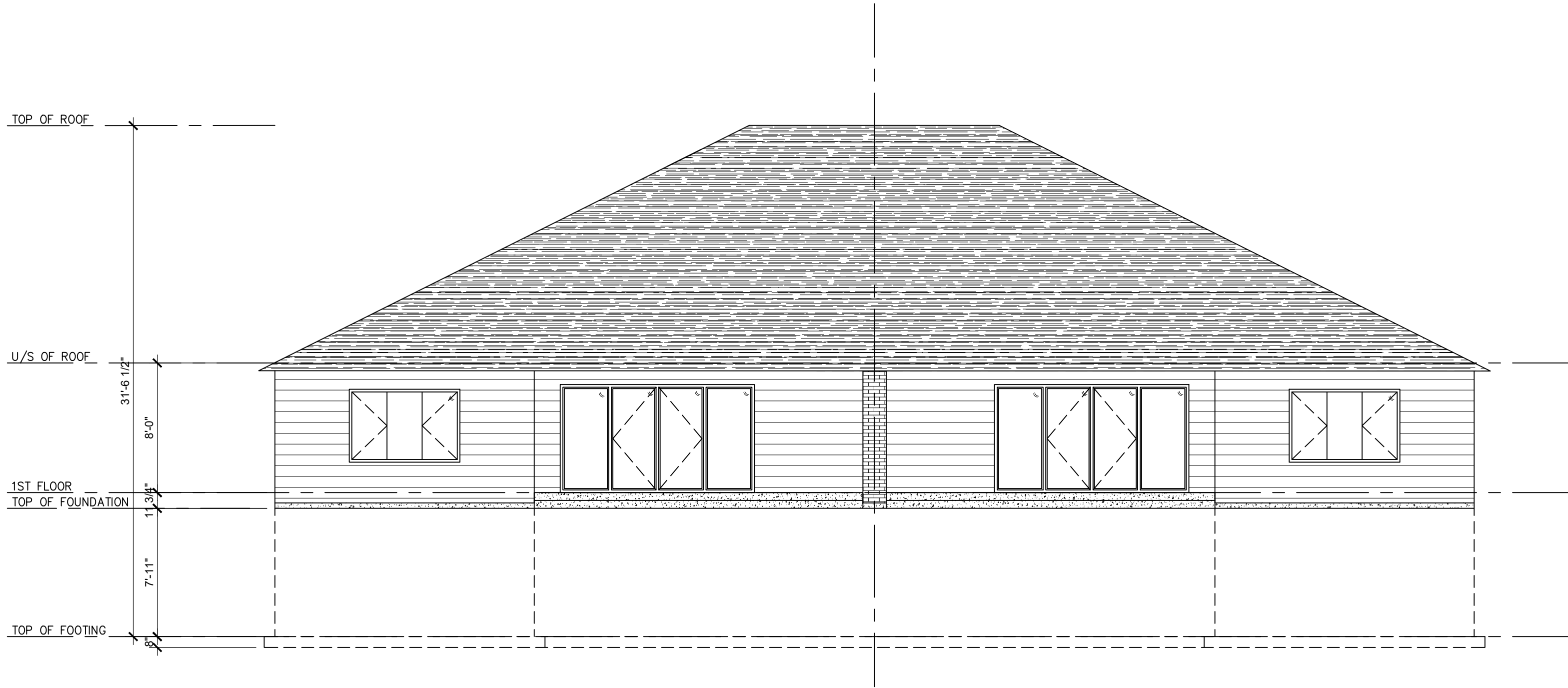
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FRONT ELEVATION

