



## **TOWN OF AMHERSTBURG REGULAR COUNCIL MEETING**

### **REVISED AGENDA**

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

**Tuesday, April 29, 2025**

**6:00 PM**

**Council Chambers**

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

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**Pages**

- 1. CALL TO ORDER**
- 2. NATIONAL ANTHEM**
- 3. ROLL CALL**
- 4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*(Public Council Meeting Agenda Items)*

## **5. 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.

## **6. REPORT OUT FROM IN-CAMERA SESSION**

## **7. MINUTES OF PREVIOUS MEETING**

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

7.1	February 10, 2025 - Special In-Camera Council Meeting (Confidential)	
7.2	February 10, 2025 - Special In-Camera Council Meeting (PUBLIC)	9
7.3	February 10, 2025 - Regular Council Meeting Minutes	12
7.4	February 24, 2025 - Special In-Camera Council Meeting Minutes (CONFIDENTIAL)	
7.5	February 24, 2025 - Special In-Camera Council Meeting Minutes (PUBLIC)	22
7.6	March 24, 2025 - Regular Council Meeting Minutes	25
7.7	March 24, 2025 - Special Council Meeting - Planning Minutes	41
7.8	March 24, 2025 - Special In-Camera Council Meeting Minutes (PUBLIC)	45
7.9	March 24, 2025 - Special In-Camera Council Meeting (CONFIDENTIAL)	
7.10	March 27, 2025 - Special In-Camera Council Meeting Minutes (PUBLIC)	48



7.11 March 27, 2025 - Special In-Camera Council Meeting Minutes  
(CONFIDENTIAL)

8. RECOGNITIONS

9. DELEGATIONS

9.1 *Delegation- Noise By-law Exemption for Royal Canadian Legion Branch  
#157 - Shawn Wilkie*

51

10. PRESENTATIONS

11. REPORTS – CORPORATE SERVICES

*No Reports.*

12. REPORTS - PARKS, RECREATION AND FACILITIES

*No Reports.*

13. REPORTS - INFRASTRUCTURE SERVICES

13.1 Infrastructure Standards Manual

54

It is recommended that:

1. The May 25, 2009 Town of Amherstburg's Development Manual **BE RESCINDED** in accordance with the April 29, 2025 report titled Infrastructure Standards Manual;
2. The first Appendix of the new Development Manual, Appendix A: Infrastructure Standards Manual **BE ADOPTED** as presented at the April 29, 2025 Regular Council Meeting and that all infrastructure development occurring within the Town follow the requirements within the Infrastructure Standards Manual;
3. The Director of Infrastructure Services **BE AUTHORIZED** to have delegated authority to approve changes to the Development Manual and Appendix A: Infrastructure Standards Manual should the Manual require revisions to remain

compliant with provincial regulation and engineering best practises; and,

4. Administration **BE DIRECTED** to amend the Delegation of Powers and Duties Policy to include this provision.

## 13.2 Replacement of Culvert 25 and 68 - RFP Results

251

It is recommended that:

1. The Chief Administrative Officer and Clerk, or designates, **BE AUTHORIZED** to execute an agreement with HRYCAY Consulting Engineering Inc. in the amount of \$129,973 plus HST, to complete the engineering services for the replacement of Culvert 25 and 68, subject to approval of technical content by the Director of Infrastructure Services and to financial content by the Director of Corporate Services/Chief Financial Officer, or designates.

## 14. REPORTS - PLANNING AND DEVELOPMENT SERVICES

### 14.1 Zoning By-law Amendment ZBA-06-25 for V/L Victoria Street S.

256

It is recommended that:

1. **By-law 2025-021** being a by-law to amend Zoning By-law No. 1999- 52, to amend the zoning for the subject lands located at V/L Victoria Street S., be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

### 14.2 Zoning By-law Amendment ZBA-04-25 for lands severed from 5010 County Road 18

352

It is recommended that:

1. **By-law 2025-019** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as the lands severed from 5010 County Road 18 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

14.3	Zoning By-law Amendment ZBA-20-24 for 6321 County Road 20	386
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It is recommended that:

1. **By-law 2025-020** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 6321 County Road 20 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

14.4	Summary of Site Plan Control Applications January 10, 2025 Through April 14, 2025	445
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It is recommended that:

1. The report titled "Summary of Site Plan Control Applications January 10 Through April 14, 2025" **BE RECEIVED** for information.

14.5	Zoning By-law Amendment for Lands Severed from 6801 Concession 6 N	451
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It is recommended that:

1. **By-law 2025-026** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as retained farm parcel severed from 6801 Concession 6 N, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

## 15. REPORTS - CAO's OFFICE

15.1	2025 Special Events Approval Part 3	477
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It is recommended that:

1. The following events **BE APPROVED**:
  - a. Canada Day 5K
  - b. Ribs & Ragtime
2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
  - a. Canada Day 5k
  - b. Ribs & Ragtime

3. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

## 15.2 Noise By-law Exemption for Royal Canadian Legion Branch #157

490

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated March 26, 2025 regarding a noise exemption for Legion Branch #157 **BE RECEIVED for information**;
2. THAT a Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** from May 17, 2025 until September 28, 2025 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157;
3. THAT a Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** from May 15, 2026 until September 27, 2026 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157;
4. That the request for the waiver of the Noise Exemption fees **BE RECEIVED and FILED** for information.

## 16. INFORMATION REPORTS

That the following information reports **BE RECEIVED**:

16.1	Amherstburg Water Treatment Plant Submission of the 2024 Annual Summary Report	495
16.2	Drinking Water Quality Management System – 2024 Status Update	505
16.3	March 2025 WPS-Amherstburg detachment Policing Statistics	516

## 17. CONSENT CORRESPONDENCE

## 18. CORRESPONDENCE

### 18.1 2025 Falun Dafa Day Proclamation and Flag Raising Request

517

That:

1. The Town of Amherstburg **PROCLAIM** that the month of May to be observed as "Falun Dafa Month" in the Town of Amherstburg;
2. May 13, 2025 **BE RECOGNIZED** as 'Falun Dafa Day' in the Town of Amherstburg; and,
3. The Falun Dafa flag **BE RAISED** in accordance with the request of the Falun Dafa Association on Tuesday May 6, 2025 at 11:00am.

## 19. CONSENT OTHER MINUTES

*No Consent Other Minutes.*

## 20. OTHER MINUTES

### 20.1 Drainage Board Meeting Minutes - April 3, 2025

520

It is recommended that:

1. The Drainage Board Meeting Minutes of April 3, 2025 **BE RECEIVED**;
2. The engineer's report, prepared by R. Dobbin Engineering Inc. dated February 14, 2025 for the improvements to the Deslippe Drain (2025) **BE RECEIVED**;
3. Council **PROVISIONALLY ADOPT By-law 2025-027** which appends the engineer's report for the improvements to the Deslippe Drain (2025) by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same, as recommended by the Drainage Board; and
4. Council **APPROVE Levying Bylaw 2025-028** and give three readings to allow the collection of cost for the maintenance performed by the Town in 2024 and the Mayor and Clerk sign same, as recommended by the Drainage Board.

21. UNFINISHED BUSINESS

21.1 Unfinished Business List - April 2025

593

22. NEW BUSINESS

23. NOTICE OF MOTION

24. BY-LAWS

24.1 2025 - 031 - Confirmatory By-Law

595

That: By-law 2025-031 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the April 29, 2025 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

25. ADJOURNMENT

That Council rise and adjourn at     p.m.



**TOWN OF AMHERSTBURG  
SPECIAL IN-CAMERA COUNCIL MEETING  
PUBLIC MINUTES**

**Monday, February 10, 2025  
4:00 PM  
Council Chambers  
271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

**PRESENT**

Mayor Michael Prue  
Deputy Mayor Gibb  
Councillor Molly Allaire  
Councillor Linden Crain  
Councillor Peter Courtney  
Councillor Diane Pouget

**REGRETS**

Councillor Donald McArthur

**STAFF PRESENT**

Kevin Fox - Clerk  
Valerie Critchley - CAO  
Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 4:05 p.m.

**2. ROLL CALL**

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### **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

### **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. SPECIAL IN-CAMERA MEETING**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

**That Council move into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:**

#### **Item A - Information Supplied in Confidence from Essex Power Related to Ongoing Negotiations**

Section 239 (2)(i) - a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

The Mayor put the Motion.

**Motion Carried.**

*Council went into an in-camera meeting of Council at 4:06pm*



## 6. ADJOURNMENT

**Moved** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That Council **RISE** and **ADJOURN** at 4:45 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING  
MINUTES**

**Monday, February 10, 2025**

**6:00 P.M.**

**Council Chambers**

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

PRESENT	Mayor Michael Prue Deputy Mayor Gibb Councillor Molly Allaire Councillor Linden Crain Councillor Peter Courtney Councillor Diane Pouget
ABSENT	Councillor Donald McArthur (Regrets)
STAFF PRESENT	Kevin Fox - Clerk Valerie Critchley - CAO Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 6:01pm

**2. NATIONAL ANTHEM**

### **3. ROLL CALL**

### **4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Councillor Pouget declared a conflict of interest on item 14.2 due to the close proximity of a family members residence to that property.

### **5. 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.

### **6. REPORT OUT FROM IN-CAMERA SESSION**

It was moved that Council enter into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

#### Item A – Information Supplied in Confidence from Essex Power Related to Ongoing Negotiations

Section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

Resolution: 20250210-001

**Moved By:** Councillor Pouget

**Seconded By:** Councillor Allaire

That Administration **BE DIRECTED** to provide a letter of support to Essex Power Corporation on behalf of Council in relation to energy infrastructure investments that will enable economic development and growth in the Essex County region.

The Mayor put the Motion.

**Motion Carried.**

## **7. MINUTES OF PREVIOUS MEETING**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

### **7.1 Special Council Meeting Planning Minutes - January 27, 2025**

The Mayor put the Motion.

**Motion Carried.**

## **8. RECOGNITIONS**

## **9. DELEGATIONS**

### **9.1 Delegation: 16.2 Shade Structures Jack Purdie Park and Brair Ridge Park - Linda Saxon**

**Moved By** Councillor Allaire

**Seconded By** Councillor Crain

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Pouget

That Item 16.2 **BE BROUGHT** forward.

The Mayor put the Motion.

**Motion Carried.**

Resolution: 20250210-002

**Moved By** Councillor Pouget

**Seconded By** Councillor Courtney

That:

1. Administration **BE DIRECTED** to provide Council with Toronto's latest shade policy with their shade guidelines that are AODA compatible;
2. Administration **BE DIRECTED** to conduct dialogue with persons with disabilities and their caregivers along with the accessibility committee;
3. Administration **BE DIRECTED** to investigate applying for a Canadian Dermatology Shade Structure Grant Program for the purpose of permanent shade structure;
4. Administration **BE DIRECTED** to order and plant at least 5 large shade trees in both parks in strategic places in the interim until Council can deal with all reports dealing with permanent structures to be funded from the existing tree planting budget.

The Mayor put the Motion.

**Motion Carried.**

## **10. PRESENTATIONS**

## **11. REPORTS – CORPORATE SERVICES**

*No Reports.*

## **12. REPORTS - PARKS, RECREATION AND FACILITIES**

*No Reports.*

## **13. REPORTS - INFRASTRUCTURE SERVICES**

*No Reports.*

#### **14. REPORTS - PLANNING AND DEVELOPMENT SERVICES**

##### **14.1 Temporary Zoning By-law Amendment for 865 Front Road South**

Resolution: 20250210-003

**Moved By** Councillor Crain

**Seconded By** Councillor Allaire

That **By-law 2025-010** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 865 Front Road South be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

##### **14.2 Zoning By-law Amendment ZBA-18-24 for 6754 County Road 50**

Resolution: 20250210-004

**Moved By** Councillor Courtney

**Seconded By** Councillor Crain

That:

1. The report of dated January 24, 2025 regarding a request that has been submitted by T/A General Contracting (Tony Abraham), for approximately 0.2 hectares of land located on the southwest corner of County Road 20 and County Road 50, municipally known as 6754 County Road 50, **BE RECEIVED**; and
2. Approval in Principle **BE GRANTED** to the applicant's rezoning application which amends the Neighbourhood Commercial CN-8 zone by adding a gas bar as a permitted use, and address existing site deficiencies: and
3. **THE BY-LAW REZONING THE SUBJECT LANDS BE BROUGHT BACK TO COUNCIL FOR ADOPTION PURPOSES** once a Site Plan Control Agreement has been prepared by Town Staff and Executed by the applicant to the satisfaction of the Town, incorporating detailed site plans, site servicing, and to include provisions to ensure that any applicable MECP regulations or guidelines are satisfied, and that

all necessary buffering/fencing, on-site lighting, storm water management and sanitary sewage facilities, signage, driveways and parking areas are built and maintained by the Applicant to the satisfaction of the Town (and the County where applicable).

The Mayor put the Motion.

**Motion Carried.**

### **14.3 Report Back on Gateway Digital Signs**

Resolution: 20250210-005

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That:

1. This report on the results of the Request for Proposal on the Gateway Digital Sign **BE RECEIVED** for information; and,
2. Pattison's stated one-time funding which is in excess of \$6,356 and the annual revenue sharing which is in excess of \$20,000 **BE DIRECTED** to the Economic Development Reserve (0107).

The Mayor put the Motion.

**Motion Carried.**

## **15. REPORTS - CAO's OFFICE**

*No Reports.*

## **16. INFORMATION REPORTS**

### **16.1 Building Activity Report for October to December of 2024**

Resolution: 20250210-006

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That the report from the Chief Building Official dated January 17, 2025 regarding the building activity for the months of October, November and December of 2024, **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

**16.2 Options for Shade Structures at Jack Purdie Park and Briar Ridge Park**

*Discussed Above.*

**16.3 Quarterly Fire Department Activity Report – Q4 - 2024**

**Moved By** Councillor Allaire

**Seconded By** Councillor Crain

That the Fourth Quarter Fire Activity Report (Oct., Nov. Dec. – 2025) **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

**16.4 Ouellette Drain West – Drain Maintenance – Tree removals**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

That the report from the Drainage Superintendent Engineering Coordinator dated January 3, 2025 titled “Ouellette Drain West – Drain Maintenance – Tree removals” **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

**17. CONSENT CORRESPONDENCE**

**18. CORRESPONDENCE**

**18.1 Fibromyalgia Association Canada Lighting Request**



Resolution: 20250210-007

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

1. Administration **BE DIRECTED** to light up Town Hall in Purple on May 12, 2025 in recognition of the 2-4% of Canadians living with fibromyalgia; and,
2. That May 12, 2025 **BE PROCLAIMED** as Fibromyalgia Awareness Day in the Town of Amherstburg.

The Mayor put the Motion.

**Motion Carried.**

## **18.2 10 Year Debenture Request - Nicholas & Casey Martin**

Resolution: 20250210-008

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That Administration **BE DIRECTED** to extend an offer to debenture the associated costs related to this request over the maximum duration per our Local Improvement and Drainage Financing Policy.

The Mayor put the Motion.

**Motion Carried.**

## **19. CONSENT OTHER MINUTES**

**Moved By** Councillor Allaire

**Seconded By** Councillor Crain

That the following minutes **BE RECEIVED**:

**19.1 Amherstburg Environmental Advisory Committee Meeting Minutes - November 7, 2024**

**19.2 Parks and Recreation Advisory Committee Meeting Minutes - November 20, 2024**

**19.3 Amherstburg Accessibility Advisory Committee Meeting Minutes - December 5, 2024**

**19.4 Heritage Committee Meeting Minutes - December 12, 2024**

**19.5 Committee of Adjustment December 4, 2024 Meeting Minutes**

The Mayor put the Motion.

**Motion Carried.**

**20. OTHER MINUTES**

**21. UNFINISHED BUSINESS**

**21.1 Unfinished Business List (UFB) – February**

**22. NEW BUSINESS**

Resolution: 20250210-009

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That Administration **BE DIRECTED** to provide Council with a complete report regarding the by-law preventing the public of feeding wild animals and the TNR program regarding feral cats.

The Mayor put the Motion.

**Motion Carried.**

**23. NOTICE OF MOTION**

**24. BY-LAWS**

**24.1 By-Law 2025-012 - Confirmatory By-law**

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

By-law 2025-012 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the February 10, 2025 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

## **25. ADJOURNMENT**

**Moved By** Councillor Courtney

**Seconded By** Councillor Allaire

That Council rise and adjourn at 7:18 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG**  
**SPECIAL IN-CAMERA COUNCIL MEETING**  
**PUBLIC MINUTES**

**Monday, February 24, 2025**  
**4:00 PM**  
**Council Chambers**  
**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Mayor Michael Prue Deputy Mayor Gibb Councillor Molly Allaire ( <i>Electronic Attendance</i> ) Councillor Linden Crain Councillor Donald McArthur Councillor Diane Pouget Councillor Peter Courtney
STAFF PRESENT	Kevin Fox - Clerk Valerie Critchley - CAO Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 4:02 p.m.

**2. ROLL CALL**

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### **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

### **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. SPECIAL IN-CAMERA MEETING**

**Moved By** Councillor Crain

**Seconded By** Deputy Mayor Gibb

**That Council move into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:**

#### **Item A: Legal Advice and Recommendations Regarding Municipal Agreements for Emergency Service Provision**

- Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

#### **Item B - Legal Advice and information regarding a contract for policing operational services provided to the Town of Amherstburg**

- Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

#### **Item C - Striking Committee Information**

- Section 239(2)(b) - personal matters about an identifiable individual, including municipal or local board employees.

The Mayor put the Motion.

**Motion Carried.**

*Council went In-Camera at 4:04 pm.*

*Council came out of In-Camera at 5:06 pm.*

*Council went back In-Camera at 5:36 pm.*

## **6. ADJOURNMENT**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That Council **RISE** and **ADJOURN** at 6:06 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING  
MINUTES**

**Monday, March 24, 2025**

**6:00 P.M.**

**Council Chambers**

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

**PRESENT**

Mayor Michael Prue  
Deputy Mayor Gibb  
Councillor Molly Allaire  
Councillor Linden Crain  
Councillor Donald McArthur  
Councillor Diane Pouget  
Councillor Peter Courtney

**STAFF PRESENT**

Kevin Fox - Clerk  
Valerie Critchley - CAO  
Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 6:00pm

**2. NATIONAL ANTHEM**

**3. ROLL CALL**

#### **4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Councillor Courtney declared a conflict on item 13.2 Official Plan Amendment and Zoning By-law Amendment – 300 Victoria Street due to the close proximity to his property.

Councillor Pouget declared a conflict on item 14.1 (C) due to bring an active member of this organization.

#### **5. 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.

#### **6. REPORT OUT FROM IN-CAMERA SESSION**

It was moved that Council enter into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A – Legal Advice and Recommendations Regarding Municipal Agreements for Emergency Service Provision

Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Resolution - 20250324 - 001

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That the prepared public statement of March 24, 2025, **BE PROVIDED** from the Town of Amherstburg to the Boblo Island Ferry Service.

The Mayor put the Motion.

**Motion Carried.**



**7. MINUTES OF PREVIOUS MEETING**

**8. DELEGATIONS**

**8.1 Delegation - Item 12.2 Infrastructure Standards Manual - Drew Coulson**

**Moved By** Councillor McArthur

**Seconded By** Councillor Crain

That the Delegation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**Moved By** Councillor Pouget

**Seconded By** Councillor McArthur

That item 12.2 Infrastructure Standards Manual **BE BROUGHT** forward.

The Mayor put the Motion.

**Motion Carried.**

**12.2 Infrastructure Standards Manual**

**Moved By** Councillor Pouget

**Seconded By** Councillor McArthur

That item 12.2 Infrastructure Standards Manual **BE DEFERRED** to April 29, 2025.

The Mayor put the Motion.

**Motion Carried.**

**8.2 Delegation - Item 14.3 Business Licencing By-law - Jen DeLuca**

**8.3 Delegation - Item 14.3 Business Licensing By-Law - Sarah Brush**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Allaire

That the Delegation **BE EXTENDED** by 5 minutes.

The Mayor put the Motion.

**Motion Carried.**

*Items 14.3 & 17.3 were brought forward.*

### **14.3 Business Licensing By-law and Licensing Committee**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Allaire

That the business licensing by-law **BE REFERRED** back to Administration to consult with business community to see if there is a compromise that can be met.

The Mayor put the Motion.

**Motion Failed.**

**Moved By** Councillor Allaire  
**Seconded By** Councillor Courtney

That the business licensing by-law **BE AMENDED** to include provisions for an initial fee and a requirement for all businesses to provide confirmation of business continuity to maintain their license in subsequent years.

The Mayor put the Motion.

**Motion Failed.**

Resolution - 20250324 - 002

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That:

1. The Town of Amherstburg **REINSTATE** the 2009 Business Licensing By-law;
2. The Town of Amherstburg **ESTABLISH** a Business Registry;

3. Administration **BE DIRECTED** to bring back an amended By-law for consideration; and
  4. Any business which was previously enrolled would have all fees **WAIVED**.
- The Mayor put the Motion.