PRODUCED BY AN AUTODESK STUDENT VERSION

PRODUCED BY AN AUTODESK STUDENT VERSION



REAR ELEVATION

PRODUCED BY AN AUTODESK STUDENT VERSION

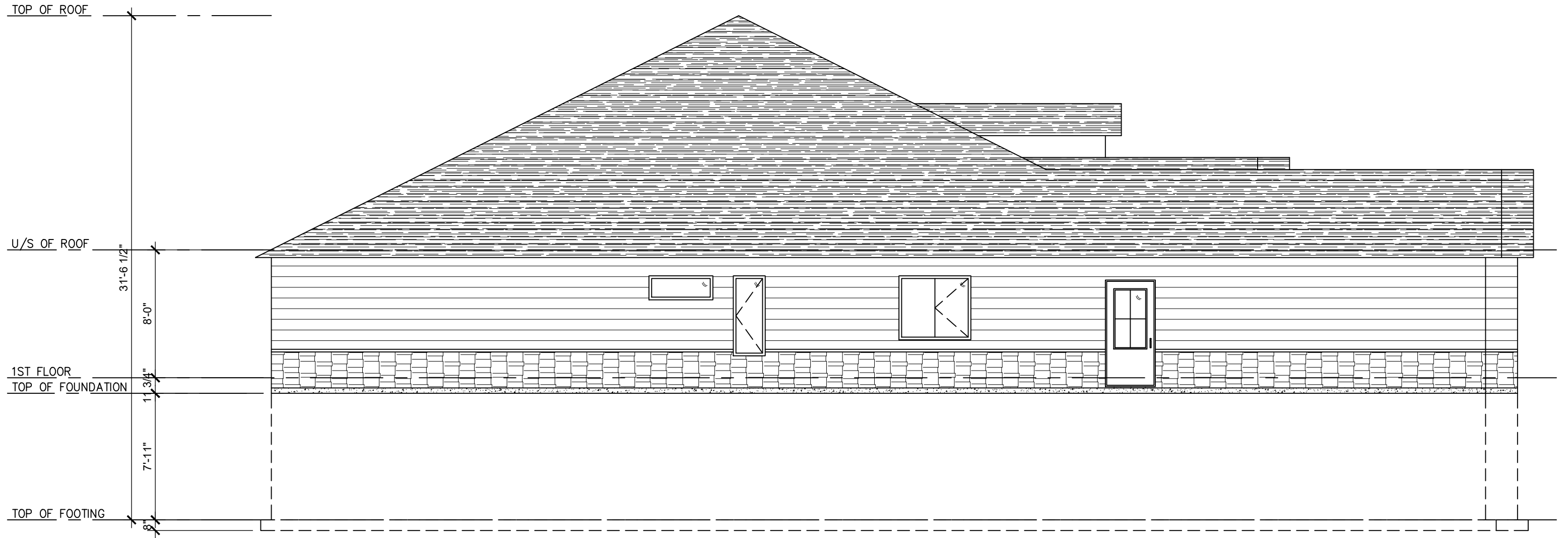
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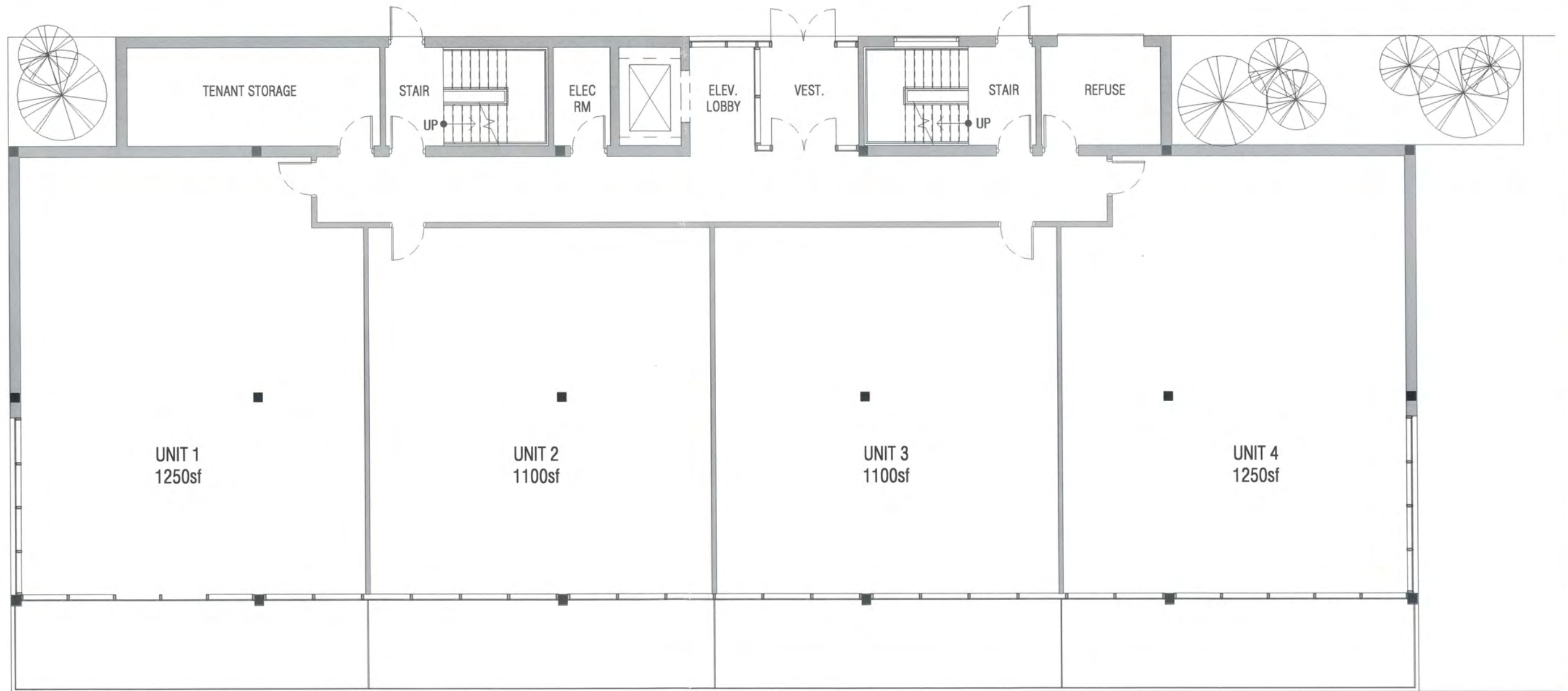
RIGHT ELEVATION