**Motion Carried.**

## 9. PRESENTATIONS

## 10. REPORTS – CORPORATE SERVICES

### 10.1 Annual Treasurer’s Report – 2024 Council and Appointee Statement on Remuneration and Expenses

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That:

1. The report from the Treasurer dated February 26, 2025, regarding Annual Treasurer’s Report – 2024 Council and Appointee Statement on Remuneration and Expenses **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

## 11. REPORTS - PARKS, RECREATION AND FACILITIES

*There are no reports.*

## 12. REPORTS - INFRASTRUCTURE SERVICES

### 12.1 Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project – Noise By-law Exemption

Resolution - 20250324 - 003

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That:

1. A Noise Exemption for Amico Design Build Inc. **BE APPROVED** from Noise By-law 2001-43, table 3-1, section 13 with respect to the operation of any equipment in connection with construction between the hours of 8:00pm and 6:00am until October 31, 2026.

The Mayor put the Motion.

**Motion Carried.**

## **12.2 Infrastructure Standards Manual**

*Discussed Above.*

## **13. REPORTS - PLANNING AND DEVELOPMENT SERVICES**

### **13.1 Zoning By-law Amendment for 1267 Front Road North, Riverview Subdivision and Endorsement of Redline Draft Plan**

Resolution - 20250324 - 004

**Moved By** Councillor Crain

**Seconded By** Councillor McArthur

That:

1. **By-law 2025-015** being a by-law to amend Zoning By-law No. 1999- 52, to amend the zoning for the subject lands located at 1267 Front Road North being River Subdivision, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.
2. Administration **BE DIRECTED** to **NOTIFY** the County of Essex that the Town of Amherstburg supports the minor change to the revised draft plan approval for Riverview Subdivision.

The Mayor put the Motion.

**Motion Carried.**

### **13.2 Official Plan Amendment and Zoning By-law Amendment – 300 Victoria Street**

Resolution - 20250324 - 005

**Moved By** Deputy Mayor Gibb  
**Seconded By** Councillor McArthur

That:

1. Official Plan Amendment #26 **BE ADOPTED**; AND
2. By-law 2025-024 being a by-law to adopt Official Plan Amendment #26, to amend the Official Plan for the subject lands located at 300 Victoria Street, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; AND
3. Official Plan Amendment #26 **BE FORWARDED** to the County of Essex for approval; AND
4. By-law 2025-025 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands located at 300 Victoria Street, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

#### **14. REPORTS - CAO's OFFICE**

##### **14.1 2025 Special Events Approval Part 2**

Resolution - 20250324 - 006

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That:

1. The following events **BE APPROVED**:
  - a. Woofa Roo
  - b. Music Off the Backporch
  - c. Amherstburg Family Road Rally
  - d. Fishing Derby
  - e. Amherstburg's Gone Car Crazy

2. An exemption from table number 3-1(2) of the Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
  - a. Woofa Roo
  - b. Music Off the Backporch
  - c. Amherstburg Family Road Rally
  - d. Amherstburg's Gone Car Crazy
3. The fee waiver requests **BE RECEIVED and FILED**:
4. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

The Mayor put the Motion.

**Motion Carried.**

#### **14.1 2025 Special Events Approval Part 2**

Resolution - 20250324 - 007

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That:

1. The following events **BE APPROVED**:
  - a. Good Friday Procession - Way of the Cross
2. The fee waiver requests **BE RECEIVED and FILED**:
  - a. Good Friday Procession - Way of the Cross
3. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

The Mayor put the Motion.

**Motion Carried.**

## 14.2 Short Term Rental Follow Up

Resolution - 20250324 - 008

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

That:

1. The report dated February 13, 2025 regarding Short Term Rentals **BE RECEIVED** for information; and
2. That Council **PASS** the by-law amendment to the *Town's Short-Term Rental By-Law 2023-059* (A By-Law regulating Short Term Rentals) as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same and **DIRECT** Administration to update the User Fees.

The Mayor put the Motion.

**Motion Carried.**

## 14.3 Business Licensing By-law and Licensing Committee

*Discussed Above.*

## 15. INFORMATION REPORTS

### 15.1 WPS Amherstburg Detachment Policing Activities Report - February 2025

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That:

1. The WPS Amherstburg Detachment Policing Activities Report for February 2025 **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

## 15.2 2024 Year End Building Activity Report

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

That:

1. The report from the Chief Building Official dated February 14, 2025 regarding 2024 Year End Building Activity for the construction year from January to the end of December 2024 **BE RECEIVED for information.**

The Mayor put the Motion.

**Motion Carried.**

## 16. CONSENT CORRESPONDENCE

*There is no consent correspondence.*

## 17. CORRESPONDENCE

### 17.1 20th Annual ACOG Business Excellence Awards - Sponsorship Opportunities

Resolution - 20250324 - 009

**Moved By** Councillor Crain

**Seconded By** Councillor Pouget

That Council **SUPPORT** the Amherstburg Chamber of Commerce 2025 Business Excellence Awards in the amount of \$500 with HST to go towards Employer of the Year Award.

The Mayor put the Motion.

**Motion Carried.**



## **17.2 Proclamation and Flag Raising - World Autism Day 2025**

Resolution - 20250324 - 011

**Moved By** Councillor Allaire

**Seconded By** Councillor McArthur

That:

1. April 2, 2025 **BE PROCLAIMED** as World Autism Day in the Town of Amherstburg;
2. The Autism Ontario Flag **BE RAISED** on April 2, 2025 at Town all at 11:30am to raise awareness about autism.

The Mayor put the Motion.

**Motion Carried.**

## **17.3 Correspondence Received from WECHU on Business Licensing re: Item 14.3**

## **17.4 Correspondence - Golf Carts Pilot Project Request - Bois Blanc Community Association**

Resolution - 20250324 - 010

**Moved By** Councillor Crain

**Seconded By** Councillor McArthur

That:

1. An application **BE SUBMITTED** by The Town of Amherstburg to request Lake Erie Country Club and Bois Blanc Island areas of the Town to participate in the Provincial Golf Carts Pilot Project;
2. The Bois Blanc Community Association **BE NOTIFIED** of this submission.

The Mayor put the Motion.

**Motion Carried.**

## **18. CONSENT OTHER MINUTES**

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That a presentation by Audit and Finance Advisory Committee **BE PROVIDED** to Council regarding the 2026 Budget.

The Mayor put the Motion.

**Motion Failed.**

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That the following minutes **BE RECEIVED**:

**18.1 Parks and Recreation Advisory Committee Special Meeting Minutes - January 22, 2025**

**18.2 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 23, 2025**

**18.3 Audit and Finance Advisory Committee Meeting - February 3, 2025**

**18.4 Committee of Adjustment Meeting Minutes - February 5, 2025**

**18.5 Amherstburg Environmental Advisory Committee Meeting Minutes - February 6, 2025**

**18.6 Committee of Adjustment Meeting Minutes - March 5, 2025**

The Mayor put the Motion.

**Motion Carried.**

## **19. OTHER MINUTES**

**19.1 Drainage Board Meeting Minutes - February 25, 2025**

Resolution - 20250324 - 012

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That:

1. The Drainage Board Meeting Minutes of February 25, 2025 **BE RECEIVED**;

2. The engineer's report, prepared by Rood Engineering Inc. dated January 16, 2025 for the improvements to the Sam Paquette Drain for Northside Recycle **BE RECEIVED**; and Council **PROVISIONALLY ADOPT By-law 2025-018** which appends the engineer's report for the improvements to the Branch Drain and Subsequent Connection to the Sam Paquette Drain for Northside Recycle Inc. by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; as recommended by the Drainage Board;
3. The Town of Essex Notice to the Tribunal Information package to update the assessment schedule for the McLean Drain under Section 76(1) **BE RECEIVED**, and Council **SUPPORT** the Town of Essex's request under Section 76(1) of the Drainage Act to appoint Peralta Engineering for the variation of assessment on the McLean Drain, as recommended by the Drainage Board;
4. Council **ACCEPT** the request from the Road Authority(s) on the requirement for drainage on Concession 3 N under Section 4 of the Drainage Act; and, Council **APPOINT** Josh Warner, P.Eng., of R. Dobbin Engineering Inc. under Section 4 of the Drainage Act for the examination and report on the Concession 3 N drainage scheme, as recommended by the Drainage Board; and
5. Council **APPROVE** the drainage apportionments as listed in the minutes.

The Mayor put the Motion.

**Motion Carried.**

## **20. UNFINISHED BUSINESS**

### **20.1 Unfinished Business List - March 2025**

## **21. NEW BUSINESS**

**Moved By** Councillor Allaire

**Seconded By** Councillor Courtney

Resolution - 20250324 - 013

That:

1. When trees are identified to be removed adjacent to a residential property that notice **BE PROVIDED** to these residents regarding the removal so they understand that the Town replaces its right of way trees on a 2-1 basis.

The Mayor put the Motion.

**Motion Carried.**

Resolution - 20250324 - 013

**Moved By** Councillor McArthur

**Seconded By** Councillor Crain

That permission **BE GRANTED** to WEBC to go into the trails to do vegetative maintenance.

The Mayor put the Motion.

**Motion Carried.**

Resolution - 20250324 - 014

**Moved By** Mayor Prue

**Seconded By** Councillor Allaire

That the 2025 Council Calendar **BE AMENDED** to reschedule the Regular Council Meeting of April 28th from that date to April 29th, 2025, to accommodate the Federal Election

The Mayor put the Motion.

**Motion Carried.**

## **22. NOTICE OF MOTION**

### **22.1 Notice of Motion of March 25,2025 - Amherstburg Branch of the Essex County Library – Councillor Allaire**

*To be deliberated April 14, 2025*

That:

1. Administration **BE DIRECTED** to report back on future opportunities that may exist to relocate the Amherstburg Branch of the Essex County Library from the Carnegie Building; and,
2. Administration **BE DIRECTED** to send a letter to the Essex County Council and Essex County Library Board to request consideration for monies to be set aside for future funding in relation to fit up costs associated with a new Amherstburg Library Branch.

## **23. BY-LAWS**

### **23.1 2025-023 Housekeeping By-law**

Resolution - 20250324 - 015

**Moved By** Councillor Crain

**Seconded By** Deputy Mayor Gibb

By-law 2025-008 being a by-law to amend By-law 2023-061 regulating Encroachments on Public Lands, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

### **23.2 By-law 2025-003 - 4th Concession Road Drain - Third and Final Reading**

Resolution - 20250324 - 016

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Courtney

That: By-law 2025-003, as amended, being a by-law to provide for the 4th Concession Road Drain be read a third and final time and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

### **23.3 2025-022 Confirmatory By-law**

Resolution - 20250324 - 017

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Pouget

By-law 2025-022 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the March 24, 2025 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

### **23.4 By-law to Amend Zoning By-law No 1999-052 - 6754 County Road 50**

Resolution - 20250324 - 018

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

By-law 2025-052 being a by-law to amend By-law 1999-052 - 6754 County Road 50, Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Mayor put the Motion.

**Motion Carried.**

### **24. ADJOURNMENT**

**Moved By** Councillor Courtney

**Seconded By** Councillor Allaire

That Council rise and adjourn at 9:03 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



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

**Monday, March 24, 2025**

**5:00 PM**

**Council Chambers**

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

**PRESENT**

Mayor Michael Prue  
Deputy Mayor Gibb  
Councillor Molly Allaire  
Councillor Linden Crain  
Councillor Donald McArthur  
Councillor Diane Pouget  
Councillor Peter Courtney

**STAFF PRESENT**

Kevin Fox - Clerk  
Valerie Critchley - CAO  
Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 5:02pm

**2. ROLL CALL**

### **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

There were no disclosures of pecuniary interest noted.

### **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. PLANNING REPORTS**

#### **5.1 Statutory Public Meeting to consider a Zoning By-law Amendment ZBA-04-25 for the retained farmland severed from 5010 County Road 18**

The Mayor called on upon Town Staff to present the planning report.

The Mayor invited the public to comment and there were no comments made.

**Moved By** Councillor Allaire

**Seconded By** Councillor Crain

That comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands municipally known as the retained farmland severed from 5010 County Road 18 (File ZBA-04-25) **BE RECEIVED and SUMMARIZED** in a future report to Council.

The Mayor put the Motion.

**Motion Carried.**



## **5.2 Statutory Public Meeting to Consider a Zoning By-law Amendment ZBA-06-25 for V/L Victoria Street S.**

The Mayor called on upon Town Staff to present the planning report.

The Mayor invited the public to comment and there were no comments made.

The Mayor invited the agent for the applicant to comment.

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands municipally known as V/L Victoria Street S (File ZBA-06-25) **BE RECEIVED and SUMMARIZED** in a future report to Council.

The Mayor put the Motion.

**Motion Carried.**

## **5.3 Statutory Public Meeting for Zoning By-law Amendment ZBA-20-24 for 6321 County Road 20**

The Mayor called on upon Town Staff to present the planning report.

The Mayor invited the agent for the applicant to comment and no comments were made.

The Mayor invited the public to comment and there were no comments made.

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands municipally known as 6321 County Road 20 (File ZBA-20-24) **BE RECEIVED and SUMMARIZED** in a future report to Council.

The Mayor put the Motion.

**Motion Carried.**

## 6. ADJOURNMENT

**Moved By** Councillor Allaire

**Seconded By** Councillor Pouget

That Council rise and adjourn at 5:22 p.m.

The Mayor put the Motion.

**Motion Carried.**

---

MAYOR - MICHAEL PRUE

---

KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG**  
**SPECIAL IN-CAMERA COUNCIL MEETING**  
**PUBLIC MINUTES**

**Monday, March 24, 2025**  
**4:00 PM**  
**Council Chambers**  
**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Mayor Michael Prue Deputy Mayor Gibb Councillor Molly Allaire Councillor Linden Crain Councillor Donald McArthur Councillor Diane Pouget Councillor Peter Courtney ( <i>Electronic Participation</i> )
STAFF PRESENT	Kevin Fox - Clerk Valerie Critchley - CAO Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 4:00 p.m.

**2. ROLL CALL**

### **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

### **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. SPECIAL IN-CAMERA MEETING**

**Moved By** Councillor Allaire

**Seconded By** Councillor Pouget

**That Council move into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:**

#### **Item A - Legal Advice and Recommendations Regarding Municipal Agreements for Emergency Service Provision**

- Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

**Motion Carried.**

*Council went In-Camera at 4:01 pm.*

**6. ADJOURNMENT**

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That Council **RISE** and **ADJOURN** at 4:15 p.m.

The Mayor put the Motion.

**Motion Carried.**

---

MAYOR - MICHAEL PRUE

---

KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG**  
**SPECIAL IN-CAMERA COUNCIL MEETING**  
**PUBLIC MINUTES**

**Thursday, March 27, 2025**  
**5:00 PM**  
**Council Chambers**  
**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Mayor Michael Prue Deputy Mayor Gibb Councillor Peter Courtney ( <i>Electronic Participation</i> ) Councillor Diane Pouget Councillor Linden Crain Councillor Molly Allaire ( <i>Electronic Participation</i> ) Councillor Donald McArthur
STAFF PRESENT	Kevin Fox - Clerk Valerie Critchley - CAO Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 5:01 p.m.

**2. ROLL CALL**

### **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Councillor Pouget declared a conflict on Item A - Negotiations Regarding the Disposition of Public Lands in the Town of Amherstburg due to the close proximity to her home.

### **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. SPECIAL IN-CAMERA MEETING**

**Moved By** Councillor Allaire

**Seconded By** Councillor Pouget

#### **Item A - Negotiations Regarding the Disposition of Public Lands in the Town of Amherstburg**

Section 239(2)(c) - a proposed or pending acquisition or disposition of land by the municipality or local board;

Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 239(2)(k) - a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The Mayor put the Motion.

**Motion Carried.**

*Council went In-Camera at 5:01 pm.*

## 6. ADJOURNMENT

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That Council **RISE** and **ADJOURN** at 6:04 p.m.

The Mayor put the Motion.

**Motion Carried.**

---

MAYOR - MICHAEL PRUE

---

KEVIN FOX - CLERK



# Delegation Request Form

Your application will be reviewed and the Office of the Clerk will be in contact with you regarding your request. If you wish to simply attend the meeting, you can do so by watching our livestream or by attending Council Chambers at the scheduled meeting time.

## General Guidelines

Members of the public must register by completing the Delegation Request Form in order to speak at a meeting.

- Delegation requests must be received by the Clerk, no later than the Thursday before the meeting.
- A delegation will not be registered to address the assembly unless this specific item is listed on an Agenda and the request is in keeping with all requirements of By-law 2023-085.
- Delegations are limited to 5 minutes.
- It is the responsibility of the public to indicate when an accommodation is required. The municipality will determine the best method to address this accommodation in consultation with the individual in advance of the meeting.

**First Name \***

Shawn

**Last Name \***

Wilkie

**Phone Number \***

**Email Address \***

**Street Address \***

**City/Town \***

**Province \***

**Postal Code \***

**Are you representing an organization, group, or business? \***

☒ Yes

☐ No

**Please disclose the organization, group or business you are representing. \***

Royal Canadian Legion Fort Malden Branch 157

**Please select either Council or the Committee you wish to delegate to \***

Council

**Please describe in detail the reason for your Delegation and what action you will be asking the Assembly to take. \***

Re: April 29 2025 Council meeting.

RCL Fort Malden Branch 157 is requesting that the noise exemption fees be waived for the period of May 17 2025 to September 28 2025 for our patio. Since Open air regulations and the council term is for two more years, the same same request is presented for May 16 2026 to May 27 2026.

**Have you contacted Administration regarding this matter? \***

☐ Yes

☒ No

**Is this item on an upcoming Agenda? \***

☒ Yes

☐ No

**Please identify the Name of the Agenda item \***

April 29 2025 meeting. Noise exemption for the patio of RCL Fort Malden Branch 157

**Do you intend to make an electronic presentation of any materials during the meeting? (If so, please note all materials must be submitted as part of this application.) \***

☐ Yes

☒ No

**Upload any documents or presentation material you will use to support your Delegation - 4 Attachments Max (10MB Each):**

Personal information contained on this form is authorized for the uses noted in the Town of Amherstburg's Procedure By-law, for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Council or an Advisory Committee of Council. The Delegation Request Form and any materials provided may be published in its entirety with the public agenda which is also posted on the Town's website. The Procedure By-law is a requirement of Section 238(2) of the Municipal Act, 2001.

Please note that all meetings are open to the public except where permitted to be closed to the public under legislated authority. Questions regarding collection of the information on this form or additional accessibility requirements may be directed to the Municipal Clerk, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5, 519.736.0012.

Thank You

Submission Successful



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Sydnee Botham	Report Date: January 21, 2025
Author's Phone: 519 736-3664 ext. 2326	Date to Council: April 29, 2025
Author's E-mail: srivest@amherstburg.ca	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Infrastructure Standards Manual**

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#### **1. RECOMMENDATION:**

It is recommended that:

1. The May 25, 2009 Town of Amherstburg's Development Manual **BE RESCINDED** in accordance with the April 29, 2025 report titled Infrastructure Standards Manual;
2. The first Appendix of the new Development Manual, Appendix A: Infrastructure Standards Manual **BE ADOPTED** as presented at the April 29, 2025 Regular Council Meeting and that all infrastructure development occurring within the Town follow the requirements within the Infrastructure Standards Manual;
3. The Director of Infrastructure Services **BE AUTHORIZED** to have delegated authority to approve changes to the Development Manual and Appendix A: Infrastructure Standards Manual should the Manual require revisions to remain compliant with provincial regulation and engineering best practises; and,
4. Administration **BE DIRECTED** to amend the Delegation of Powers and Duties Policy to include this provision.

#### **2. BACKGROUND:**

Council adopted the Town's current Development Manual on May 25, 2009 to provide transparency and clarity to Amherstburg's development community by consolidating development requirements (Planning and Engineering) into a single document.

Since 2009, design criteria and materials for multiple components of municipal infrastructure have been updated by the Ministry of the Environment, Conservation, and Parks (MECP), Essex Region Conservation Authority (ERCA) and the Town of Amherstburg's Infrastructure Services Department.

The issuance of the Town's Consolidated Linear Infrastructure approval requires all new municipal stormwater and sanitary infrastructure (new development and capital projects) to adhere to the design criteria and requirements issued by the MECP in order for the systems to remain compliant.

While undertaking reviews of current development proposals, it was also noted that the 2009 Development Manual lacks clarity on a number of items that impact the overall aesthetic and construction practises used in new development within the Town.

At the March 24, 2025 Regular Council meeting, Administration proposed to rescind the 2009 Development Manual and proposed an updated Infrastructure Standards Manual for consideration. Council passed a motion to defer consideration of the proposed Infrastructure Standards Manual to the April 29, 2025 Regular Council meetings to allow for consultation with local developers related to the proposed changes.

### **3. DISCUSSION:**

Infrastructure Services has undertaken an internal review and update of the Town's existing Development Manual to address the above-noted concerns. The Infrastructure Standards Manual is intended to provide a consistent approach to municipal infrastructure design for new development, capital road reconstruction, sanitary sewer and storm sewer projects.

A list of major/key changes is noted below:

#### **1. Name Change**

The new manual is titled 'Infrastructure Standards Manual' to ensure that the guidelines and criteria within the manual can be used for all municipal infrastructure being constructed in Amherstburg (development or capital projects).

#### **2. Removal of Reference to Planning Processes**

Amherstburg's Planning Department will be introducing their own document for the Town's development community to use as guidance related to procedures for all development applications under the Planning Act. This manual from the Planning Department is forthcoming.