PRODUCED BY AN AUTODESK STUDENT VERSION

PRODUCED BY AN AUTODESK STUDENT VERSION



LEFT ELEVATION



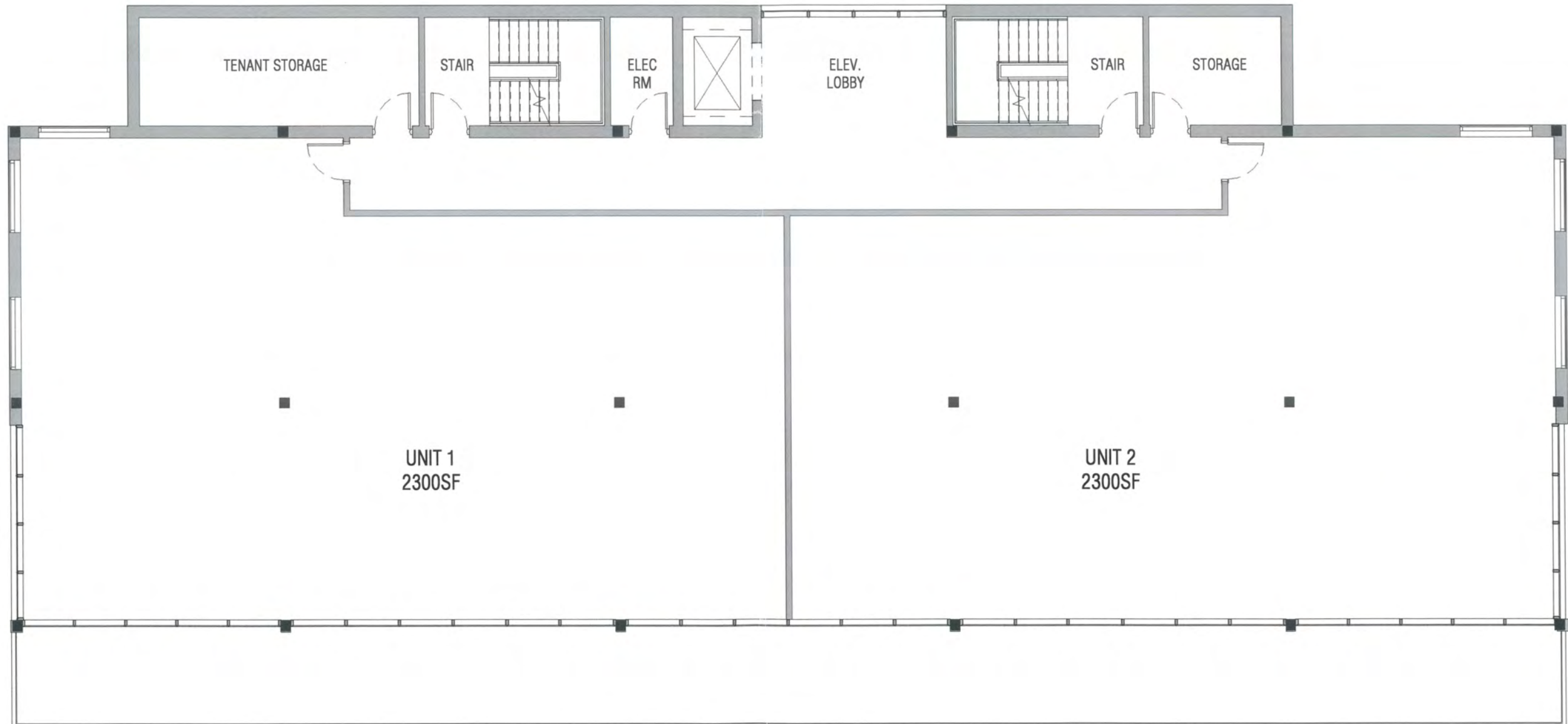
1 FIRST FLOOR PLAN
1" = 10'-0"

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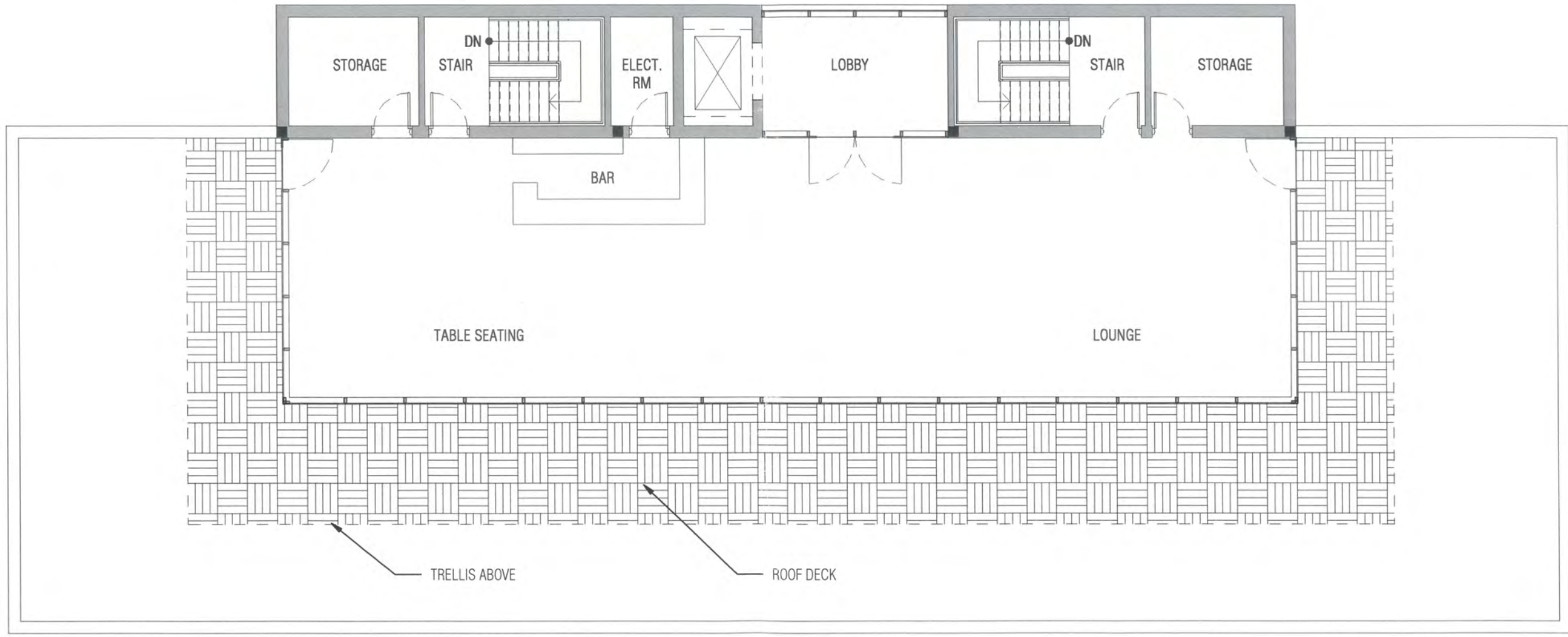
1 2ND, 3RD, 4TH FLOOR PLAN
1" = 10'-0"

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1 **FIFTH FLOOR PLAN**
1" = 10'-0"

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1 **ROOF PLAN**
1" = 10'-0"



639 Front Road Lot Sizes and Coverages

House Letter	Lot Size	Building Size	Lot Coverage
Duplex A	11825 sf	4875 sf	41.23%
Duplex B	10800 sf	4875 sf	45.14%
Duplex C	10800 sf	4875 sf	45.14%
Duplex D	11900 sf	4875 sf	40.97%
Duplex E	17600 sf	4875 sf	27.70%
Duplex F	16750 sf	4875 sf	29.10%

639 Front Rd N

MAILADD1	MAILCITY	MAILPROVIN	POSTALCODE
609 FRONT RD N	AMHERSTBURG	ON	N9V2V6
1104 ABBEY COURT	WINDSOR	ON	N8S4E9
607 FRONT ROAD NORTH	AMHERSTBURG	ON	N9V2V6
603 FRONT ROAD	AMHERSTBURG	ON	N9V2V6
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
687 FRONT ROAD NORTH	AMHERSTBURG	ON	N9V2V6
671 FRONT RD	AMHERSTBURG	ON	N9V2V6
669 FRONT RD NORTH	AMHERSTBURG	ON	N9V2V6
615 FRONT ROAD N	AMHERSTBURG	ON	N9V2V6
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
687 FRONT RD N	AMHERSTBURG	ON	N9V2V6
1000 ALMA ST	AMHERSTBURG	ON	N9V2Y9
1000 ALMA ST	AMHERSTBURG	ON	N9V2Y9
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
681 FRONT ROAD N	AMHERSTBURG	ON	N9V2V6
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
948 ALBERT LANE	BELLE RIVER	ON	N0R1A0
674 FRONT ROAD NORTH	AMHERSTBURG	ON	N9V2V7
646 FRONT ROAD	AMHERSTBURG	ON	N9V2V7
34 SAGEWOOD CT	BASALT	CO	81621
688 FRONT RD	AMHERSTBURG	ON	N9V2V7
1000 ALMA ST	AMHERSTBURG	ON	N9V2Y9
680 FRONT RD	AMHERSTBURG	ON	N9V2V7
642 FRONT ROAD	AMHERSTBURG	ON	N9V2V7
600 FRONT RD N	AMHERSTBURG	ON	N9V2V7
636 FRONT RD	AMHERSTBURG	ON	N9V2V7
600 FRONT RD N	AMHERSTBURG	ON	N9V2V7
596 FRONT RD	AMHERSTBURG	ON	N9V2V7
609 FRONT RD N	AMHERSTBURG	ON	N9V2V6
640 FRONT RD	AMHERSTBURG	ON	N9V2V7