#### **3. Updated Cross Sections**

The local and collector cross sections have been updated to align with the Transportation Master Plan recommendations. The local cross section width has been increased to 22 meters (from 20 meters) to address the lack of available space for critical below-grade municipal, gas, hydro and communication infrastructure. Pavement widths have been decreased to incorporate traffic calming measures into residential areas and provide additional boulevard

availability for above-ground infrastructure such as trees, streetlights, and sidewalks on both sides of the road. Dedicated bike lanes have been incorporated into the pavement alignment within the collector cross section to facilitate and promote active transportation to local amenities and surrounding neighbourhoods.

#### 4. References Added to External Agency Design Criteria

References to ERCA's Windsor Essex Region Stormwater Manual and MECP's Design Criteria for Sanitary Sewers, Storm Sewers, and Force mains For Alterations Authorized Under Environmental Compliance Approval have been added to the Manual to mitigate conflict between all guiding documents for municipal infrastructure design and ensure they are collectively being adhered to.

The proposed Infrastructure Standards Manual was circulated via email to 19 local developers for review and comment. We received comments from 5 developers and held meetings with 4 developers to discuss the content of the proposed Infrastructure Standards Manual and potential impacts to development proposals currently in progress or contemplated in the future. A summary of the comments can be found below:

<b>Comment</b>	<b>Response from Infrastructure Services</b>	<b>Changes to the Infrastructure Standards Manual as a result of the comment</b>
It would be wholesome to have a section in the manual to speak to how one can deviate from the standard, to gain Town approval on it. As I understand through the staff report to Council, Town Administration is seeking to delegate that to the Director so that it is expedited for decision-making, so that is great to see as well.	We agree that further clarification on requests to deviate from the standards of the proposed manual would be beneficial to all.	Section added in the manual after the introduction to discuss the process of requesting relief for specific sections of the manual that may have adverse impact on a development proposal.
Sanitary design criteria that makes no consideration for residential dwelling unit types in people per unit.	MECP does not define required # of ppl/unit for design in 2008 Sewage Works document or CLI design criteria. Conservative estimates when designing for residential development allows the Town to ensure capacities at wastewater treatment facilities are being adhered to and risk of over allocating	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	capacities are mitigated. The proposed 3.5 people per unit for sanitary sewer design is consistent with local comparators and is not changed from the existing 2009 development manual.	
There is a conformity issues with the draft Standard on this new 22m local road cross section. The Town's Official Plan under Section 5.2.3 of the Town's Official Plan requires local roads (existing and proposed) to be 20 metres. Section 24 of the Planning Act requires all public work to conform with the Official Plan. Based on above, it does not comply with the Planning Act.	The Town of Amherstburg is currently working on a new official plan. The 22-meter local road right-of-way width is intended to be incorporated into this update. Until this time, the Town will encourage Developers to design with the 22-meter cross section where it can be accommodated with the understanding that our policy can not mandate it until the new OP is adopted by Council.	A 20-metre cross section has been included in Appendix A of the manual. The 22-metre cross section will remain in the manual and will be encouraged to be incorporated into new development applications as an enhanced level of service to future residents. The 22-metre local road width will be incorporated into the upcoming new official plan for the Town of Amherstburg. If adopted, the 22-metre cross section will become enforceable.
No local municipality in Windsor-Essex County has a 22m local road right-of-way standards – all are 20m wide.	<p>Local municipalities have raised concerns regarding the insufficient space available for both municipal and external agency infrastructure within the existing 20-meter right-of-way during regional engineering discussions. To address these issues, an additional 2 meters of land within the municipal right-of-way is necessary. This expansion will:</p> <ul style="list-style-type: none"> <li>• Provide adequate space for municipal and external agency infrastructure.</li> </ul>	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	<ul style="list-style-type: none"> <li>• Ensure sufficient room for contractors, equipment, and staff to perform repairs without risking damage to other below-grade infrastructure.</li> <li>• Accommodate two 2-meter wide sidewalks to promote active transportation and walkability.</li> <li>• Allow trees to grow and thrive without being constrained while also reducing sidewalk heaving.</li> <li>• Increase the availability of new alignments for future municipal infrastructure replacements.</li> <li>• Facilitate more gradual grade changes between the property line and the back of the curb, thereby reducing driveway slopes and enhancing sidewalk accessibility for wheelchair users.</li> </ul>	
<p>The Transportation Master Plan (TMP) doesn't recommend a 22m local road right-of-way. The TMP shows the 20m local road ROW cross-section.</p>	<p>The alignment of the right-of-way, including narrowed pavement, two 2-metre sidewalks, and streetlight locations as per the Transportation Master Plan (TMP), has been incorporated into the proposed cross-section. While the additional 2 meters of land was not initially proposed in the TMP, the TMP did not consider the impact of underground utilities within</p>	<p>No change</p>



Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	the cross section. Administration has identified it's necessary in order to address the above-noted concerns.	
An additional 2-metre road width is concerning, knowing public infrastructure consumes a great portion of development lands already, considering roadways, stormwater management and parklands (if applicable with cash-in-lieu options). The long-term costs of maintenance and replacement will also be born to the taxpayer, once the roadway is assumed (taken over) by the Town.	The amount of municipal and external agency infrastructure within the municipal right-of-way does not reduce as a result of an increased right-of-way width. There is no additional cost to the ratepayers other than what would typically be considered for maintenance and replacement of municipal infrastructure.	No change
Consideration should be given to allow for sidewalk on one side of the road in cul-de-sacs as less people would be using the facility and less traffic would impact people walking in the roadway.	Section 5.2.2.1. of the Transportation Masterplan recommends sidewalk exist on both sides of the road for local roads to reduce the number of crossings required by pedestrians and increase safety. This improves the overall walking experience within the community. Through the review of development applications, the termination of sidewalks at the end of cul-de-sacs typically end abruptly due to lack of transition or destination. While we understand there may be a reduced number of sidewalk users in a cul-de-sac, we believe the same level of service and pedestrian safety should	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	be considered in all local residential areas.	
If a development has draft plan approval, it should be exempt from this manual and comply with the old manual.	Draft plans approved (or conditionally approved) by the County of Essex with a 20-metre right-of-way width will follow the new proposed 20-metre cross section incorporated into the proposed manual. The adoption of this manual does not require developers to change the layout of draft plan approved (or conditionally approved) developments. Many developments under review at this time that are nearing draft plan approval have already incorporated majority of the standards within the proposed manual. We cannot provide exemptions from the entire manual to developments as many standards within the proposed manual are provincial and conversation agency requirements for development approval. We will continue to work diligently with all developers to ensure the standards that need to be incorporated into the plan have been incorporated and get the proposals approved and to construction.	No change
Does 1 tree per unit make sense in situations with multi-residential developments. How will this be handled for	Collecting funds to plant one tree per unit in residential developments allows increased tree canopy, provide shade to	Additional language added to tree planting section related to apartment and condominium developments.

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
development proposals for apartment and condominium buildings?	<p>sidewalk users, and buffering between active transportation users and vehicle users. We make best efforts to plant one tree in front of every unit in the subdivision but sometimes, due to the required locations of above-grade infrastructure, adequate space for tree planting is not available in front of every unit. In this case, Administration would consider alternative locations within the development including near community mail box locations or in side yards of corner lots.</p> <p>Funds to plant one tree per unit are not collected for plan of condominium or apartment building developments. These types of developments proceed through site plan control where the Town requests that the developer provide a landscape plan to ensure there are plantings within the development lands. The landscape plans do not typically align with the Town's tree planting by-law as the trees will not become town-owned.</p>	
Significant investments have been made by the Developer to complete supporting studies for the development proposal and to make changes now would essentially make the Developer start over.	The intention of the Infrastructure Standards Manual is not to have Developers incur additional costs for re-design. Many technical standards within the proposed manual are already being complied	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	<p>with based on ERCA and provincial requirements. The proposed infrastructure manual does not change the requirements for supporting studies to be completed to the satisfaction of the Town. The proposed manual provides clear direction on the design criteria and materials acceptable to be used within the Town and should actually reduce confusion and number of submissions by Consultants for developments as expectations are outlined.</p>	
<p>The transition policy does not allow adequate timing for smooth transition for incorporation of proposed standards.</p>	<p>It is important to recognize that there will never be a perfect time for such transitions. Delaying the implementation of these standards only prolongs the challenges and inefficiencies associated with outdated practices. By moving forward with the transition now, we can begin to address these issues and work towards a more efficient and effective system. The sooner we start, the sooner we can adapt and improve, ensuring long-term benefits for all stakeholders.</p>	<p>No change</p>
<p>The Town should consider reducing their right-of-way width to 15 metres and require 2.5 metre easements on the private lands for additional</p>	<p>The Towns current best practise is to own all lands where municipal infrastructure is constructed. This allows the Town full access to the</p>	<p>No change</p>

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
placement of infrastructure.	lands for operation, maintenance, repairs, and replacement of municipal infrastructure as required.	
Concerns were raised that if municipal staff changes, new staff may not be aware of the relief of specific criteria provided by the department in the past	The final decision on any request for deviation will be communicated to the Developer in writing from the Infrastructure Services department for the Developer's file and future reference. In the event that there is staff turnover, they will be able to reference any approved or denied deviation requests previously granted by the Town.	Section added in the manual after the introduction to discuss the process of requesting relief for specific sections of the manual that may have adverse impact on a development proposal.
It is not clear why the recommendation includes 2.0m sidewalk when 1.5m sidewalk is considered AODA compliant.	The Transportation Masterplan recommends that, wherever possible, sidewalk widths should be maximized and provides an example of a local cross section advising of 2.0m sidewalks.	No change
What is the reason to limit the length of cul-de-sacs?	This standard was added to reduce the number of cul-de-sacs within the Town and promote connectivity to nearby streets/ developments wherever possible.	No change
Can you please explain the need for water pit metres for SDUs?	SDUs are required to utilize the existing sewer and water connections to the property. Additional services are not permitted to be installed regardless of the location of the SDU in relation to the existing primary residence. Meter pits for water meter reading will now be required when someone constructs an SDU	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	detached from their home to mitigate the potential for the homeowner to bypass the meter with the water connection to the SDU and obtain unmetered water.	
It is not clear the why sewage ejector pits are required on each home if there is proper grade to drain by gravity?	Infrastructure Services encourages all homes with basements be constructed with a sewage ejector pump to reduce risk of basement flooding. In past flood events, it was noticed that properties with sewage ejector pumps were less likely to have basement flooding.	Language change from “required” to “recommended”
There is a typo in section 5.6.11.	Noted	Typo corrected
Entrance features provide enhancement and visual aesthetic to new developments and should not be discouraged. I have seen entrance features with fountains and lights that are very nice.	Entrance features for new development placed on public property will eventually be assumed into the Town’s ownership and added to the Town’s AMP. This means the future maintenance and replacement of the non-essential infrastructure falls on the ratepayers. Additionally, if water and hydro features are permitted to be incorporated into entrance features, the Town would be responsible to pay all monthly billing for the usage related to the infrastructure. These are all additional costs that the Town nor the Developer want to assume in perpetuity. There is flexibility within the language of the manual to consider small-scale, low	No change

Comment	Response from Infrastructure Services	Changes to the Infrastructure Standards Manual as a result of the comment
	maintenance entrance features pending the review of the proposal by internal departments.	
Is the model home permit process in the manual the same as what we typically follow?	Yes, it is our typical process. It was not documented before just verbally communicated to Developers.	No change

The consultation with local developers resulted in minor changes to the proposed Infrastructure Standards Manual. The updated Council report and proposed manual will be circulated to all local developers that participated in the consultation ahead of the Regular Council Meeting.

Moving forward, the Infrastructure Standards Manual shall be formally reviewed on an annual basis to determine if any updates or enhancements are required. This review will be completed by the Infrastructure Services Department. Any design criteria changes that are issued by other agencies (i.e. MECP) will be incorporated immediately to ensure ongoing compliance.

Pending the approval of Council, the Infrastructure Services Department will advise developers, consulting engineers and key stakeholders that the Infrastructure Standards Manual will be available on the Town's website for future reference and use.

#### **4. RISK ANALYSIS:**

The continued use of the existing 2009 Development Manual will result in development of lands within the Town that are non-compliant with provincial and municipal regulations and requirements that have been put in place since the original Development Manual was created. The existing 2009 Development Manual no longer represents the best interest of the Town in respect to walkability, safety, and resilience to climate change and flooding.

#### **5. FINANCIAL MATTERS:**

There is no financial impact to this report. All efforts have been completed by internal resources.

#### **6. ASSET MANAGEMENT IMPACTS:**

N/A

#### **7. CONSULTATIONS:**

Director of Infrastructure Services  
 Manager of Roads and Fleet  
 Manager of Environmental Services  
 Manager of Engineering  
 Planning Department  
 Clerks Department  
 Local Developers and their Consultants/Planners

## 8. CORPORATE STRATEGIC ALIGNMENT:

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b>  <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li>✓ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p><b>PILLAR 3</b>  <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<p><b>PILLAR 2</b>  <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town</li> </ul>	<p><b>PILLAR 4</b>  <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> </ul>



operations and increase Town resilience to climate change.

☐ Preserve the Town's greenspaces, agricultural lands, and natural environment.

## 9. CONCLUSION:

The Infrastructure Standards Manual is an important document that will ensure that future developments and capital projects meet current municipal and provincial standards. Administration recommends that Council approve the Infrastructure Standards Manual.



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Sydnee Botham  
**Development Engineering Coordinator**

## Report Approval Details

Document Title:	2025 04 29 Infrastructure Standards Manual.docx
Attachments:	- 2025 04 29 Infrastructure Standards Manual.pdf
Final Approval Date:	Apr 15, 2025

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



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox



**AMHERSTBURG**  
ONTARIO, CANADA  
EST. 1796



# INFRASTRUCTURE STANDARDS MANUAL

Prepared by:  
**Infrastructure  
Services**



Engineering standards to be used for design and  
construction of infrastructure projects within the Town

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## REVISIONS

The following table summarizes the revisions to the Infrastructure Standards Manual since its approval on March 24, 2025. Please ensure you are using the most recent version of the manual with all approved revisions. If you are uncertain of which version to use, please call the Manager of Engineering at 519-736-3664 to confirm the last revision date.

Table 1 - Revisions

Revision Date	Description	Revised Section
April 28, 2025	Original Manual	No revisions



## INTRODUCTION

In an effort to streamline the development process, the Corporation of the Town of Amherstburg has consolidated its infrastructure requirements in this Infrastructure Standards Manual. The Infrastructure Standards Manual will be referred to the Manual throughout the remainder of the document.

Throughout the remainder of this document, the Corporation of the Town of Amherstburg will be referred to as Amherstburg.

This Manual will be updated from time to time. The dates of the revisions are noted at the bottom of each page and in the revision section of this manual. It is the responsibility of the Developer and/or Developer's Consulting Engineer to confirm with Amherstburg's Infrastructure Services Department the most up-to-date revision of this Manual to make use of contents for design purposes.

This Manual also refers to Ontario Provincial Standard Drawings (OPSD) and Specifications (OPSS). Unless noted otherwise in the revision section of this Manual, the latest edition of these documents applies.

Provincial or Federal requirements shall supersede the requirements of this Manual. This Manual is not intended to conflict with the requirements of other agencies including, but not limited to, the Essex Region Conservation Authority (ERCA), Ministry of the Environment, Conservation, and Parks (MECP), Hydro One, Essex Power, Enbridge and Bell Canada. Kindly report any conflicts to Amherstburg.

Exceptions to the standards contained in this Manual will be considered for comprehensively planned developments or areas with specific municipal designations. Amherstburg may also develop urban design guidelines and special development standards for comprehensively planned areas that, when adopted by Council, will supersede the development standards contained within this Manual for those comprehensively planned areas.

All requests for deviation from the standards outlined in this Manual must be submitted to the Manager of Engineering in writing. If approved, written confirmation will be provided to the Developer for their records.

Submissions to Infrastructure Services may be subject to fees. Please refer to Amherstburg's User Fee By-law for all engineering review, CLI review, and inspection/walkthrough fees that shall be applicable for all development applications reviewed by Infrastructure Services.

Any suggestions on improving this document should be addressed to Amherstburg's Infrastructure Services Department.



## REQUEST FOR DEVIATION FROM THE MANUAL

The Infrastructure Services Department recognizes the uniqueness of many developments within Amherstburg and appreciates that there is not a single solution that is viable for every development application received. This manual provides the opportunity to request deviation from specific standards within the manual that may have adverse impact on the success of the development proposal.

Deviation is defined as the action of departing from an established course or accepted standard. In this case, the accepted standards are all standards included in this manual.

It should be noted that requests for exceptions from the entire Infrastructure Standards Manual will not be considered.

Best efforts should be put forward by the Developer to accommodate all standards included in the manual prior to requesting a deviation.

### Request Process

The Developer or Developer's Consultant (on behalf of the Developer) shall complete the form in Appendix D titled *Request for Deviation from Infrastructure Standards Manual Form* and submit the executed form to the Infrastructure Services Department.

The request will be reviewed within 10 business days based on a variety of factors that could include historic knowledge of the development, financial investment by the Developer as a result of the decision, etc. During the review period, Infrastructure Services may consult with the Planning Department and/or meet with the Developer or Developer's Consultant to discuss the request further.

Once a decision is made, a written decision on the deviation request shall be given to the Developer for their records. This will ensure clear, consistent messaging through the design process of the Development.

The Director of Infrastructure Services (or their designate), at their sole discretion, will provide all approvals/ denials of request for deviations from the Manual.



## ABBREVIATIONS

Table 2 - Abbreviations

Abbreviation	Definition
AES	Atmospheric Environment Service
AODA	Accessibility for Ontarians with Disabilities Act
AWWA	American Water Works Association
C/L	Centerline
CLI	Consolidated Linear Infrastructure
CSP	Corrugated Steel Pipe
DFO	Department of Fisheries and Oceans
DSC	Digital Security Controls
ECA	Environmental Compliance Approval
EP	Edge of Pavement
ERCA	Essex Region Conservation Authority
F/C	Face of Curb
HDPE	High Density Polyethylene
HL3	Hot Load 3 – surface asphalt
HL4	Hot Load 4 – base asphalt
IESNA	Illuminating Engineering Society of North America
ITE	Institute of Transportation Engineers
LID	Low Impact Development
m	Meters



MECP	Ministry of the Environment, Conservation, and Parks
MNRF	Ministry of Natural Resources and Forestry
mPa	Megapascals
MTO	Ministry of Transportation for Ontario
NSF	National Sanitation Foundation
OBC	Ontario Building Code
OCWA	Ontario Clean Water Agency
OPSD	Ontario Provincial Standard Drawing
OPSS	Ontario Provincial Standard Specification
PDC	Private Drain Connection
PEO	Professional Engineers of Ontario
PVC	Polyvinyl Chloride
Q	Flow
ROW	Right-of-way
SWM	Stormwater Management
TAC	Transportation Association of Canada
V	Velocity
WERSM	Windsor Essex Region Stormwater Manual



## 1.0 PLAN OF SUBDIVISIONS

A registered plan of subdivision creates new, separate parcels of land and can be legally used for the sale of lots. This Section applies to all plan of subdivision applications submitted under the Planning Act to the Town of Amherstburg.

### 1.1. PRIOR TO CONSTRUCTION

A pre-submission application is required to be submitted to Amherstburg Planning Department prior to submission of any development applications. All known engineering requirements (and other internal department requirements) shall be noted during pre-submission.

#### 1.1.1. Internal & External Agency Approvals

Developers (or Applicants, can be used interchangeably) are required to obtain all necessary approvals. The following is a partial list of approvals that are required. Developers should contact the various approval authorities to ascertain permit fees and the required time periods to obtain the necessary approvals. The Development cannot proceed until these approvals are received and copies of the approvals have been filed with Amherstburg.

*Table 3 - Approvals*

Partial List of Approvals	Approving Agency
Draft Plan of Subdivision	Town of Amherstburg, County of Essex
Final Plan of Subdivision	Town of Amherstburg, County of Essex
Stormwater Management	Town of Amherstburg, MECP, ERCA
Wastewater Allocation	Town of Amherstburg
Storm and Sanitary Sewer Design	Town of Amherstburg, MECP
Watermains	Town of Amherstburg, MECP
Road Connections & Setbacks	Town of Amherstburg
County Road Connections & Setbacks	County of Essex





Municipal Drainage	Town of Amherstburg, ERCA
Shorelines, Fill, and Flood Lines	ERCA, MNRF, DFO
Fish Habitats	Federal, administered by DFO
Development in Close Proximity to Railways	CP, ETR
Streetlighting	Town of Amherstburg, Essex Power, Hydro-One

It should be noted that Amherstburg is in possession of CLI-ECA for both our Municipal Sewage Collection System and our Municipal Stormwater Management System. The applicant shall confirm with Infrastructure Services if the proposed works are eligible to be included in the current CLI-ECA and approved by Amherstburg. Otherwise, Amherstburg will require approval from MECP to be submitted to Amherstburg prior to construction.

#### 1.1.2. Submission Requirements

All submissions must be sent to the Amherstburg Planning Department in PDF format. Any documents, material, and/or drawings submitted to Infrastructure Services directly will not be reviewed and comments will not be provided.

##### *1.1.2.1. Draft Plan Approval*

At a minimum, Infrastructure Services requires all supporting studies identified in the pre-submission meeting and draft plan submitted in order to review and provide support of the development to Amherstburg Planning.

Detailed design drawings are not required to be submitted at this stage of the application and will not be reviewed at this time.

All draft plans shall be drawn to scale and in metric units. The boundaries of the Development shall be staked and certified by an Ontario Land Surveyor. A reproducible copy of the plan shall be submitted along with an electronic copy and an AutoCAD drawing (AutoCAD 2010 or earlier) that has been coordinated using the Universal Traverse Mercator (UTM) coordinate system. The draft plan shall also show sufficient ground elevations and reference geodetic elevations to identify drainage patterns. Physical features of the site and abutting lots should be shown, including drainage ditches, swales, municipal drains, trees, poles, roads, shorelines, buildings, etc.



### *1.1.2.2. Design Drawings*

In general, the drawings shall be on ARCH "D" size paper (610 mm x 914 mm), shall be signed and sealed by a Professional Engineer licensed in Ontario, and shall include:

- Benchmark Location and Description (referred to geodetic elevations)
- Key Plan
- Legend and Index
- Separate Sanitary, Storm and Water layout plans (including sewer design sheets)
- Existing Conditions and Removals
- Road Alignment, Road Elevations, Pavement Widths
- Plan and Profile Sheets (showing road grades, sewer grades, watermain grades, maintenance hole locations)
- Utility Cross Sections
- Grading Plans (including lot grading)
- Power Distribution and Road Lighting Plans
- Traffic signing plan (including line painting)
- Miscellaneous Details (including bedding and backfill)
- Stormwater Flow Details (including watershed and sub-watershed boundaries)
- Stormwater Retention Pond Details (size, landscaping)
- Landscaping Plans (stamped by a registered Landscaping Architect, where required)
- Tree Protection Zones for publicly owned trees (per Amherstburg Tree By-law)

The drawings shall refer to Ontario Provincial Standard Drawings wherever applicable, except as amended or extended by Amherstburg's requirements.

Sewer design sheets shall be incorporated into the drawing set for all submissions requiring extension or construction of new sewer mainline.

### *1.1.2.3. Consolidated Linear Infrastructure (CLI) Approvals*

Infrastructure Services shall advise the Developer/Consulting Engineer on appropriate timing to submit CLI applications for review and approval. Application requirements for stormwater and sewage (sanitary) works CLI approvals are detailed below.

#### **Stormwater**

1. Stormwater Management (SWM) Report, including the following information:
  - a. Detailed description of the proposed works & project area
  - b. SWM quantity & quality criteria; explanation of how they were established (Town Standards, ERCA, Ontario Water Quality Objectives or Procedure B-1-5)



- c. Description of existing drainage patterns at the site and run-off outlet location(s), including the ultimate receiver(s)
  - d. Stormwater run-off analysis (design storms, hydrologic parameters for pre-development and post-development conditions, modeling results, pre-development and post-development peak flows and volumes)
  - e. Input & Output reports from the SWM model
  - f. Description of how the established quantity and quality control criteria will be met
  - g. Design details for each component of the SWM strategy, including capacity
  - h. Water Quality Design Features and Oil and Grit Separator Design Sheets
  - i. Hydraulic performance of the system verifying storm sewer capture rates and major and minor system capacities
  - j. Low impact development features and ground water table
  - k. Proposed Monitoring Plan
  - l. Proposed Operation and Maintenance Plan/Procedures (this may be requested to be submitted as a separate document outside of the SWM report)
  - m. Acknowledgement and any consideration required to protect drinking water
2. Detailed Design Drawings, signed and stamped by a Professional Engineer licensed to practice in Ontario.
3. PCSWMM compatible model
4. Storm Sewer Design Sheet (this is required to be included in the detailed design drawings)
5. MECP Form SW1, as applicable:
  - a. Part 2 - Description of storm sewer/ditch/culvert alteration
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative
6. MECP Form SW2, as applicable:
  - a. Part 2 - Description of stormwater management facility alteration
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative
7. MECP Form SW3, as applicable:
  - a. Part 2 - Description of third-pipe collection system alteration
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative



### **Sewage (Sanitary) Works**

1. Design Brief/ Functional Servicing Report, including the following information:
  - a. Detailed description of the proposed works
  - b. Sewage flow volumes/ sewage generation calculations
  - c. Inflow calculations based on MECP guidelines
  - d. Impacts of infiltration based on the water table
  - e. Proposed Monitoring Plan
  - f. Proposed Maintenance Plan
  - g. Acknowledgement and any consideration required to protect drinking water
2. Detailed Design Drawings, signed and stamped by a Professional Engineer licensed to practice in Ontario.
3. Sanitary Sewer Design Sheet, this can be included in the detailed design drawings or design brief/functional servicing report.
4. MECP Form SS1, as applicable:
  - a. Part 2 - Description of alteration of components of the municipal sewage collection system
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative
5. MECP Form SS2, as applicable:
  - a. Part 2 - Description of separate sewer/nominally separate sewer/forcemain alteration
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative
6. MECP Form CS1, as applicable:
  - a. Part 2 - Description of combined sewer/partially separated sewer/combined sewage storage tanks and structures alteration
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative
7. MECP Form A1, as applicable:
  - a. Part 2 - Description of alteration for equipment discharging emissions to the air
  - b. Part 3 - Verification by Licensed Engineering Practitioner or Technical Representative



All documents submitted shall be designed in conformance with the most recent version of *MECP Design Criteria for Sanitary Sewers, Storm Sewers and Force mains for Alterations Authorized under Environmental Compliance Approval* and this Manual.

#### 1.1.3. Street Naming

Council approved street names shall be included in the registered plan of subdivision, supporting studies, and all civil drawings.

#### 1.1.4. Studies and Reports

Specific developments may require the completion of special studies and reports prior to Amherstburg granting approval for the development. Special studies and reports may also be a requirement of the approving authorities such as the County of Essex, Province or a Conservation Authority.

The costs of these studies shall be borne by the Developer.

Refer to Amherstburg's Official Plan (latest version available on Amherstburg website) for a list of supporting studies, information, and materials which may be required as a result of a development application.

A partial list of reports and studies required to be submitted includes but is not limited to:

- Stormwater Management Report
- Functional Servicing Report
- Wastewater Servicing Assessment
- Traffic Impact Assessment
- Geotechnical Report

The specific reports and studies required to be completed will be confirmed during the pre-submission review for the development proposal.

Certain proposed works to be undertaken by Developers may also be subject to the requirements of the Environmental Assessment Act. The Developer shall contact the MECP for further details.

#### 1.1.5. Subdivision Agreements

All Developments must be designed and constructed in accordance with the requirements of this Manual and the corresponding Subdivision Agreement.

The Subdivision Agreement will set out specific requirements for each Development. In case of conflict the Subdivision Agreement will supersede the requirements of this Manual.



No work can proceed in the Development until the agreement is executed by both parties and all financial securities and insurance are provided.

#### 1.1.6. Consulting Engineer

All Developers shall retain a Consulting Engineer who shall design all services and provide full- time, on-site inspection during the installation of the services.

The Consulting Engineer shall be so designated by the Association of Professional Engineers of Ontario and have a minimum of five years of land development experience. All reports, drawings and specifications shall be signed, sealed and dated by a Professional Engineer licensed in the Province of Ontario and employed by the Consulting Engineering firm or personally designated as a Consulting Engineer.

The Consulting Engineer shall be responsible to carry out the design and inspection of all services including:

- the preparation of design drawings, 3D CAD linework and 3D surfaces when applicable;
- the preparation of specifications and contract documents;
- the preparation of studies and reports;
- assisting in obtaining all necessary approvals;
- providing full-time, on-site inspection during service installation;
- the preparation of field records;
- chairing and preparing minutes of pre-construction meetings and regular job meetings;
- the co-ordination of the installation of other utilities (gas, telephone, cable T.V., hydro and Canada Post Services);
- the preparation of record drawings;
- the preparation of private drain connection (PDC) sheets; and
- attending at the final inspection meeting

#### 1.1.7. Allocation and Phasing

To ensure that the proper allocation and phasing of municipal services proceeds in a fiscally sustainable and cost-effective manner, all development proposals will be accompanied by a Wastewater Servicing Review conducted by the proponent in consultation with Amherstburg.

New proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment and conveyance capacity is demonstrated to be available to be allocated to accommodate the development of the site.



Sewage allocation for draft approved developments shall be limited to three (3) years in order to ensure reserve capacity is efficiently and effectively utilized. Amherstburg reserves the right to reallocate the reserved sewage capacity if the draft plan approval for the development has expired.

Amherstburg acknowledges that Developments may proceed in phases. Prior to the commencement of construction, the Developer shall submit a phasing plan for municipal approval. Amherstburg's approval of the phasing plan will be based on:

- fire fighting protection (All dead-end streets shall have turn-arounds and shall meet the requirements of the Ontario Building Code. Temporary dead-ends shall not exceed 250m in length measured to the end of the cul-de-sac unless otherwise approved);
- the extension of trunk facilities to adjacent Developments in a timely manner;
- minimizing the municipal maintenance costs, such as snow plowing;
- completing the municipal road network (minimizing areas with only one access point)
- proper termination of servicing between phases

All approved supporting studies and reports must recognize the phasing of the development and provide timelines/milestones for construction of critical infrastructure to be constructed i.e. stormwater facilities, pump station upgrades, etc.

The phasing will be implemented according to the Subdivision Agreement. Any construction drawings submitted must be in accordance with the approved Agreement.

#### 1.1.8. Specifications and Contract Documents

All specifications and contract documents shall be prepared in accordance with the "Guidelines, Professional Engineers Providing Land Development/ Redevelopment Engineering Services, 1994" (Refer to Appendix E).

Specifications and contract documents shall be prepared on 8½" x 11" paper and neatly bound with a cover clearly describing the particulars of the Development. The first sheet shall include the date, name and telephone number of the Consulting Engineering firm that prepared the documents.

The specifications and contract documents shall include:

- Information to Tenderers;
- Form of Tender;
- Form of Agreement;
- Special provisions;
- Technical specifications;
- General conditions.



The specifications and contract documents shall refer to the Ontario Provincial Standard Specifications wherever applicable, except as amended or extended by Amherstburg's requirements. The final versions of the specifications and awarded form of tender must be submitted to Amherstburg for file.

#### 1.1.9. Insurance and Indemnification

Developers shall provide liability insurance to protect Amherstburg. Developers shall ensure that their Consulting Engineer, sub-consultants, and general contractors also carry liability insurance.

The liability insurance shall:

- be provided in a form satisfactory to Amherstburg;
- for a minimum amount of \$2,000,000; and
- name Amherstburg as an additionally insured; and
- name Amherstburg's consultants as additionally insured; and
- shall not be terminated until Amherstburg has accepted all of the required works.
- renewed annual (or upon expiry) to ensure insurance is active throughout the duration of the development plus two (2) years after acceptance of the last pieces of infrastructure installed.

Notwithstanding the limits of the insurance, the Developer shall indemnify Amherstburg against all or any claims or losses arising out of this Development.

It is recommended that the Developer's Consulting Engineer holds error and omissions insurance related to the design and construction of the development.

Amherstburg reserves the right to modify the above-noted requirements as needed to suit specific project needs.

#### 1.1.10. Sureties

All final requirements related to securities will be outlined in the Development Agreement. Amherstburg shall accept the following forms of security:

- Certified cheque;
- Irrevocable letter of credit (self renewing and without burden of proof)
- Bonds

NOTE: All Letters of Credit are required to have automatic renewal clauses.

Amherstburg will not accept any other forms of security.





#### *1.1.10.1. Performance*

To ensure due and proper performance of the work, Developers are required to provide an irrevocable Letter of Credit, Subdivision Bond or Certified Check, each of which must be in a form satisfactory to Amherstburg, in an amount equal to 50% of the value of the works on site and 100% of works on Amherstburg's existing ROW.

The value of the securities to be provided shall be based upon the full amount of construction costs outlined within the awarded tender **including all taxes**. If there is no tender, the Consulting Engineer shall provide an estimate of the value of the work. Amherstburg reserves the right to verify the value of the work and amend the Consulting Engineer's estimate accordingly. The Consulting Engineer's estimate as amended by Amherstburg shall be used for establishing the amount of the securities.

#### *1.1.10.2. Maintenance*

Unless otherwise noted in the Subdivision Agreement, Applicants shall, upon acceptance of the services for maintenance by Council, provide a security in the amount of 25% of the value of the work completed and 100% of all delayed work including all taxes. The maintenance period shall be a minimum of one year after the acceptance of all services for maintenance.

In lieu of providing a new Letter of Credit, Certified Check, or Subdivision Bond for the maintenance period, the Developer or Developer's Consultant can provide a written request to Amherstburg to have the current securities remain in place and amount reduced.

#### *1.1.10.3. Delayed Work*

A written request may be made by the Developer or Amherstburg to delay some of the works that form part of the development (i.e. surface asphalt, sidewalks). If approved by Amherstburg, performance securities for 100% of the cost of the outstanding works will be required to be held in addition to the maintenance security.

#### *1.1.11. Land Conveyances/ Easements*

All lands that contain infrastructure to be assumed by Amherstburg shall be conveyed to Amherstburg by the Developer. Easements will not be accepted in this instance.

Developers shall provide any easements to Amherstburg as Amherstburg deems necessary. The Developer shall retain the services of an Ontario Land Surveyor to prepare all reference plans.

No permanent structures including, but not limited to, trees, fences or shrubs (but excluding driveways) shall be placed on the municipal right-of-way, municipally-owned properties or easements except for fences on side and rear lot lines. Amherstburg will



not be responsible to restore any permanent structure located within the municipal right-of-way or easements, except for driveway approaches. Any trees, shrubs or landscaping structures will not be restored in the event of infrastructure related works completed in the municipal ROW.

Developers shall submit to Amherstburg a copy of all signed purchase/ sale agreements for the lots which clearly states the conditions being encumbered on the easements on the purchased lot and Amherstburg's unrestricted rights to enter upon the easements to maintain, repair, or replace municipal services.

#### 1.1.12. Oversizing

In order to ensure that development in Amherstburg proceeds in an orderly and cost-effective manner, Developers may be required to oversize municipal services to accommodate future Developments. Oversizing includes, but is not limited to, larger pipe diameter and increased depths, increased road widths and sidewalk widths, power distribution and other services.

The Developer's Consulting Engineer will provide an estimate of the oversizing costs. Amherstburg will establish the cost sharing method to be used in attributing oversizing for road and road-related works.

Amherstburg will use its best efforts in recovering these costs on behalf of the Developer. However, Amherstburg does not guarantee that Developers will be repaid for any costs incurred.

#### 1.1.13. Off-Site Improvement Costs

Developers may be required to complete off-site works in order to facilitate development. Typical off-site works include trunk sewers to a suitable outlet, water main connections to a suitable feeder, road widening, intersection improvements, traffic signal installation and downstream drainage works.

The Developer's Consulting Engineer will provide an estimate of the off-site costs. Amherstburg will establish the cost sharing method to be used in attributing off-site costs for road and road-related works.

Amherstburg will use its best efforts in recovering these costs on behalf of the Developer. However, Amherstburg does not guarantee that Developers will be repaid for any costs incurred.

Not all off-site improvements will result in cost sharing with Amherstburg. Consultation with Amherstburg is required to identify any cost-sharing opportunities.



#### 1.1.14. Pre-Construction Meeting

No later than seven days before construction is to commence, the Consulting Engineer shall call and chair a pre-construction meeting. The Consulting Engineer, general contractor and municipal representatives must attend.

It is also desirable to have the Developer, the Consulting Engineer's site inspector, and representatives from the various utility companies in attendance. The topics of discussion for the meeting shall include, but not be limited to:

- the status of contract documents
- the submission of insurance certificates, securities and Work Place Safety Insurance Board clearance
- Ministry of Labour notification
- supervisory staff
- emergency telephone numbers and home telephone numbers
- construction access routes
- schedules
- noise and dust control
- notification for municipal inspections
- suppliers and subcontractors
- specific project items
- pre-construction survey/ photos
- traffic control/ detouring and
- schedule of site meetings

The Consulting Engineer will provide minutes of meetings within one week from the meeting date.

#### 1.1.15. Public/Agency Notification

Prior to the start of construction, the Consulting Engineer shall notify all public agencies and emergency response agencies of the impending start date and completion date of the project. As well, the Consulting Engineer shall notify all abutting property owners of the impending construction.

Copies of the notification shall be submitted to Amherstburg for review. The notification shall include:

- a brief description of the project
- key map of project location
- the construction start date
- the scheduled completion date
- any temporary road closures



- contact people from the Contractor and Consulting Engineer, including their phone numbers

The following is a partial list of agencies that may require notification:

- Ambulance Service
- Canadian Coast Guard (re: Navigable Waters)
- County Engineer (re: County roads)
- Essex Region Conservation Authority
- Fire Department
- Ministry of Labour
- Police Department
- School Boards (Transportation Services)
- Sewage Treatment Plant Operators
- Water Treatment Plant Operators

## 1.2. DURING AND IMMEDIATELY AFTER CONSTRUCTION

All persons present on any construction site in Amherstburg shall conduct themselves in an appropriate and professional manner.

The Contractor and all workers shall undertake all works in compliance with the “Occupational Health and Safety Act and Regulations for Construction Projects”, Ontario Regulation 213/91 as amended.

### 1.2.1. Mandatory On-Site Meetings

The Consulting Engineer shall chair and prepare minutes of construction site job meetings.

Meetings are to be held at two-week intervals unless Amherstburg agrees that a longer interval is acceptable. Construction milestones that require mandatory site meetings include:

- Prior to tie-ins to existing municipal infrastructure, at Amherstburg’s discretion
- Pre-Road Cut
- Pre-Curb
- Pre-Base Asphalt

The Consulting Engineer's Project Manager/ Project Engineer and the Site Inspector along with the Contractor's Project Manager/Job Superintendent (or Foreman) and Town representative shall attend the job meetings.

Minutes shall be distributed within one week of the meeting date.



### 1.2.2. Consultant Inspection and Quality Assurance Testing Services

The Consulting Engineer shall provide full-time on-site inspection services during the construction activity. The inspector's skills shall be suitable for the inspection tasks to be undertaken. Amherstburg reserves the right to request a change to the Consulting Engineer's inspector if Amherstburg determines that the inspector is not representing the Amherstburg's interests appropriately.

The Consulting Engineer's site inspector shall ensure that the work is constructed in accordance with the intent of the contract documents and shall keep adequate records of the work.

As a minimum, the site inspector shall prepare/ conduct:

- a diary indicating daily progress of work, labour and equipment on site;
- measurements of pay items;
- discussions with general public and agency representatives;
- a log of any accidents; and
- record drawing details (including grades, sizes, materials, inverts, etc. of all services)

Daily progress reports produced by the site inspector shall be summarized into a weekly report of progress by the Developer's Consultant and submitted to the Amherstburg weekly.

The Consulting Engineer shall arrange for quality assurance testing by an independent testing firm that specializes geotechnical engineering and construction material testing. Tests shall include:

- geotechnical testing prior to construction to confirm required road base and shoring requirements (bore holes)
- granular material gradation analysis on backfill and road base materials;
- engineered fill assessment;
- asphalt extraction and gradation analysis;
- compaction tests on granular & asphalt;
- road cut sub-grade inspection;
- concrete quality assurance testing
  - slump
  - air content
  - compressive strength
  - 7- and 28-day samples;
- sewer deflection test for storm and sanitary sewers (one of the following)
  - \*mandrel testing per OPSS.MUNI 438
  - laser profiling per OPSS.MUNI 434



- sewer leakage tests sanitary sewers and manholes (one of the following)
  - low pressure air testing per OSS.MUNI 410, ASTM F1417, or ASTM C924M
  - water (hydrostatic) testing per OPSS.MUNI 410 or ASTM C969
  - vacuum testing per ASTM C1244/C1244M
- for concrete storm sewer greater than 600 mm (24"), visual inspection and individual joint testing is acceptable as per OPSS.MUNI 433
- sewer camera inspections (CCTV) for storm and sanitary sewers, including services as per OPSS.MUNI 409 (at the time of acceptance and at the time of assumption of the infrastructure)
- water main pressure tests, leak tests, disinfecting tests (see Section 5.5.8.); and
- other tests as described in the contract documents.

One copy of all test certificates shall be provided to Amherstburg electronically without unreasonable delay.

\*it should be noted that if the mandrel testing is completed by the Contractor and certified by the Consulting Engineer, the Mandrel Testing Form (See Appendix D) shall be executed by the Consulting Engineer and submitted to Amherstburg for file.

#### 1.2.3. Municipal Inspection

Amherstburg will carry out its own independent inspection as deemed necessary.

As a minimum, Amherstburg will inspect the subgrade excavation, granular base prior to placing curbs, granular base prior to asphalt paving, and testing of watermain and sewers. Representation from Amherstburg's Water Department may be on site during watermain installation but **must** be on-site to witness and inspect watermain tie-ins & water service connection installation.

The Consulting Engineer will give Amherstburg 72 hour's notice prior to these inspections. Should sufficient notice not be given, and the Contractor proceeds with the work, the services will not be accepted without further testing, which may include total or partial removal of pavement or curbs, etc. All this additional testing will be at the Contractor's expense. It is therefore imperative that the Contractor's schedule be made available to Amherstburg at the job meetings, and Amherstburg be promptly advised of any changes to this schedule.