Summary of Correspondence Received on Proposed Zoning By-law Amendment at 639 Front Road North

Below is a summary of the comments received by the Planning Services division, as of February 24, 2023 on the proposed ZBA for lands located at 639 Front Road North.

Gordan Freeman, Resident, Front Road:

I have several serious concerns regarding the proposed zoning amendment to lot 639 Front Rd. N. The first concern is the reduction in exterior side yard, interior side yard and exterior front yard without knowing the plan of the subdivision. We don't know what is going to be built on the lot, yet we are giving the builder carte blanche to add more dwellings of unspecified size to the lot. Variances should be made once the builder submits a plan.

The second concern is sewage capacity. The existing line services homes from Texas Rd. and flows to the north by gravity to the 722 Front Rd. N. relay pumping station. This station was overwhelmed by Kingsbridge subdivision a few years back and new housing builds had to be stopped for a period of time. A large pumping station in Kingsbridge was built to intercept the new force main running under Front Road. We don't know the density of population on lot 639 and I am afraid it could again overwhelm the 722 pump station and if it does who pays for the corrective work?

The third concern is the natural ravine south of or included in 639. At the bottom is a small rock strewn stream and the whole is a unique woodland setting. This area I firmly believe is environmentally significant and should be preserved.

Sincerely,

Gordon Freeman

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2023-035**

**By-law to amend Zoning By-law No. 1999-52
639 Front Road North, Amherstburg**

WHEREAS By-law 1999-52, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Amherstburg;

AND WHEREAS the Council of the Town of Amherstburg deems it appropriate and in the best interest of proper planning to amend By-law 1999-52, as herein provided;

AND WHEREAS this By-law conforms to the Official Plan for the Town of Amherstburg;

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

1. Schedule "A", Map 19 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from R1A/CN-4 to RM2-11" and "Zone Change from R1A/CN-4 to R2-8" on Schedule "A" attached hereto and forming part of this By-law from "Residential Type 1A/Special Provision Commercial Neighbourhood (R1A/CN-4) Zone" to "Special Provision Residential Multiple Second Density (RM2-11) Zone" and "Special Provision Residential Second Density (R2-8) Zone".

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

"(h) R2-8 (639 Front Road N)

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

- | | |
|--|------------|
| (i) Minimum Exterior Side Yard Width | 4.1 metres |
| (ii) Maximum Lot coverage for single detached dwelling | 42% |
| (iii) Maximum Lot coverage for semi-detached dwelling | 56% |

3. THAT Section 11(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (k) as follows;

"(k) RM2-11 (639 Front Road N)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned RM2-7 on Schedule "A" hereto, the zone requirements of Section 11 of the By-law shall apply with the addition of the following special provisions:

- | | |
|--|------------|
| (i) Front Yard Depth | 16 metres |
| (ii) Minimum Interior Side Yard Width | 7.5 metres |
| (iii) Minimum Exterior Side Yard Width | 7.5 metres |

4. THAT all other appropriate regulations for the use of land and the character, location and use of buildings and structures conforms to the regulations of the Residential Second Density Zone and Residential Multiple Second Density Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.
5. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

Read a first, second and third time and finally passed this XXth day of April, 2023.