#### 1.2.4. Acceptance of Services

Once all of the required municipal services are completed, the Developer's Consultant will notify Amherstburg that the services are ready to be accepted. This is a two-step process as outlined below:



1. Once all of the required municipal services are installed and all deficiencies are resolved, the Consulting Engineer is to arrange for a field inspection by Amherstburg, the Contractor, and the Consulting Engineer. If the works are deemed acceptable, the Consulting Engineer will advise the Engineering and Public Works Department by letter that Amherstburg should "accept the services" and that the maintenance period should begin.
2. A report is taken to Council recommending that Amherstburg accept the services. The recommendation to accept the services must be supported by Council prior to commencing the maintenance period and reducing securities.

#### *1.2.4.1. Delay of Surface Asphalt and Sidewalks*

The Developer or Amherstburg may request that not all services be installed prior to requesting "acceptance of services" by Amherstburg.

Placement of surface asphalt and sidewalk is normally delayed up to a maximum of five years to minimize damage during house construction. Should the surface asphalt and sidewalk be delayed, it shall be placed no later than five (5) years from the commencement date of the first maintenance period for base asphalt, curbs, and underground infrastructure and no sooner than 75% of all foundations have been dug and poured. The acceptance and assumption of this service will be based on the completion of the surface asphalt and the expiration of the maintenance period.

Base asphalt and curb will not be assumed by Amherstburg until the surface asphalt is placed and accepted by Amherstburg.

In this case only, there will be more than one acceptance date of the service and more than one assumption date of that portion of the Development.

#### *1.2.5. Maintenance Period*

The maintenance period shall be minimum one year from the date recommended in the Council report.

The maintenance security and liability insurance must remain in force for the duration of the maintenance period.

During the maintenance period, it will be the Developer's sole responsibility to maintain all the services, including but not limited to, maintaining the general condition of the vacant lots, infrastructure, and road rights-of-way as established in the Subdivision Agreement and approved Operation and Maintenance Manual for the development's infrastructure.

The Developer is obligated to perform (or pay for) all maintenance and repairs to the services (should Amherstburg undertake this work) during the maintenance period





including street cleaning of mud and debris, sewer flushing if necessary, weed control on all developed or undeveloped lands.

Amherstburg will undertake all required snow plowing on the road right-of-way (roads and sidewalk). This act does not constitute the assumption of sidewalks or roads.

#### 1.2.6. Clean Up

The Developer shall maintain the construction site in a neat and tidy manner (also during the maintenance period). Dust shall be controlled by wetting or establishing vegetative ground cover. Debris blown off the site and litter shall be cleaned up on a daily basis. All mud and dirt tracked off-site shall be cleaned frequently and at least once a day.

All vacant lots owned by the Developer, shall be maintained at the Developer's expense as required in the most current version of Amherstburg's Yard Maintenance By-law and all adopted amendments. Periodic maintenance will be required to remove debris, to eliminate standing water, and to cut weeds. All waste materials must be properly disposed to eliminate the risk of injury and to maintain a healthy environment to all surroundings.

The decision of Amherstburg regarding clean up shall be considered final. Should the Developer not clean-up after 48 hours, Amherstburg will arrange to have the work done by others, or its own forces, and will invoice the Developer for its costs.

#### 1.2.7. Record Drawings

Record drawings shall be prepared by the Consulting Engineer showing the as-constructed world coordinated location, invert elevation, size, and material of all services. Wherever possible, underground utilities located relative to property lines shall also be located relative to surface features. Record drawings shall be coordinated using the Universal Traverse Mercator (UTM) coordinate system. The record drawings shall be dated and noted 'As Built'. The record drawings shall be in metric units.

One drawing set in each AutoCAD and PDF format shall be provided in electronic format.

One hard copy of the drawing set shall be delivered to Amherstburg's Public Works Yard.

Record Drawings must be submitted within 60 days from the date Engineering and Infrastructure Services has "accepted the services". Securities will not be reduced until the Record Drawings have been submitted. **Infrastructure services cannot support the issuance of model or full building permits without record drawings and PDC sheets submitted.**





#### 1.2.8. Lot Servicing Sheets/ Registered Lot Creation Drawings

The Consulting Engineer shall provide copies of lot servicing sheets (PDC sheets) and registered lot creation drawings (i.e. M-plans, R-plans).

Hard copy and electronic (AutoCAD and PDF) copies of each (lot servicing and registered lot creation drawings), shall be submitted to the Chief Building Official and the Development Engineering Coordinator. The lot servicing sheets shall show final lot grades, sidewalk widths, setbacks from property line, easements, noise attenuation walls, and the location, elevation, material and size of lot services (storm, sanitary, water).

The municipal address shall also be included on all PDC sheets (contact Amherstburg's Planning Department for approved municipal addressing).

#### 1.2.9. Building Permit Issuance

In accordance with the requirements of the Ontario Building Code, construction cannot commence on any buildings until a building permit is issued. This is Provincial legislation administered by Amherstburg. Amherstburg does not have the authority to waive this Provincial legislative requirement. Building permits will not be issued until such time as Amherstburg "accepted the services" as outlined in Subsection 1.2.4.

##### *1.2.9.1. Model Home Permits*

The Chief Building Official may issue building permits in advance of the completion of all required works for the greater of either four dwellings or ten percent (rounded upward) of the total dwelling units in any particular phase of a Development provided:

- the base coat of asphalt has been installed, to the satisfaction of the Manager of Engineering, in the road allowance in front of and abutting the lot for which the building permit is being sought; and
- it is determined from a review of the approved plans that there is no conflict between the activity that would result from the building permit being issued and the installation of various utilities in the utility corridor; and
- a surveyor's certificate has been received by Amherstburg pertaining to the lot for which the building permit is being sought; and
- it is clearly noted on the building permit that occupancy of the dwelling unit will not be permitted until the Developer has completed all required works, except the top coat of asphalt to the satisfaction of the Infrastructure Services Department and that all Agreements to Purchase affecting the subject property will provide a notice regarding the restriction pertaining to occupancy. Such notice will be required on all Agreements to Purchase until such time as the required works,



excluding the top coat of asphalt, are completed to the satisfaction of the Infrastructure Services Department; and

- a letter is received from the Developer's Consulting Engineer confirming support for the model home building permit issuance.

The dwelling unit may connect to water and sewer services.

#### *1.2.9.2. Full Building Permits*

In order to issue building permits other than for model homes, Amherstburg's Chief Building Official must have a complete set of documents and be assured that the buildings have full services including base asphalt, fire fighting access, potable water, heat, and energized power. Streetlights must be operational within 60 days of building permit issuance.

Conditional permits may be released subject to approval by the Chief Building Official.

Developers are cautioned that the Chief Building Official will not be in a position to advise that building permits are available until:

- Record drawings have been submitted;
- lot servicing/ PDC sheets have been submitted;
- registered lot creation plans have been submitted; and
- Engineering and Public Works has "accepted the services".

If record drawings have not been submitted within 60 days from the date which Engineering & Public Works has "accepted the services", the Chief Building Official may not continue to issue building permits.

#### *1.2.10. Assumption of Services*

Upon expiration of the maintenance period, the Consulting Engineer is to arrange for a field inspection by Amherstburg, the Contractor and the Consulting Engineer.

- All storm and sanitary sewers and storm and sanitary sewer private drain connections shall be flushed clean and video inspected. All repairs to be completed prior to the field inspection.
- Catch basins shall be cleaned and all settlements repaired prior to the municipal inspection
- All roadways cleaned of mud and debris
- All stormwater management facilities and appurtenances flushed, cleaned, and maintained as per the approved Operation and Maintenance Manual. Inspection logs to be provided to Amherstburg.

Provided there are no outstanding deficiencies and all Subdivision Agreement requirements have been satisfied, including payment of all accounts and the receipt of a



statutory declaration that all accounts have been paid, the Consulting Engineer will submit a report to the Engineering Department requesting that Amherstburg "assume ownership of the infrastructure".

A report to assume the infrastructure is required to be presented to Council and passed prior to release of all securities and transfer of infrastructure ownership outlined in the Council report to Amherstburg.

## 2.0 CAPITAL INFRASTRUCTURE PROJECTS

Capital Infrastructure Projects are presented each year by Amherstburg in order to replace, improve, or construct new municipal infrastructure assets. Projects are posted on Bids and Tenders to provide equal opportunity for all qualified applicants/consultants/contractors to bid on the work. The design and construction of infrastructure capital projects are typically procured separately.

All capital projects posted on Bids and Tenders by Amherstburg are subject to Amherstburg's procurement policy.

### 2.1 PRIOR TO CONSTRUCTION

All Consulting Engineers and Contractors award contracts by Amherstburg shall fulfill all requirements outlined in the tender documents and executed service agreement to the satisfaction of Amherstburg.

#### 2.1.1. Consulting Engineer

Refer to Section 1.1.6.

##### *2.1.1.1. Design Drawings*

Refer to Section 1.1.2.2.

##### *2.1.1.2. Supporting Studies and Reports*

Refer to Section 1.1.4.

#### 2.1.2. Specifications and Contract Documents

All specifications and contract documents shall be prepared in accordance with the "Guidelines, Engineering Services to Municipalities, 1986" (Refer to Appendix E).

Specifications and contract documents shall be prepared on 8½" x 11" paper and neatly bound with a cover clearly describing the particulars of the Development. The first sheet shall include the date, name and telephone number of the Consulting Engineering firm that prepared the documents.



### 2.1.3. AODA Compliance for Documentation

Any documentation prepared by the Consulting Engineer for Amherstburg that is being published to a public platform such as Amherstburg's Website, Bids and Tenders, etc. shall be remediated by the Consulting Engineer to comply with AODA standards.

### 2.1.4. Insurance and Indemnification

The Contractor must provide Amherstburg with a Certificate of Insurance in accordance with the tender documents.

The Town will maintain property insurance on all property owned by the municipality, inclusive of a boiler and machinery endorsement.

### 2.1.5. Performance Bond

The Contractor must provide Amherstburg with a Performance Bond in accordance with the tender documents.

Contracts will not be executed without the provision of said bonds and no work shall commence until said bonds have been provided and accepted by Amherstburg.

### 2.1.6. Pre-Construction Meeting

Refer to Section 1.1.14.

### 2.1.7. Public/Agency Notification

Prior to the start of construction, the Consulting Engineer shall notify all public agencies and emergency response agencies of the impending start date and completion date of the project.

The following is a partial list of agencies that may require notification:

- Ambulance Service
- Canadian Coast Guard (re: Navigable Waters)
- County Engineer (re: County roads)
- Essex Region Conservation Authority
- Fire Department
- Ministry of Labour
- Police Department
- School Boards (Transportation Services)
- Sewage Treatment Plant Operators
- Water Treatment Plant Operators



Amherstburg shall notify all abutting property owners of the impending construction. The notification shall include:

- a brief description of the project
- key map of project location
- the construction start date
- the scheduled completion date
- any temporary road closures
- contact people from the Contractor and Consulting Engineer, including their phone numbers

## 2.2 DURING AND IMMEDIATELY AFTER CONSTRUCTION

All Consulting Engineers and Contractors award contracts by Amherstburg shall fulfill all requirements outlined in the tender documents and executed service agreement to the satisfaction of Amherstburg.

### 2.2.1. Mandatory On-Site Meetings

Refer to Section 1.2.1.

### 2.2.2. Consultant Inspection and Quality Assurance Testing Services

Refer to Section 1.2.2.

### 2.2.3. Municipal Inspection

Refer to Section 1.2.3.

### 2.2.4. Contractor Conduct

All Contractors & Subcontractors completing work on behalf of Amherstburg shall conduct themselves in a professional manner and are expected to comply with all Amherstburg Code of Conduct and Workplace Violence, Harassment, and Discrimination Prevention Policies.

### 2.2.5. Construction Site Cleanup

The Contractor is responsible to ensure the construction site is tidy and safe from ratepayers who may require ingress and egress from the site during the construction period. At a minimum, municipal rights-of-ways shall be tidied and roadways cleaned at the end of each night. No littering will be tolerated during the construction period.



#### 2.2.6. Substantial Completion & Start of Maintenance Period

The payment certifier for the project shall issue a certificate of substantial performance as per the process outlined in the Construction Act.

The start date of the maintenance period will be communicated to the Contractor by the payment certifier or Amherstburg. Specific requirements, holdbacks, and timelines for the maintenance period shall be performed as per the executed service agreement to the satisfaction of Amherstburg.

#### 2.2.7. Record Drawings

Refer to Section 1.2.7.

#### 2.2.8. Lot Servicing (PDC) Sheets

Refer to Section 1.2.8.



## 3.0 SITE PLAN CONTROL

Site plan control is a planning tool that a municipality uses to evaluate certain site elements, such as walkways, parking areas, landscaping or new structures on a parcel of land where development is proposed.

### 3.1 PRIOR TO CONSTRUCTION

A pre-submission application is required to be submitted to Amherstburg Planning Department prior to submitting for site plan control. All engineering requirements (and other internal department requirements) shall be noted during pre-submission.

#### 3.1.1. SUBMISSION REQUIREMENTS

All site plan control submissions must be sent to the Amherstburg Planning Department. Any site plan material and/or drawings submitted to Infrastructure Services directly will not be reviewed and comments will not be provided.

##### *3.1.1.1. Studies & Reports*

Specific developments may require the completion of special studies and reports prior to Amherstburg granting approval for the Development. Special studies and reports may also be a requirement of the approving authorities such as the County of Essex, Province or a Conservation Authority.

The costs of these studies shall be borne by the Developer.

Refer to Amherstburg Official Plan (latest version available on Amherstburg website) for a list of supporting studies, information, and materials which may be required as a result of a development application.

A partial list of reports and studies that may be required by Infrastructure Services to be submitted includes, but is not limited to:

- Stormwater Management Report
- Functional Servicing Report
- Wastewater Servicing Assessment
- Traffic Impact Assessment

The specific reports and studies required to be completed will be confirmed at the pre-submission meeting for the development proposal.

Certain proposed works to be undertaken by Developers may also be subject to the requirements of the Environmental Assessment Act. Contact the MECP for further details.



### 3.1.1.2. Design Drawings

Refer to section 1.1.2.2. for further details.

A typical site plan submission includes the following civil drawings (stamped and sealed by a professional Engineer):

- General Site Plan Drawing
- Paving and Grading
- Site Servicing
- Removals

### 3.1.2. SECURITIES

All requirements related to securities will be outlined in the Development Agreement.

At a minimum, to ensure due and proper performance of the work, Developers are required to provide an irrevocable Letter of Credit (self-renewing) or Certified Check, each of which must be in a form satisfactory to Amherstburg, in an amount equal to 50% of the value of the civil works on site and 100% of works on Amherstburg's ROW (unless otherwise stated in the development agreement).

The value of the securities to be provided shall be based upon the full amount of civil construction costs **including all taxes**. If there is no tender, the Consulting Engineer shall provide an estimate of the value of the work.

Amherstburg reserves the right to verify the value of the work and amend the Consulting Engineer's estimate accordingly. The Consulting Engineer's estimate as amended by Amherstburg shall be used for establishing the amount of the securities.

Securities will not be reduced/released until such time that:

- Construction of all civil works is completed
- Record drawings have been submitted and accepted by Amherstburg (where applicable)
- the final walkthrough has occurred with Building, Infrastructure Services and Planning Departments (combined or separate)
- zero deficiencies are noted as a result of the final walkthrough(s)
- A stamped letter of conformance is issued by the consulting firm responsible for the design of the work and accepted by Amherstburg
- A letter of conformance from the manufacturer of underground storage chambers or pump station are submitted and accepted by Amherstburg (where applicable)

Once Amherstburg has inspected and approved the construction of the onsite and off-site works, the Developer will be required to provide security for a ONE (1) year





maintenance period in the amount of 15% of the cost of on-site and off-site improvements.

### 3.2 DURING AND IMMEDIATELY AFTER CONSTRUCTION

Construction of the works outlined in the site plan agreement are expected to commence promptly following the execution of the agreement and payment of securities.

#### 3.2.1. INSPECTION AND CERTIFICATION OF WORKS

Although full-time inspection is not required during construction of site plan developments, it is recommended by Amherstburg that the Developer's Consulting Engineer provide full time inspection services for the civil works required to be constructed.

The Consulting Engineer is responsible to provide Amherstburg with a letter of conformance once the project is completed identifying that all the works have been constructed according to the approved plans. This letter will need to be sealed and signed by a Professional Engineer licensed to practise in Ontario.

Amherstburg will carry out its own independent inspection as deemed necessary.

A final walkthrough with the Consulting Engineer and Amherstburg will be required to be completed to ensure any deficiencies in the construction have been resolved.

#### 3.2.2. RECORD DRAWINGS

Record drawings may be requested at the discretion of Amherstburg if significant changes to the approved design occurred during the construction process. All changes noted in the record drawings must be pre-approved by Amherstburg.

The record drawings shall be prepared by the Consulting Engineer showing the as-constructed, world coordinated location, invert elevation, size, and material of all services. Wherever possible, underground utilities located relative to property lines shall also be located relative to surface features. Record drawings shall be coordinated using the Universal Traverse Mercator (UTM) coordinate system. The record drawings shall be dated and noted 'As Built'.

One drawing set in PDF format shall be provided to Amherstburg.



## 4.0 RESIDENTIAL INTENSIFICATION

This section refers to opportunities for residential intensification on a single lot. This can include residential developments under 10 units that are not subject to site plan control or the establishment of secondary dwelling units within a single-detached, semi-detached, or rowhouse dwelling. Please refer to Amherstburg's Zoning By-law for the definition of a Secondary Dwelling Unit.

### 4.1 MUNICIPAL SERVICING

Multiple municipal services will not be permitted to be used on single properties proceeding with residential intensification. Any redundant services must be consolidated into a single sanitary, storm, or water service to the subject lands. A public works permit shall be obtained by the property owner prior to proceeding with any municipal servicing changes to the site due to upsizing/abandonment/relocation of municipal services.

#### 4.1.1. Sanitary Servicing

One (1) single sanitary service will be permitted per residential/agricultural property. Requests for multiple sanitary services for a residential property will be denied. The size of the sanitary service shall comply with the requirements in the Development Manual unless approved otherwise by the Manager of Environmental Services in writing. Where a residential/agricultural property is within the Town of Amherstburg's sanitary servicing boundary but is not serviced with municipal sanitary, a security deposit shall be submitted to Amherstburg as per the Town's Fee by-law by the Property Owner, and all work associated with the installation of the sanitary connection shall be completed by the Property Owner's contractor.

#### 4.1.2. Storm Servicing

One (1) single storm service will be permitted per residential/agricultural property subject to residential intensification. The size of the storm connection shall be sufficient to convey all stormwater runoff collected on the site to the legal, sufficient stormwater outlet of the site, but no smaller than 150mm diameter. Any request for a storm connection larger than 150mm diameter for a residential/agricultural property not subject to plan of subdivision must be reviewed and approved by Amherstburg in writing prior to installation.

It is the responsibility of the property owner to ensure all stormwater runoff is retained on the subject parcel and conveyed appropriately to the outlet. Additional measures for consideration to achieve this requirement may include the installation of small catch basins on French drain systems on the private lands.



An overall lot grading plan may be requested to be submitted with the building permit for this category of development at the discretion of Amherstburg.

#### 4.1.3. Potable Water Servicing

One (1) single water service will be permitted per residential/agricultural property. Requests for multiple water services for a residential property will be denied. The size of the water service shall be proposed by the home builder and approved by the Manager of Environmental Services. Where a residential/agricultural property is within the Town of Amherstburg's water servicing boundary but is not serviced with municipal water, charges will be applied on flat rate per the Town's Fee by-law to install a water service.

##### *4.1.3.1. Potable Water Service Metering*

A water metering device is required for all properties connected to the existing municipal water system. The Owner must obtain the water meter from the Town of Amherstburg's Environmental Services department. Any water meter not obtained from the Town of Amherstburg is not permitted. Where a water meter is not in place prior to occupancy, charges will be applied on the flat rate per the Town's Fee By-law. The size and type of the water meter required will correspond with the size of water service installed to service the property and the conditions outlined in this manual.

#### **Dwelling Unit with Secondary Dwelling Unit Permitted in the Basement**

Where a dwelling unit exists within a single detached dwelling, semi-detached unit, or rowhouse/ street rowhouse unit and a secondary dwelling unit is permitted within the basement of the dwelling, a water meter may be placed within the dwelling. In circumstances where the single detached dwelling, semi-detached unit, or rowhouse/street rowhouse, is located more than 30m from the front property line of the subject property, the use of a water meter pit to collect municipal water consumption information for billing purposes shall be required.

#### **Dwelling Unit with Secondary Dwelling Unit Permitted in an Accessory Building**

Where a dwelling unit exists within a single detached dwelling, semi-detached unit, or rowhouse/ street rowhouse unit and a secondary dwelling unit is permitted in an accessory building on the subject property, municipal potable water shall be metered through a water meter pit on the front property line of the subject property. The Building Department is responsible to notify the Environmental Services Department when a building permit application of this nature has been submitted. If the subject property was previously a single detached dwelling, semi-detached unit, or rowhouse/ street rowhouse unit with a single dwelling unit and has an existing water meter within the former single dwelling unit, the Owner of the subject property shall be required to coordinate with the Supervisor of Environmental Services to install a water meter pit on



the subject property, and decommission and/or remove the existing water meter within the home once the water meter pit has been installed.

## 4.2 DRIVEWAYS

Surface type for all parking areas and access areas are subject to the Town's Zoning bylaw. A dust control plan may be required to be submitted to Amherstburg for approval and adhered to for the lifetime of the site depending on the surface type selected. Amherstburg's Driveway Installation and Alteration Policy remains applicable for the subject lands.

Please see Section 5.6.1.1. for driveway requirements.



## 5.0 DESIGN CRITERIA

The design criteria noted in this manual is applicable for all civil projects designed and constructed within Amherstburg.

### 5.1 ROADS

It is a key objective of Amherstburg to encourage the application of sustainable design techniques and planning considerations for the road network (i.e. traffic calming, environmental considerations, bikeways, multi-use pathways, etc.). Amherstburg and the Applicant shall co-operate to develop more creative subdivision plans through the road network design process.

#### 5.1.1. Minimum Design Criteria

In addition to the below noted standards, the Consulting Engineer shall coordinate with Amherstburg related to any additional requirements for the road network noted in the Official Plan or Transportation Masterplan.

*Table 4 - Minimum Roadway Design Standards*

	Arterial	Collector	Local	Industrial
Function	to facilitate the inter-municipal and through municipal movement of high volumes of traffic to and from major traffic generating sectors within Amherstburg	to collect and carry medium volumes of local traffic to arterial roads or distribute traffic to the local roads as well as provide access to abutting properties	to act as local distributors of traffic to the residential areas, as well as to provide access to abutting properties	to provide direct access to adjacent industrial and commercial properties and distribute traffic from industrial and commercial properties to higher standard roadways
Design Year AADT	more than 10,000	1,000-5,000	1,000 or less	1,000 or less
Lanes Through	2 or 4	2	2	2
Roadway Width ep to ep (m)	10 or 14	9.6	6.6	10
Right-of-way width (m)	26 – 30 <sup>Note 4</sup>	22 – 26 <sup>Note 5</sup>	20-22	22



Road Use	through road	through road	through road or crescent	through road
Minimum C/L Curved Radius (m)	120 - 160	90 - 115	80	90
Maximum Super Elevation (m/m)	0.04	0.04		
Minimum Cul-de-sac Radius to edge of pavement (m)			12	15
Intersection Spacing c/l to c/l (m)	220 - 400	220	150	150
Minimum Median Width f/c to f/c (m)	4			
Minimum Stopping Sight Distance (m)	95			65
Maximum Vertical Grade (%)	8	8	8	6
Minimum Vertical Grade (%)	0.4	0.4	0.4	0.4

Notes:

1. Cul-de-sac radius measured at outside edge of pavement
2. Wherever possible, Sandwich Street/County Road 20 right-of-way width shall be 30 metres. Wherever possible, Alma Street, Simcoe Street, Lowes Sideroad, Meloche Road, Fryer Street, Fox Road and County Roads 9 and 10 shall be 26 metres.
3. All collectors designated as bus routes must have a minimum 22-metre right-of-way.

### 5.1.2. Access Conditions

This section details the restrictions and requirements for private access points (driveways) as well as design criteria related to roadway locations.



#### *5.1.2.1. Arterial Road*

Access to abutting properties is permitted subject to traffic and design conditions. The number of access points from abutting properties should be restricted in number. No residential access (driveways) will be permitted unless otherwise approved in writing by Amherstburg.

Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

Minimum acceptable intersection spacing under extreme circumstances on arterial roads is 220 metres between centrelines of collector streets. Wherever possible, a desirable spacing of 400 metres should be provided for a major collector to arterial.

#### *5.1.2.2. Collector Road*

Direct access is permitted to abutting properties subject to traffic and design conditions. Alternative access locations should be considered to avoid direct access on collector roads wherever possible.

Minimum acceptable intersection spacing under extreme circumstances on collector roads is 60 metres between centreline. Wherever possible, a minimum desirable spacing of 80 metres should be provided.

#### *5.1.2.3. Local Road*

Direct access is permitted to abutting residential properties. If cross intersections are not possible, offset intersections are acceptable on residential streets if the offset spacing is at least two residential lot depths (80m) or greater between centrelines. This will be reviewed on a case-by-case basis.

In the event that the adjacent street system has not been developed, interim access arrangements shall be provided through the construction of temporary cul-de-sac. The length of a temporary cul-de-sac shall not exceed 250m in length.

No residential road shall connect to an industrial area. A connection from a residential area to a commercial area is permitted.

#### *5.1.2.4. Industrial Road*

Direct access is permitted to industrial and commercial properties.

### **5.1.3. Traffic Features**

This section details specific requirements and considerations for roadway features other than driving lanes.



#### *5.1.3.1. Arterial Road*

Arterials are roadways with traffic signals at major intersections. Pedestrian crosswalks may be prohibited subject to traffic conditions. Posted speeds are generally equal or greater than 50 kilometres per hour. The curb lanes may be used for parking depending on the traffic conditions and road widths in the area. Active transportation infrastructure such as bike lanes and/or multi-use pathways shall be required on all arterial roads. Sidewalks will be required on both sides of the road.

#### *5.1.3.2. Collector Road*

Collector streets are undivided roadways with traffic signals at major intersections when warranted. Pedestrian crosswalks are at grade. Parking may be permitted, except in bus zones, but may be restricted during peak hours depending on local traffic conditions. Active transportation infrastructure such as bike lanes and/or multi-use pathways are required on all Collector roads. Sidewalks will be required on both sides of the road.

#### *5.1.3.3. Local Road*

Undivided roadway with intersection controlled by signage. Parking may be permitted on the road as posted or identified in the local by-law. A sidewalk / multi-use trail will be required on one side of the road.

#### *5.1.3.4. Industrial Road*

Undivided roadway with intersections controlled by signage or signals where warranted. Parking will be permitted as posted.

### **5.1.4. Alignment Standards**

Intersection angles of less than 75° are unacceptable. Intersections on the inside of curves are undesirable and should be eliminated wherever possible.

#### *5.1.4.1. Arterial Road*

Arterial roads may intersect with collector streets, other primary collector streets and arterial roads.

For sight triangle requirements, please refer to the appropriate Amherstburg's Planning documents.

The grade line of the minor intersecting road shall tie to the lane line of the arterial.

That is, the 2% cross-fall of the arterial will intersect the grade of the minor road such that the resulting vertical curve, (min. 30 metre curve), ends at the lane line of the





arterial. The maximum percent grade on the minor intersecting road, at the intersection, will be 4% and a minimum grade of 0.35%.

#### *5.1.4.2. Collector Road*

The road pattern should coincide with the layout shown under the appropriate approved design brief or area plan. This will assure logical collector street ties to adjacent subdivision areas and bus route continuity. In the event that the adjacent street system has not been developed, interim access arrangements shall be provided. The following criteria are to be incorporated in the subdivision layout of streets:

The length of collectors before feeding into arterials should not be excessive (maximum number of dwelling units being 1000).

Collectors may intersect with local roads, collectors, and arterial roads at acceptable minimum spacing according to the standards of roads that they are connecting to.

Offset intersections are acceptable on collectors if the offset is 80 metres or greater between centrelines.

For sight triangle requirements, please refer to the appropriate Amherstburg's Planning documents.

A collector road intersecting with a local road shall have minimum corner curb radii of 9 metres. Maximum approach grade of a lesser category street approaching a collector 4%.

A collector road intersecting with another collector road shall have minimum corner curb compound radius of 16 metres and 75 metres respectively to accommodate truck turning movements.

An arterial road intersecting with a collector road shall have a minimum corner curb compound radius of 18 metres and 95 metres respectively to accommodate truck turning movement. Maximum approach grade on the collector to an arterial intersection is 4%.

#### *5.1.4.3. Local Road*

The cumulative length of residential streets before feeding onto collectors should not be excessive. Length is to be based on the results of a Traffic Impact Study.

Residential streets may intersect with other residential streets and with collectors.

For sight triangle requirements, please refer to the appropriate Amherstburg's Planning documents.

A local road intersecting with another local road shall have a minimum corner curb radius of 9.0 metres.



#### *5.1.4.4. Industrial Road*

The following criteria are to be incorporated in the subdivision layout of industrial streets. In the event that the adjacent street system has not been developed, interim access arrangements shall be provided.

For sight triangle requirements, please refer to the appropriate Amherstburg's Planning documents.

Beam and post guarding (OPSD 902) are required along all lanes and streets parallel to and adjacent to arterials.

Service roads adjacent to arterial streets are to have a minimum separation of 36-metres between property lines where the service road intersects a street which ties to the arterial thoroughfare. A more acceptable alternate would be to turn the service road such that it runs parallel to the connecting street, until access is gained from an intersecting street.

An industrial road intersecting with another industrial road shall have a minimum curb compound radius of 16 metres and 75 metres respectively measured to the edge of pavement.

#### *5.1.5. Private/Condominium Roads*

In Condominium type development where Amherstburg will not assume the roadway and other services, the development standards shall be established in the Site Plan Agreement.

Pavement widths shall be as per Section 5.1.1. of this Manual.

#### *5.1.6. Cul-de-sacs*

It is the policy of Amherstburg to discourage the use of cul-de-sacs by utilizing through streets and crescents within the road system due to maintenance and emergency access issue.

Every public roadway to be created by a proposed subdivision must, if it comes to a dead end, have a cul-de-sac with sufficient turning space for emergency and maintenance vehicles unless otherwise approved by Amherstburg.

Maximum length of a permanent cul-de-sac shall not exceed 150 metres to the start of the bulb (This shall include 'P' loops.) If this length is exceeded, a secondary emergency access is to be provided.



### 5.1.7. Drainage

Pavements shall be designed to provide adequate drainage of storm water runoff as well as drainage of the granular road base.

#### 5.1.7.1. Subdrains

150mm dia. HDPE perforated pipe wrapped in filter cloth (Big 'O' or approved equal)

Subdrains will be constructed continuous along the back of curbs at a gradient equal to the longitudinal pavement slope (or minimum 0.30 percent) and connected to roadway catch basins or other appropriate outlets.

Subdrains are to enter the sides of the catch basin.

#### 5.1.7.2. Catch Basins

Catch basins are required to be installed at the following locations:

- At all intersections for proper drainage
- Spaced for road drainage from no more than 90 m per catch basin per lane
- At the end of all cul-de-sacs

### 5.1.8. Curb and Gutter

Barrier curb and gutter is the only accepted type of curb and gutter. All concrete curb and gutter shall be built to OPSD 600.040. Before curb and gutter may be constructed in the field, all underground works including but not limited to watermains and sewers (but excluding hydro and private utilities) shall be tested and approved (including flushing and sewer video inspection).

### 5.1.9. Pavement Structure

A geotechnical report prepared by a geotechnical consulting firm to support the roadway design and construction of underground services is necessary for all roadways constructed or reconstructed within the Town of Amherstburg. The geotechnical report is to establish geotextile, pavement structure design, sewer bedding, backfill and any additional construction methods as required.

Pavement structures shall consist of the following **minimum** material thicknesses:

#### Residential (Local) Roads

Granular 'A' Base	300mm
HL4 Base Asphalt	50mm
HL3 Surface Asphalt	40mm



### Collector Roads

Granular 'A' Base	450mm
HL4 Base Asphalt	60mm
HL3 Surface Asphalt	40mm

### Arterial and Industrial Roads

Granular 'A' Base	450mm
HL4 Base Asphalt	100mm (placed in 2 lifts)
HL3 Surface Asphalt	50mm

**Unless otherwise determined based on the results of the geotechnical investigation.**

Granular 'A' materials shall meet the minimum requirements of OPSS 1010 and shall be compacted to a minimum 100 percent of the Standard Proctor Maximum Dry Density.

Recycled material shall not be used for granular road base or trench backfill.

#### 5.1.10. Asphalt

Asphaltic concrete mixes shall consist of PG 58-28 asphalt cement conforming to OPSS 1101, fine and coarse aggregates conforming to OPSS 1003 and recycled asphalt pavements (RAP). The use of RAP in the final product should not exceed 15% for surface course asphaltic concrete and 20% for binder course asphaltic concrete.

A qualified material testing company shall be retained by the Contractor to design the asphalt mixes, which will be submitted to Amherstburg for review. The use of recycled asphalt in the final product shall not exceed 15%.

Thorough cleaning of base course of asphalt (by mechanical sweeping, flushing with water and compressed air) and application of tack coat to the entire surface is required prior to surface course asphalt placement. Inspection of base course asphalt by Amherstburg is required before surface course asphalt placement. Where surface course asphalt is being placed in nearly completed subdivisions, the tack coat must be applied one lane at a time.

Surface course asphalt will be placed at the end of the 1-year maintenance period for the underground works, base asphalt and curb and gutter or as approved by Amherstburg.



#### 5.1.11. Milling Requirements

Transverse and longitudinal joints between the existing pavement and the new asphalt shall be perpendicular butt joints formed by a milling process or keyed in, as specified in the Contract Documents.

All joints shall be milled in a diamond pattern across the existing lanes and made to ensure a full-face bond and a smooth riding surface. Minimum depth of asphalt milling shall be 40mm.

The requirements outlined in OPSS.MUNI 310 applies.

### 5.2. SANITARY

All proposed sanitary sewers and appurtenances are required to be designed in accordance with this Manual and the most recent version of *Design Criteria for Sanitary Sewers, Storm Sewers and Forcemains for Alterations Authorized under Environmental Compliance Approval, MECP*. If there are conflicting standards between the two documents, please notify the Infrastructure Services Department.

Sewers and associated appurtenances shall be constructed in accordance with the approved contract documents prepared by the Consulting Engineer.

Work on private property shall conform to the Ontario Building Code.

#### 5.2.1. Minimum Design Criteria

The minimum design criteria for works being installed within the municipal right-of-way are noted below:

Table 5 - Sanitary - Minimum Design Criteria

Design Element	Minimum Design Criteria
Population Density	Residential – 3.5 ppl/unit Dry Industrial – 12.5 l/s/hectare Wet Industrial – 28m <sup>3</sup> /hectare/day or based on anticipated usage as provided by the applicant Commercial – based on anticipated use
Average Domestic Flow	450 litres per capita per day
Peaking Factor	Harmon Formula $1 + (14/(4+P/1000^{0.5}))$ P = population in thousands  At minimum, peaking factor of 2 is to be used.
Extraneous Flow	0.28 litres per hectares per second



Minimum Velocity for Pipe (Full Flowing)	0.6 metres per second
Maximum Velocity	3.0 metres per second
Manning Coefficient of Roughness	0.013 (smooth wall pipe)
Minimum Pipe Size	200mm diameter
Pipe Material	PVC DR35 for < 450mm diameter pipe Reinforced Concrete (min 65-D) for > 450mm diameter pipe or PVC (as approved by Amherstburg)
Minimum Pipe Cover	1.5 metres (from obvert of pipe to finished grade) or as per manufacturer's recommendations, whichever is greater
Maximum Manhole Spacing	120m for < 400mm diameter pipe 150m for 450mm < 750mm diameter pipe
Drop Manhole Structure	Shall be provided for sewers entering a maintenance hole at an elevation of 610 mm or more above the maintenance hole outlet pipe invert
Safety Platform	Shall be incorporated in the designed for deep maintenance holes (deeper than 5m) per Occupational Health and Safety Act and any other municipal requirements.
Minimum Manhole Size	1200mm diameter
Manhole Wrapping	Sanitary maintenance holes shall be externally wrapped with Waterproof membrane (Blueskin or approved equivalent) placed externally around all precast joints, including joints below the maintenance hole frame and cover, with a minimum 300mm wide strips.
Frost Straps	Shall be provided to hold maintenance hole sections together (at least two (2) between each section)  External straps to extend vertically from top to bottom and for deep maintenance holes extended at least 1 m below frost depth  OPSD 701.100 applies  Frost straps to be made of galvanized steel, 600mm length
Cretex Inflow Dish	Required in all sanitary manholes with neoprene gasket and diffuser valve



Manhole Adjustment Rings	Shall be concrete only OPSD 704.010 applies
Parging Requirements	Interior and exterior of all lift rings and barrel joints
Ladder Rungs	OPSD 405.020, OPSD 704.010 applies
Manhole Frame and Cover	OPSD 401.020
Minimum Service Connection Size	125mm diameter PVC DR28
Minimum Service Connection Slope	1% (2% is recommended)
Service Connection Location	1.5 metres from the property line Connection directly into manholes is not permitted Double connections are not permitted
Cleanout	All services shall include a Tee and a cleanout at the property line. The cleanout should not project more than 0.3 metres above the ground level for inspection. All connections with cleanouts within hard surface or driveways shall have a cast iron cap as per Domestic Foundry DF66 detail or approved equal.
Pipe Colour Coding	Service Connection pipes shall be colour coded green to avoid cross connections. Color coding method includes pipe color, wrapping, demarcation tape, or stenciling.
Sewage Ejector Pumps	Recommended 1 per unit
Sampling Manholes	Required at the lot line for all multi-residential, commercial and industrial site plans

#### 5.2.2. Private On-Site Wastewater Treatment Facilities

Within a Settlement Area, Council approval will be required before any development is permitted on private individual sewage disposal and/or water systems. Approval may be conditional on proof of a potable water supply and soil suitable for septic tanks for the long term.

Connection to public systems, should they become available, will be mandatory.



Information that Council may need will include the potable groundwater quality, groundwater yield, groundwater interference, soil suitability and the lot area for effluent treatment.

Areas currently on private systems shall also be required to connect to a public system should the services become available.

All services, whether private, communal or municipal, shall comply with the requirements of the Ministry of the Environment, the Environmental Protection Act, Ontario Water Resources Act, and other Provincial and municipal requirements, as applicable.

### 5.2.3. Operation and Maintenance Manual

The Developer's Consultant is responsible to prepare an Operation and Maintenance (O&M) Manual for all sanitary appurtenances and pump stations approved by Amherstburg and/or MECP. The O&M manual must reference/address the following items:

1. Detailed procedures for the routine operation of the works
2. Inspection programs, including the frequency of inspection, and the methods or tests required to detect when maintenance is necessary
3. Frequency of maintenance and repair of the sanitary works (i.e. specific month or time of year)
4. Clean out requirements for any storage or overflow tanks, if applicable
5. Requirements to protect sources of drinking water such as those included in the SOP for sewage works and any applicable source protection plans and policies
6. Procedures for routine physical inspection and checks of controlling systems (i.e. SCADA) to ensure the mechanical integrity of the equipment and its accuracy on the controlling system
7. Procedures to prevent odour and other environmental impacts
8. Procedures for calibration of monitoring equipment
9. Emergency response, spill reporting, and contingency plans and procedures for dealing with equipment breakdowns, potential spills, and any other abnormal situations including notification list with contact information
10. Procedures for receiving, responding, and recording public complaints including recording follow up action taken
11. Record drawings of the works

The Developer shall follow the procedures prescribed in the approved O&M Manual during the maintenance period for the sanitary works.





### 5.3. STORM

Stormwater management shall be required to ensure that runoff is controlled such that development does not increase peak flows to any greater extent than pre-development runoff in watercourses that impact on downstream flooding, to institute runoff control to prevent accelerated enrichment of watercourses from pollutants, and to enhance water quality and aquatic habitat.

Stormwater management proposals must be designed in accordance with this manual and the most recent version of WERSM as published by ERCA.

Where outfalls to waterways or drainage courses are required, the Applicant's Consulting Engineer will supply an outfall design for submission to Amherstburg and ERCA for approval and permits.

Management and consideration of the neighbouring surface and subsurface stormwater runoff may be required based on the existing/proposed drainage patterns of the land.

#### 5.3.1. Minimum Design Criteria

The minimum design criteria for works being installed within the municipal right-of-way are noted below:

*Table 6 - Storm - Minimum Design Criteria*

Design Element	Minimum Design Criteria
Minimum Velocity for Pipe (Full Flowing)	0.75 metres per second
Maximum Velocity	6.0 metres per second
Manning Coefficient of Roughness	0.013 (smooth wall pipe)
Minimum Mainline Pipe Size	300mm diameter
Pipe Material	PVC Reinforced Concrete Boss 2000 Challenger (320 KPa) under limited conditions (requires approved from Manager of Engineering) ADS Sanitite Pipe under limited conditions (requires approved from Manager of Engineering)
Minimum Pipe Cover	1.2 metres (from obvert of pipe to finished grade)  If 1.2 metres of cover is not achievable, insulation is required to be placed around the pipe.



Maximum Manhole Spacing	110m for 300mm < 975mm diameter pipe 130m for 1050mm < 1350mm diameter pipe 160m for 1500mm < 1650mm diameter pipe 305m for 1800mm < diameter pipe
Safety Platform	Shall be incorporated in the designed for deep maintenance holes (deeper than 5m) per Occupational Health and Safety Act and any other municipal requirements.
Minimum Manhole Size	1200mm diameter
Frost Straps	Shall be provided to hold maintenance hole sections together (at least two (2) between each section)  External straps to extend vertically from top to bottom and for deep maintenance holes extended at least 1 m below frost depth  OPSD 701.100 applies  Frost straps to be made of galvanized steel, 600mm length
Manhole Adjustment Rings	Shall be concrete only  OPSD 704.010 applies
Parging Requirements	Interior and exterior of all lift rings and barrel joints
Ladder Rungs	OPSD 405.020, OPSD 704.010 applies
Manhole Frame and Cover	OPSD 401.010 Closed Cover for Maintenance Holes, OPSD 401.020 applies
Minimum Service Connection Size	150mm diameter PVC DR28
Minimum Service Connection Slope	2%
Maximum Service Connection Slope	8%
Service Connection Location	1.5 metres from the property line  Connection directly into manholes is not permitted  Double connections are not permitted



Cleanout	<p>All services shall include a Tee and a cleanout at the property line. The cleanout should not project more than 0.3 metres above the ground level for inspection.</p> <p>All connections with cleanouts within hard surfaces or driveways shall have a cast iron cap as per Domestic Foundry DF66 detail or approved equal.</p>
Pipe Colour Coding	Service Connection pipes shall be colour coded white to avoid cross connections. Color coding method includes pipe color, wrapping, demarcation tape, or stenciling.
Catch Basins	<p>OPSD 705.010 OPSD 400.020</p> <p>In grassed areas with no traffic, 600mm diameter HDPE pipe or concrete sump pit catch basin may be permitted.</p>
Catch Basin Frame and Cover	OPSD 400.020, OPSD 400.100 applies
Catch Basin Spacing	<p>110m where the road grade is 0 - 3%</p> <p>90m where the road grade is 3.1 - 4.5%</p> <p>75m where the road grade is &gt; 4.5%</p>
Minimum Catch Basin Lead Size	150mm
Minimum Catch Basin Lead Slope	1%
Box outs	OPSD 600.070
Catch Basin Parging Requirements	Interior and exterior of all adjustment rings and pipe connections
Catch Basin Manholes	<p>OPSD 401.010 Open Cover for Maintenance Holes applies</p> <p>Adjustment rings shall be concrete only, OPSD 704.010 applies</p>

### 5.3.2. Stormwater Management Report Requirements

When a stormwater management report is required to be submitted to Amherstburg, the following items must be addressed within the body of the report:

1. Site Description
  - a. Location
  - b. Existing conditions
  - c. Proposed conditions
  - d. Drainage area



- e. Drainage pattern and ultimate outlet location
- 2. Background Information (if applicable)
- 3. Figures
  - a. Location plan
- 4. Quality Control
  - a. Design criteria
    - i. level of protection
    - ii. drainage area to facility in ha
    - iii. percentage impervious (minimum 50%)
- 5. Quantity Control
  - a. Design criteria
    - i. allowable release rate
    - ii. design release rate
    - iii. outlet design
    - iv. total active storage required ( $m^3$ )
    - v. total active storage provided ( $m^3$ )

Additional information may be required based on the size and complexity of the development being proposed. The following (but not limited to) information may be requested within the SWM report in addition to the above-noted items:

- 1. Site Description
  - a. Location – nearest roads, watershed & sub-watershed
  - b. Existing Conditions – land use on site & surrounding areas
  - c. Proposed Conditions
  - d. Drainage Area – for the site, tributary & watershed
  - e. Watercourses, Wetlands - present on site, and type (permanent or intermittent)
  - f. Drainage patterns and ultimate drainage location/outfall
- 2. Background Information
  - a. Watershed Plans
  - b. Sub-Watershed Plans
  - c. Master Drainage Plans (MDPs)
  - d. Other Previous Reports and Relevant SWM Requirements
  - e. Existing Models
  - f. Geotechnical Report
- 3. Figures
  - a. Location Plan
  - b. Legal Plan of Survey
  - c. Pre-Development Drainage Area Plan
  - d. Post-Development Drainage Area Plan



- e. Proposed SWMF locations
  - f. Proposed Site Plan – grading, servicing and details
  - g. Erosion and Sediment Control Plan
4. Quality Control
- a. Design Criteria:
    - i. Level of Protection
    - ii. Drainage Area to Facility (ha)
    - iii. Percentage Impervious
    - iv. SWM Facility Monitoring and Maintenance Requirements
    - v. Customized Quality Objectives
  - b. Oil-Grit Separators (OGS):
    - i. Approved Manufacturer
    - ii. Model Number
    - iii. Sizing Calculations Included
    - iv. TSS Removal (%)
    - v. Annual Runoff Treated (%)
    - vi. Sediment Storage Capacity
    - vii. Specification sheet for approved unit from the Manufacturer
    - viii. Total Storage Volume
    - ix. Maximum Treatment Flow Rate
    - x. Particle Size Distribution and particle specific gravity used in sizing
    - xi. Appropriate Lab Results and/or Field Study Results
  - c. Wet Ponds/Wetlands/Hybrid:
    - i. Permanent Pool Storage Requirements (m<sup>3</sup>/ha)
    - ii. Permanent Pool Storage Requirements (m<sup>3</sup>)
    - iii. Permanent Pool Volume Provided (m<sup>3</sup>)
    - iv. Extended Detention Storage Requirements (m<sup>3</sup>/ha)
    - v. Extended Detention Storage Requirements (m<sup>3</sup>)
    - vi. Extended Detention Volume Provided (m<sup>3</sup>)
    - vii. Detention Time - minimum 24 hours
    - viii. Inlet and Outlet Structure Details
5. Quantity Control
- a. Design Criteria:
    - i. Runoff Coefficient or Impervious Calculations
    - ii. Allowable release rate (m<sup>3</sup>/s or l/s)
    - iii. Design release rate (m<sup>3</sup>/s)
    - iv. Inlet control device specifications from the manufacturer (if applicable)
    - v. SWMF Type
    - vi. Stage vs Storage Table



- vii. Outlet Design
  - viii. Total Active Storage Required (m<sup>3</sup>)
  - ix. Total Active Storage Provided (m<sup>3</sup>)
- 6. Hydrologic Modeling:
  - a. Runoff method
  - b. Infiltration method
  - c. Other hydrologic routines (e.g., groundwater, etc., if applicable)
- 7. Hydraulic Modeling:
  - a. Type of Hydraulic Model – 1D, 1D dual drainage, 1D minor with 2D major system
  - b. Hydraulic routing method
- 8. Hydrogeology
  - a. Soils / Hydrogeology Report
  - b. Seasonal Groundwater Elevations
  - c. Pre & Post Development Water Budget
  - d. Special Construction Considerations and Recharge Measures
- 9. Construction Sediment Control
  - a. Sediment Control Plan
  - b. Sizing of Temporary Sediment Basins and details
  - c. Check dam locations and details
  - d. Silt fence location and details
  - e. Outlet location
  - f. 24-hour Extended Detention Calculations
  - g. Sequencing and Maintenance/Inspection schedule and notes
- 10. Other
  - a. Summary of model inputs and outputs
  - b. Schematic representation of pre and post development hydrologic models
  - c. Storm sewer design sheets
  - d. Storm sewer design drainage plan, showing areas and runoff coefficients
  - e. All final reports and plans signed and sealed

**All drawings, calculations and model units shall be in metric. Any submission in imperial units will not be reviewed.**

A dual drainage model (PCSWMM Compatible) will be required to be completed and submitted to Infrastructure Services for all plan of subdivision proposals once the SWM report is finalized.



All SWM designs on properties over 2 hectares in size shall be modelled.

It should be noted that orifice plates are not permitted to be used in Amherstburg to control release rates. The release rate for all development proposals shall be restricted to the 2-year pre-development rate.

Above-grade runoff storage in roadways is not permitted on Arterial roads.

The use of Oil-Grit Separators (OGS) to address quality control is strongly discouraged during design of public infrastructure that will be assumed into Amherstburg's ownership.

### 5.3.3. Stormwater Management Facilities

Storm sewers and Stormwater management facilities are to be designed in conformance with WERSM and this manual.

The Applicant shall consult the Official Plan for Amherstburg to confirm any specific requirements for environmentally significant areas shown therein.

Landscaping and tree planting plans, prepared by a registered Landscape Architect, will be required for all permanent stormwater facilities. Depending on the duration of a temporary pond, landscaping and tree planting plans, as well as long-term maintenance and care provisions may be requested by Amherstburg.

The minimum side slope permitted shall be 5:1 for all stormwater management facilities.

Rodent grates are required to be installed on all inlet and outlet pipes that are not fully submerged.

A 6-metre offset is required from the top of bank to the property line of all SWM facility lands. A 4.0m maintenance path is required to be installed in the center of the 6.0m offset and connect to all abutting roadways. Where the pathway connects to an excess roadway, barriers to mitigate vehicle traffic must be installed at the curb cut.

All SWM facilities must be fine graded and hydra-seeded by the Developer within 6 months of acceptance of the abutting services on maintenance. A minimum 75% consistent germination is required as determined by Amherstburg prior to the end of the maintenance period.

Permanent pool depth of any wet pond shall not exceed 2.0m.

Pump failure zero-release scenario shall be considered in the design of the SWM facility and is to be stored within the pond with 0.3m freeboard to top of bank.

SWM facilities with a depth of over 1.2m shall have an access ramp made of interlocking pavers (preferably permeable) from the maintenance pathway to the normal water level.



### 5.3.5. Underground Storage Tanks/Chambers

Amherstburg is generally not supportive of proposals for underground storage tanks/chambers placed within the municipal right-of-way or on Amherstburg-owned property.

All underground storage tank/chambers installed within the municipal right-of-way or located on Amherstburg-owned property will be required to be flushed and cleaned prior to assumption of ownership of the infrastructure by Amherstburg.

Inspection ports are required to be incorporated into the design of the underground storage chamber in locations easily accessible for future maintenance requirements including, but not limited to, either side of the chamber and in the center of the chamber.

Shop drawings of the underground storage tank/chamber shall be included in development proposal submissions for review and approval.

Installation of all underground storage tanks/chambers used for stormwater management purposed shall be certified by the manufacturer of the system.

A letter of conformance from the manufacturer of the underground storage chamber must be submitted prior to acceptance of the infrastructure by Amherstburg and reduction of securities.

### 5.3.6. Temporary Drainage During Construction

Prior to proceeding with stripping or any disturbance of the area, the Applicant, shall submit to Amherstburg a soil protection, erosion control, and stockpiling plan

During the development of an area, the Applicant shall make provisions for the disposal of all storm water within the Development area, emanating from the development area and any storm water which may be cut off from its natural drainage course as a result of the development, to the satisfaction of Amherstburg.

### 5.3.7. Municipal Drains and the Drainage Act

The Drainage Act (Act) is one of the oldest legislations in Ontario (1859). The Act provides a communal procedure to construct, improve and maintain a drainage works or a “Municipal Drain”. Amherstburg may assist in providing a legal drainage outlet for surface and subsurface water that are not attainable under Common Law. A Municipal Drain provides a legal outlet under Statute Law (legislation) that provides the means for unobstructed flow of stormwater.

Municipal drains are established by a Council appointed Engineer whose report is adopted by the community of landowners and Council and becomes not only the legal basis for the construction of the drain, it is also used as a cost recovery mechanism to





recover All costs associated with the drainage works by all lands that use the drainage system.

Amherstburg's municipal drainage network of 200 plus Municipal Drains convey stormwater by Statute for over 280km and may extend or traverse a settlement area which may impact the rights and responsibilities of lands slated for development that use, and are assessed to a municipal drain.

Maintenance/repairs or improvements may be required on a Municipal Drain to facilitate development proposals. All works required to be completed under the Drainage Act require the corresponding request form from the Ministry of Agriculture, Food and Rural Affairs, and are to be coordinated through Amherstburg's Drainage Superintendent. The Developer will be responsible to borne the cost of all works necessary and required under the Drainage Act for the development to proceed.

Infrastructure Services will identify any municipal drain requirements to the Developer as part of the pre-submission meeting.

All existing farm tiles shall be redirected around the development or incorporated into the stormwater management strategy of the development.

Management and consideration of the neighbouring surface and subsurface stormwater runoff may be required based on the existing/proposed drainage patterns of the land.

Please contact Amherstburg's Drainage Superintendent for further information.

#### 5.3.8. Low Impact Development

Low Impact Development stormwater management practices can be utilized to help protect Ontario's water resources, the natural and human environments, the ecological services already provided by existing natural systems, and the sustainability of communities.

Amherstburg encourages the incorporation of low impact development designs to provide alternative measures of stormwater management where feasible and practical.

All proposals for Low Impact Development shall conform with the following MECP documents:

- 2003 Stormwater Management Planning and Design Manual
- 2008 Design Guidelines for Sewage Works
- 2022 Low Impact Development Stormwater Management Guidance Manual

The following LID approaches shall be considered by Amherstburg for approval:

- Rain/Bioretenention Garden



- treats runoff from paved areas by using the natural properties of soil and vegetation to remove contaminants
- Bioswales
  - detain, filter and infiltrate runoff as it is conveyed along the grassed ditch, resulting in smaller volumes of runoff and associated pollutants from reaching the watercourse or stormwater management facility
- Infiltration Trenches/ Chambers
  - sub-surface reservoirs that store and infiltrate stormwater runoff at the lot level
- Rain Harvesting
  - the practice of collecting rainwater from a roof or other surface and using it to augment freshwater supplies

A detailed Operation and Maintenance Manual of the LID feature will be required to be submitted to Amherstburg as part of the proposal for consideration.

#### 5.3.9. Operation and Maintenance Manual

The Developer's Consultant is responsible to prepare an Operation and Maintenance (O&M) Manual for all stormwater appurtenances, pump stations, and facilities approved by Amherstburg and/or MECP.

The O&M manual must reference/address the following items:

1. Procedures for the routine operation of the works
2. Inspection programs, including the frequency of inspection, and the methods or tests required to detect when maintenance is necessary, including:
  - a. Presence of algae and/or invasive species impairing the operation of the works (e.g. phragmites, goldfish)
  - b. Measurements of sediment depth, manual water levels (staff gauge) and/or visual observation as deemed appropriate by Amherstburg
3. Frequency of maintenance and repair of the stormwater works
4. Stormwater pond sediment cleanout, dewatering, and management
5. Excavation, modification, replacement of LID soil/media/aggregate/geotextile such as bioretention cells, green roof, permeable pavement, etc.
6. Frequency of maintenance for any other stormwater appurtenance identified to collect sediment
7. Requirements to protect sources of drinking water such as those included in the SOP for stormwater works and any applicable source protection plans and policies
8. Procedures for routine physical inspection and checks of controlling systems (i.e. SCADA) to ensure the mechanical integrity of the equipment and its accuracy on the controlling system



9. Procedures for routine physical inspection and calibration of monitoring equipment or components in accordance with the Monitoring Plan
10. Emergency response, spill reporting, and contingency plans and procedures for dealing with equipment breakdowns, potential spills, and any other abnormal situations including notification list with contact information
11. Procedures for receiving, responding, and recording public complaints including recording follow up action taken
12. Record drawings of the works

Further guidance on the information to be included in the O&M manual can be found in Appendix C of this manual.

The Developer shall follow the procedures prescribed in the approved O&M Manual during the maintenance period for the stormwater works.

## 5.4. PUMPING STATIONS

Amherstburg's policy is to promote gravity drainage for all municipal stormwater and sanitary infrastructure. The inclusion of pumping stations to service new or existing development areas will only be considered at the discretion of Amherstburg.

Storm and sanitary pumping stations shall be designed in conformance with this manual and MECP guidelines and constructed in accordance with Amherstburg approved construction drawings & specifications prepared by a Professional Engineer licensed in the Province of Ontario.

Drawings & specifications shall meet the following minimum design criteria. Please note that Amherstburg shall reserve the right to amend and/or impose additional requirements to those noted herein at any time.

### 5.4.1. Minimum Design Criteria

Where pumping stations are approved, stainless steel products and appurtenances are required to minimize the effects of corrosion from sewage and weather.

Permanent emergency standby electrical generator facilities shall be provided in all cases. The type of emergency standby power shall be reviewed with Amherstburg and MECP Regional Staff early in the design stage.

All pump stations shall also be fitted with an external electrical weatherproof plug for connection of a mobile emergency standby electrical generator in a manner suitable to and approved by Amherstburg

The sewage retention period shall be adequate to allow for transportation time and shall not be less than 4 hours under average daily flow rates plus infiltration.



One or more pumps capable of pumping the peak design flow with an additional stand-by pump (this is known as firm capacity).

Only pumps manufactured by Xylem Flygt shall be used in Amherstburg. The use of alternative manufacturers must be approved by the Manager of Environmental Services on a case by case basis due to or to suit specific circumstances.

Pumping stations shall generally be circular in design and constructed of precast or cast in place reinforced concrete using Type 20 cement. They shall have a minimum inside diameter of 3.0 meters and shall include at minimum, the following items all of which are to be detailed in the construction drawings and specification documents for the project:

#### 5.4.2. Access Hatches

Access hatches shall be of the lockable, single leaf, insulated roof scuttle design of aluminum construction with a minimum clear opening of 762mm x 914mm, and fitted with Type 316 stainless steel hardware complete with continuous piano hinge, gas assist springs, hold open arms with handles, flush recessed lock with provisions for padlock and designed to withstand minimum live load of 150 pounds per square foot using min. 6mm thick aluminum tread plate all as manufactured & supplied by MSU Mississauga or approved equal.

#### 5.4.3. Pump/ Equipment Hatches

Pump/equipment hatches shall be of the lockable, single leaf cast-in-place design of aluminum construction with a minimum clear opening of 914mm x 914mm for 3000mm diameter chambers and 914mm x 1220mm for 3600mm diameter chambers to allow complete removal and replacement of pumps. Hatches shall be fitted with Type 316 stainless steel hardware complete with stainless steel hinges, gas assist springs, hold open arms with handles, flush recessed lock with provisions for padlock and designed to withstand minimum live load of 150 pounds per square foot using min. 6mm thick aluminum tread plate. Hatch shall also come complete with hinged orange colour safety grate and retractable safety post & chain all as manufactured & supplied by MSU Mississauga, Flygt or approved equal.

#### 5.4.4. Access Ladders

Access ladders shall be fabricated, heavy duty design of aluminum construction having a width of 500 mm. Ladder shall be supported off chamber wall using flanged brackets at maximum spacing of 1200mm and Type 316 stainless hardware. Top of ladder shall be fitted with heavy duty, retractable, double post access rails all as manufactured & supplied by MSU Mississauga or approved equal.



#### 5.4.5. Platforms

Platforms shall be fabricated and of all aluminum construction (T-6061) with Type 316 stainless steel hardware complete with channel & angle support framing and “close mesh (4.76mm)” aluminum “serrated” grating fastened to framing using Type 316 stainless steel hold down clips at minimum 500mm centers (min of 4 hold down clips per panel).

Provide hinged grating section for access to lower level having minimum clear opening of 762mm x 914mm fitted with aluminum or stainless-steel hinges and lifting handles All edges and holes through grating shall be banded.

shall also be fitted with safety handrail of welded double rail design and aluminum alloy 6063-T6 or 6351-T6 construction with clear anodized finish. Pipe rails shall be 38mm diameter, IPS Schedule 40 complete with bottom flanged posts at max spacing of 1800mm and 150mm high x 6mm thick aluminum kick plates fastened to bottom of posts.

shall also be fitted with 1040 high aluminum post & chain assembly for personnel safety around the hinged grating section. Removable posts shall be set in floor sockets & fitted with two rows of Type 316 stainless steel chain on 3 sides complete with stainless steel eyehooks and spring-loaded hooks to engage the eyehooks.

#### 5.4.6. Sewage Pumps

Sewage pumps shall be of the non-clog submersible design with separate pump base discharge connection and dual sliding rail system. Pumps to be rated for 600 volts, 3 phase, 60 hertz operation and certified for Class 1, Group D, Division 1 hazardous environments. Each pump to be equipped with a mix flush valve and lift system. In addition, each pump to be fitted with leakage detectors capable of sensing stator over temperature and liquid in stator housing complete with automatic reset once the fault has cleared, LED fault indications, dedicated dry output contact closures for temperature and leakage faults using Flygt Mini-CAS II Supervision relay. Pump power cables to be supported from stainless steel cable support grips above with min. 3 meters slack after installation. Pump surfaces to be finished with an epoxy coating system for corrosion protection. Provide a chain hoist with sufficient load chain and grip eye lifting device for proper removal and installation of each pump. All as manufactured and supplied by Xylem/Flygt Canada – N- pump.

#### 5.4.7. Pump Rails

Pump rails shall be of Schedule 80 hot dip galvanized steel piping construction. Intermediate and upper guide bar holders including pump lift chains and chain hooks



shall also be of hot dip galvanized steel construction with Type 316 stainless steel hardware.

#### 5.4.8. Pump Discharge Piping

Pump discharge piping shall be to ASTM A-774/778 Type 316L stainless steel welded construction, I.D. pipe size with minimum thickness of 11 gauge (3.2mm) (0.125-inch).

#### 5.4.9. Fittings

Fittings shall be prefabricated, smooth flow, long radius type. Joints shall be welded except at valves & equipment where flanged type backing flanges and rolled van stone collars are to be used. Backing flanges to be min. hot dip galvanized steel construction drilled to ANSI B16.1, Class 125, thickness T3 for 150 psi test pressure. Victaulic couplings and Victaulic flange adaptors of hot dip galvanized steel construction are to be used where shown on the typical sanitary pump station drawings contained herein. All joint fasteners to be Type 316 stainless steel. All piping and fittings to be pickled and passivized after fabrication and field welding to achieve a consistent finish and appearance. As manufactured and supplied by Douglas Barwick Inc. or approved equal.

#### 5.4.10. Gate Valves

Gate valves shall be of the resilient wedge type to AWWA C509 Class 200W and/or AWWA C515 Class 250W with manual handwheels and gear operators. Manual square nut operators and stainless-steel extension stems shall be implemented where shown on the typical sanitary pump station drawings contained herein. Valve to be of ductile iron construction, bronze mounted with rubber encapsulated modified wedge disk and non- rising stem with O-ring seals and flange x flange ends drilled to ANSI B16.1, Class 125. Valve to open by turning counter-clockwise. All exposed fasteners to be Type 316 stainless steel. The exterior and interior of the valve shall be coated with an NSF/ANSI 61 approved fusion bonded epoxy coating system. As manufactured by Mueller, Clow, American AVK or approved equal.

#### 5.4.11. Swing Check Valves

Swing check valves shall be of the rubber flapper design to AWWA C508. Valve shall be full globe style body with domed access cover and flexible disc made of Buna-N (NBR) and steel reinforcement with disc accelerator. Body shall be of ductile iron construction with all stainless-steel trim and flange x flange ends drilled to ANSI B16.1 Class 125. Valve shall be fitted with screw type backflow actuator to enable opening of valve during no flow conditions and a mechanical indicator to provide disc position indication on valve. All exposed fasteners to be Type 316 stainless steel. The exterior and interior of the valve shall be coated with an NSF/ANSI 61 approved fusion bonded



epoxy coating system. As manufactured by Val-Matic - Surgebuster Swing Check Valve Series 7200.

#### 5.4.12. Curved Sluice Gate

Curved sluice gates shall be fabricated from Type 316L stainless steel to AWWA C501 requirements. Gate shall consist of wall thimble, gate frame, yoke, threaded stem, stem extension and stem guides all constructed from Type 316L stainless steel and assembled using Type 316 stainless steel fasteners and hardware. Stem guide liner, side & top seals to be constructed from polyethylene with bottom seal from neoprene rubber. Leakage rate shall not exceed 0.05 lgpm per linear foot of seal against both seating and unseating head.

Gate to be controlled with manual operator on top of chamber using pedestal constructed of hot dip galvanized steel with geared hand crank and aluminum stem cover with graduated window for valve position indication. All hardware and fasteners to be Type 316 stainless steel. As manufactured and supplied by Armtec, Fontaine or Rodney Hunt.

#### 5.4.13. Sewage Air Release & Vacuum Break Valve

Sewage air release and vacuum break valves shall be suitable for air release and vacuum break functions during pipeline filling, pipeline drawing, water column separation, normal operation and surge alleviation. Body to be compact single chamber design of stainless steel and/or epoxy coated construction with all fasteners and hardware in Type 316 stainless steel. Float, seat and all moving parts to be of Type 316 stainless steel construction. Valve shall incorporate over-pressure safety feature and optional 6mm ports fitted with Type 316 stainless steel ball valves, nipples and caps. As manufactured by Vent-O-Mat - Series RGX.

#### 5.4.14. Vent Pipes (Shallow and Deep Chamber Levels)

Vent pipes shall be made of Stainless steel 304 construction complete with 180-degree gooseneck having a bolted flange arrangement fitted with carbon cartridge box for odour control. Vents shall have min. inside diameter of 100mm for 3000mm diameter chambers and 150mm diameter for 3600mm diameter chambers.

#### 5.4.15. Above Ground Free Standing Fixed Davit Bases

Above ground free standing fixed davit bases are for general purpose use for most applications. These are either attached to concrete or other structural materials such as steel. Review exact socket requirements with Amherstburg at time of specification preparation.





All fasteners and hardware including brackets in interior & exterior of pump chamber shall be minimum Type 316 stainless steel construction.

All thrust restraint and pipe support brackets including fasteners shall be of minimum Type 316 stainless steel construction.

#### 5.4.16. Levels Sensor

Level sensor shall be of the ultrasonic type. The level transmitter shall be equipped with auxiliary relays (minimum three) configurable to control pumps for drawing down the pumping well in a lead-lag process and automatically alternate pump duty. Level transducer is to be supported from its own cable using a strain relief cord grip and hung within a 150mm diameter PVC standpipe accessible from above the top slab via the equipment hatch or dedicated access cover (so as to avoid having to enter the chamber) all as shown and detailed in the typical sanitary pump station drawings contained herein. As manufactured and supplied by Siemens-Milltronics Multi-Ranger 100 w/XPS-15.

#### 5.4.17. Alarm Float Switches

Alarm float switches shall be micro tilt switch type Ex approved version with sufficient cable length to reach control panel without splices and complete with Type 316 stainless steel horizontal hanger, stainless steel or PVC strain relief cord grips and Type 316 stainless steel sway and control rings all as manufactured and supplied by Xylem Flygt Canada.

#### 5.4.18. Electrical Requirements

All pumping stations shall be fitted with electrical service entrance & pump control panels and mounted on standalone aluminum channel support system positioned minimum 1500mm from closest edge of pump chamber (to avoid Class 1 Division 1 or 2 hazardous environment classification). Electrical & controls work shall conform to the following requirements and be detailed in the project's construction drawings and specified in the project's specification documents.

- Supply & Installation of electrical & control works shall meet the minimum requirements of Ontario electrical safety code.
- Electrical and control works shall be designed and constructed in accordance with approved detailed construction drawings & specifications prepared and sealed by a Professional Electrical Engineer licensed in the Province of Ontario competent in undertaking this type of work.
- Electrical design shall include procurement and coordination of power supply from electrical supply authority





- Electrical design shall also include provisions (external plug) for connecting a portable/mobile emergency standby generator set in a manner acceptable to Amherstburg in addition to the permanent emergency standby generator
- Panels shall be fitted with automatic dialer and/or SCADA equipment to relay alarms to Amherstburg's operating authority. Exact requirements are to be reviewed with Amherstburg and their operating authority early in the design stage.
- Service entrance shall be 600 volts, 3 phase, 60 hertz of sufficient capacity to meet pump station requirements. 3 phase power shall be implemented where available and desirable by Amherstburg.
- All current protection must be accomplished through the use of thermal/ magnetic circuit breakers having sufficient interrupting ratings.
- Each sewage pump to be controlled thru a Hand-Off-Auto selector switch and monitored with an hour meter.
- External alarm light for high-high level float switch with push-to-test lamp push button.
- All electrical & control panels, cabinets, enclosures, boxes, fasteners and all hardware shall be of Type 316 stainless steel construction.
- All pumps and associated wiring from the wet well shall be continuous without splices and terminate to a junction box (with terminal strips) located prior to the EYS fittings in accordance with the Electrical Safety Code. Wet well wiring to continue from the junction box through EYS fittings into the pump control panel.
- All electrical equipment to be manufactured and supplied by Allen Bradley, Siemens, Square D or approved equal. Electrical components shall be in full compliance with the NEMA standards and have a NEMA rating identification (IEC components with NEMA equivalent ratings are not acceptable).
- All pump stations constructed in Amherstburg shall be equipped with a flow meter within a separate flow meter chamber. Coordination with Amherstburg is required to review and approve the model of flow meter being proposed.

#### 5.4.19. Alarm Monitoring System

DSC alarm system and minimum zone requirements and features as follows:

- monitor high level float (first stage)
- monitor high-high level float (second stage, where applicable)
- monitor low level float
- monitor pump failure for each pump
- test signal programmed to send to DSC at 7:00am daily
- entire alarm system to be supplied and wired by Security One Alarm Systems
- all zones to be monitored 24 hours and programmed to dial out to Security One Alarm Systems



- alarms to also be monitored at Amherstburg WPCP thru the plant's existing SCADA system receiving signals from the DSC alarm network. Retain the services of Amherstburg's approved system integrator to program the new alarms into the SCADA system.

During the maintenance period, the Developer will be responsible for all costs incurred by Amherstburg excluding hydro, telephone and Security One monitoring services. Hydro, telephone and Security One monitoring services to be set up through Amherstburg's operating authority for all storm & sanitary pump stations.

#### 5.4.20. Maintenance Period Requirements

The Developer shall provide Amherstburg with 2 copies of the operating manual of the pump and a set of keys for the locks on the control panel at the pump station commissioning meeting.

All float alarm levels should be labelled in the control panel by the Contractor.

Any components of the pumping station within 1.5m of the back of curb must be wrapped with reflective tape.

Should any major repairs to a pump station that is under maintenance be required, Amherstburg will advise the Developer who will be given opportunity to make repairs through their contractor within reasonable time period and without unnecessary delay (as determined by Amherstburg). Should Developer not carry out repairs within the reasonable time period, then Amherstburg will carry out all required repairs and all costs incurred shall be assessed to and be borne by the Developer.

In an emergency situation, Amherstburg will coordinate the works required to repair the pump station and all costs incurred shall be assessed to and borne by the Developer.

### 5.5. WATER

Watermains and appurtenances shall be designed and constructed in accordance with the approved contract documents prepared by the Applicant's Consulting Engineer. All chemicals and materials used in the drinking water system that comes into contact with water within the system shall meet all applicable standards set by MECP, OWWA, and ANSI safety criteria standards NSF/60 and NSF/61.

Any work occurring on live watermains within Amherstburg shall be either performed by a licensed operator employed at the Town of Amherstburg or in the presence of a representative of the Environmental Services Department.

Refer to the W series details in Appendix A for further information on specific water appurtenance requirements.



### 5.5.1. Minimum Design Criteria

The minimum design criteria are as follows:

*Table 7 - Water - Minimum Design Criteria*

Design Element	Minimum Design Criteria
Minimum Pipe Size	150mm diameter
Minimum Pipe Cover	1.5 metres (from obvert of pipe to finished grade) below future or existing road grades, whichever is lower
Maximum Hydrant Spacing	150 metres and at all intersections
Maximum Valve Spacing	250 metres and at all intersections (2 valves per tee intersection and 3 valves per cross intersection)
Minimum Service Connection Size	19mm
Maximum Service Connection Size (Residential)	25mm
Maximum Service Connection Size	250mm
Test Pressure & Duration	1,035 kPa (150 psi) for 2 hours
Minimum Separation Distance from Sewers	2.5m (F-6-1 Procedures to Govern Separation of Sewers and Watermains shall be followed)

### 5.5.2. Backflow Prevention

Contractors are required to follow backflow prevention procedures as specified by MECP. Backflow devices are to be supplied by the Contractor and certified by a licensed plumber on-site and in the presence of a representative of Amherstburg's Water Department prior to usage.

Installation of backflow prevention devices and all other procedures related to potable drinking water and such are to be to the standard as described by the most current version of the By-law to Regulate Cross Connections and Backflow Prevention. It applies to industrial, commercial, institutional and multi-residential buildings and structures except buildings of residential occupancies.

All new ICI buildings require backflow prevention device to be installed right at the point of entry to the building. Such a device would be determined by Amherstburg's Building Department.



Isolation and backflow prevention must be maintained when constructing new Municipal Watermains.

#### 5.5.3. Dead-End Watermains

Dead-end watermains are to be avoided wherever possible. Where dead-end watermains cannot be avoided, the new main shall be closed with cast iron plugs or caps and equipped with suitable blow-off facilities.

#### 5.5.4. Abandonment and Service Disconnections

Watermains to be abandoned shall be capped and removed as decided by Amherstburg. All service disconnections are to be completed by Amherstburg's Water Department. Any costs associated with the service disconnection shall be borne by the Developer/Property Owner in accordance with the most current version of Amherstburg's User Fee Schedule.

#### 5.5.5. Trench Requirements

The trench shall be excavated as specified in Part 3 of The Occupational Health & Safety Act, 1980 and Regulations of Construction Projects.

#### 5.5.6. Storage and Handling of Watermain Pipe & Fittings

All materials shall be stored and handled by the Contractor at his own expense. The Contractor shall be responsible for the safe storage of all materials, obtaining storage areas, for the safe transportation and distribution of the materials at the job site and their inspection to determine defects and breakage. No additional recompense will be provided to the Contractor due to inadequate storage or poor handling. Pipe, fittings, valves, hydrants and all accessories and appurtenances must be loaded and unloaded by lifting with means of a hoist or skidding so as to avoid shock or damage. Chains shall not be used for lifting watermain pipe, hydrants or fittings. Under no circumstances shall any watermain materials or materials for watermain appurtenances be dropped. Pipes shall be supplied with capped ends. Caps to remain on the pipe until being installed.

#### 5.5.7. Materials

Please refer to Appendix B: Approved Water Material Specifications. All materials used shall be NSF61 compliant.

It should be noted that no substitutions to the material list below will be accepted unless pre-approved by Amherstburg in writing.



Canadian suppliers and manufacturers are preferred to be used for all Contracts; however, non-Canadian materials may be used if CSA approved and only with the expressed approval by Amherstburg in writing.

Changes to the watermain materials specified in the Manual may change during design. Please contact the Manager of Environmental Services to ensure the most up-to-date products and specifications are being used.

#### *5.5.7.1. Fittings*

All PVC fittings shall be restrained in accordance with Detail W-7. Refer to Appendix B for approved materials. Tie-in and thrust block shall be completed as per applicable Detail W-7.

#### *5.5.7.2. Tracer Wire*

Tracer wire shall be used with all PVC pipes, valves, hydrants and water services. The wire shall be installed along the side or top of the pipe as close to the pipe as possible. The tracer wire shall be brought to the surface at all fire hydrant, valve, and curb box locations. Tracer wire shall be connected to all curb boxes using brass anode clamps. Tracer wire shall be connected with DryConn Waterproof Connectors.

#### *5.5.7.3. Gate Valves*

Gate valves are to be used for pipes 100-600mm diameter. Mainline valves shall be the same size as the watermain. Wherever possible, valves are to be located within the boulevard. Valves are required on both sides of any railway crossing, municipal drain crossing, or water body crossing.

The installation of all watermain pipes above 600mm shall require consultation with Amherstburg for specific requirements.

#### *5.5.7.4. Tapping Valves*

All tapping sleeves and valves used shall be stainless steel.

#### *5.5.7.5. Valve Boxes*

All valves shall be equipped with valve boxes and restrained, unless installed in a chamber. Valve boxes shall be two-piece screw type to suit the size of the valves. Valve boxes shall not rest on the valve. All mainline valve boxes are to be protected during construction and maintenance periods.

#### *5.5.7.6. Restrainers*

Refer to the Manufacturer's specified recommendations for required number of restrainers based on the proposed watermain configuration.



#### *5.5.7.7. Hydrants*

All hydrants are required to be plugged unless otherwise specified by Amherstburg. All hydrants installed shall stand plumb with nozzles parallel with (or at right angle) to the road with pumper nozzle facing the road.

The depth of bury for the hydrants shall be 1.5m unless otherwise stated by Amherstburg. The hydrant safety breakaway flange must be located between 50-100mm above finished grade and field adjusted if required. Hydrant extensions to adjust the length of the barrel shall be obtained by the same manufacturer as the hydrant and installed per the manufacturer's direction.

Paint on all fire hydrants shall be touched up by the Contractor prior to acceptance of the works.

All hydrant replacements shall be installed in the same location as the existing hydrant wherever possible. Where an existing hydrant being replaced does not meet current standards, the replacement is required to meet all applicable current standards.

Location of all hydrants installed shall be in accordance with the approved cross section specified in the drawings. Wherever possible, hydrants shall be located at the property line between 2 properties, in side yards, or at intersections. All non-standard location will require individual approval in writing from Amherstburg's Manager of Engineering. If subsequent changes are made to the property or design during construction, all costs associated with relocation of water appurtenances shall be borne by the Developer.

All private hydrants must be accessible for Amherstburg to conduct annual hydrant inspections and painted yellow from top to bottom.

#### *5.5.7.8. Service Connections*

All water services shall be single connections. The service shall not exceed the diameter of the watermain.

All new water services shall be installed from the new watermain to the property line in accordance with Detail W-9. All curbs stops shall be installed as close as possible to the property line of the lot it is servicing and perpendicular to the road. Wherever practical, the service shall be installed in the center of the lot frontage.

In cases where fire and domestic service is required, two (2) connections from the watermain shall be made to the private lands. Domestic waterline to be metered and fire line shall not be metered.

Requests for new water service connections must be submitted to Amherstburg's Public Works Department by the Developer/Property Owner with a completed Water Connection Application and applicable fee. Once approved, Amherstburg's Water Department will perform the works to install the new water service. Amherstburg will be



responsible for excavation, traffic control, backfilling, restoration, and providing materials to complete the installation.

All unutilized water services shall be abandoned at the watermain with valve and curb box removed under supervision of a representative of the Environmental Services Department.

All water services shall be metered.

#### *5.5.7.9. Main Stops & Curb Stops*

All water services shall have the same size main stop as the service pipe. Main stops are not required on water services greater than 50mm diameter.

Service saddles are required for all services manufactured to the latest edition of AWWA C301 and AWWA C303 specifications for all tap sizes.

Main stops or corporation curb stops shall be copper compression type conforming to AWWA C800. Curb boxes shall be installed flush to grade and remain accessible at all time. All curb stops shall be non-draining and supported with concrete blocks or bricks.

Wherever possible, all residential curb stops shall be installed in grassed areas with a minimum distance of 1 meter from the edge of the driveway.

#### *5.5.7.10. Water Meter Chambers and Pits*

All meters shall remain accessible at all times for inspection, maintenance and reading for billing purposes.

Meters in chambers or pits shall be installed as per Detail W-3. All types of meters shall not be installed until flushing and testing is completed.

#### *5.5.7.11. Corrosion Protection*

Anodes are to be used when connecting new watermains to existing ductile irons watermains. Zinc sack caps shall be used on all threaded bolts.

#### *5.5.7.12. Sampling Stations*

Water sampling stations shall be required in developments at the discretion of the Manager of Environmental Services. The location of the water sampling stations shall meet the approval of the Manager of Environmental Services and shall be shown on the construction drawings. See Detail W-4 for details.

#### *5.5.7.13. Auto-flushers*

Auto-flushers may be required to be incorporated into the design of the development at the discretion of Amherstburg. The Developer will acquire an auto-flusher from





Amherstburg's Water Department and be invoiced according to the most current version of Amherstburg's Fee By-law.

The Contractor will be required to install a meter pit chamber at the termination point of the dead-end watermain and install the auto-flusher. A representative from Amherstburg's Water Department must be on-site during the installation of the auto-flusher. Please refer to Detail W-8 for details on auto-flusher requirements. Refer to Detail W-8.

#### 5.5.8. Testing Procedures

Watermain testing and commissioning shall follow the current MECP Watermain Disinfection Procedure.

##### *5.5.8.1. Pressure Testing*

Prior to pressure testing and disinfection, the Engineer and a licensed water operator from Amherstburg shall inspect the installation. During this inspection, each and every valve will be checked using the proper valve operating key. Each valve must fully open or close as required.

Pressure tests shall be witnessed by the Engineer and the Owner.

The Contractor shall notify the Engineer and the Owner at least 48 hours in advance of the intended testing time. The Owner shall be charged for Amherstburg's time and any sampling costs.

The Contractor is responsible for:

- Supplying pressure tester
- Chlorination
- Backflow prevention
- De-chlorination

Amherstburg is responsible for:

- Witnessing the testing procedure
- Attaining chlorine and microbial samples & delivering the samples to the testing laboratory

The test pressure shall be 1035 kPa (150 psi) for a period not less than two (2) hours. Maximum permissible leakage shall be 2.22 litres per day per mm diameter per km of pipe. Work to be done as per the most current Ontario Watermain Disinfection Procedure.

After the pressure test passes, the new system is filled with highly chlorinated water using continuous feed method with chlorine concentration >25mg/L.





#### *5.5.8.2. Flushing and Disinfecting*

Flushing and disinfecting operations shall be carried out in accordance with the MECP and the requirements of Amherstburg Water Department. Amherstburg's Water Department shall be notified at least 48 hours in advance of the proposed date on which disinfection operations are to commence. The Contractor shall de-chlorinate and flush.

The discharge of chlorinated water shall be in accordance with "Environmental Construction Guidelines for Municipal Road, Sewage and Water Projects" by Municipal Engineers Association, Appendix 'B'.

Watermains shall be swabbed and flushed in a sequence and in accordance with the procedure set out by the Consulting Engineer and Supervisor of Environmental Services. The Engineer may permit or require the flushing to be carried out in stages as sections of the system are completed. No unsuitable matter shall be allowed to enter the sections which have been flushed. A soft foam swab is to be inserted into the main at the filling end.

Once swabbing is complete, water from the existing distribution system shall be allowed to flow at a controlled rate into the new pipeline until flushed and full then the control valve shall be closed immediately. The system shall be tested for residual, documented and left charged with the chlorine solution for 24 hours. All valves and hydrants shall NOT be operated during the 24-hour period.

The chlorine residual will be re-tested in the test section after 24 hours. The maximum allowable decrease in chlorine concentration is 40% of the initial chlorine concentration to a maximum decrease of 50 mg/L.

Once acceptable, the section shall be flushed completely and recharged with water normal to the requirements. The chlorination procedure shall be repeated until satisfactory results are obtained. If chlorine residual tests are satisfactory, microbial testing (by an accredited facility) must be carried out as per ANSI/AWWA C651.

#### *5.5.8.3. Tracer Wire Testing*

Amherstburg Water Department shall perform a Tracer