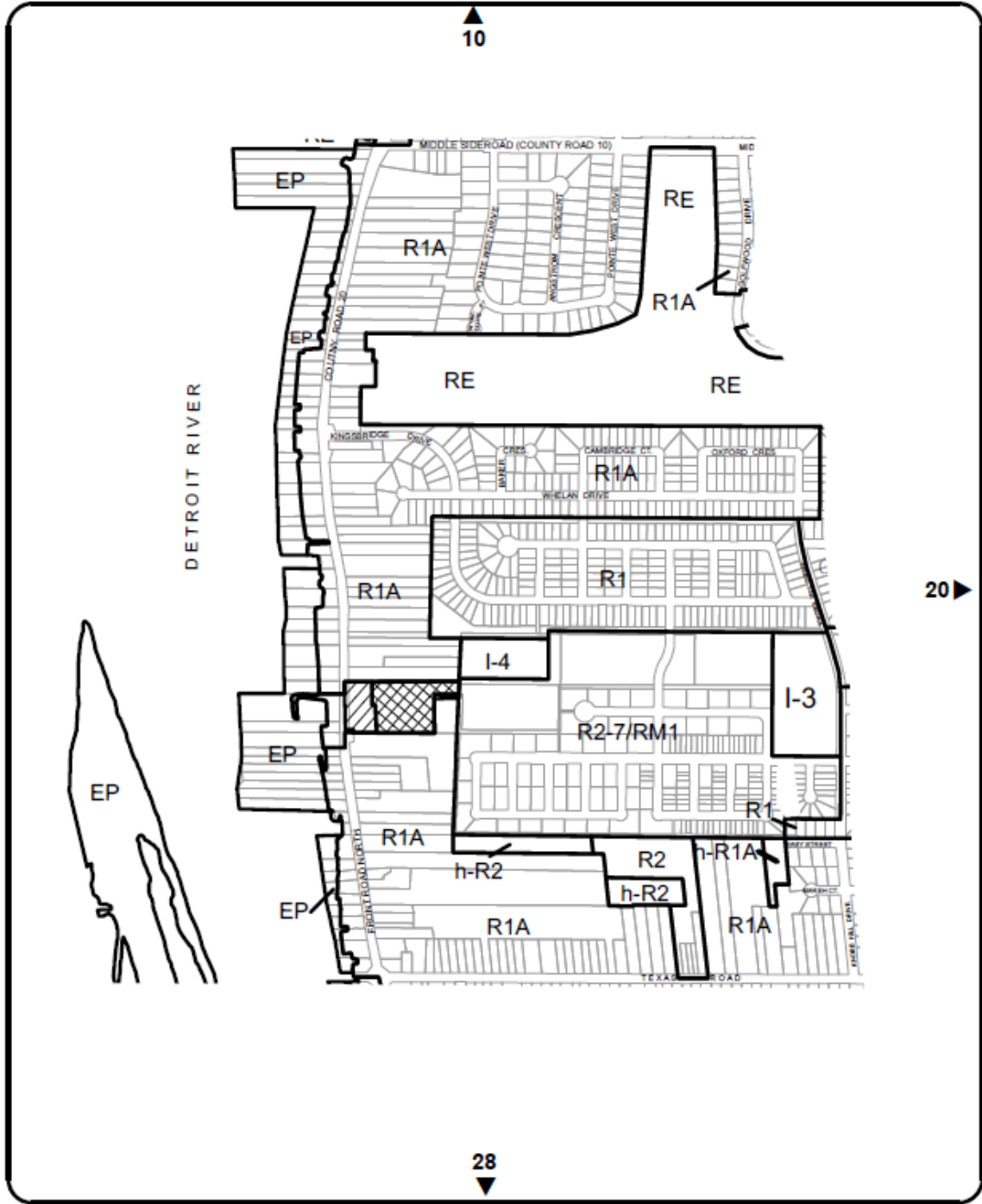
MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

DRAFT

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2023-035
 A BY-LAW TO AMEND BY-LAW No. 1999-52



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

- R1A/CN-4 to RM2-11
- R1A/CN-4 to R2-8

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX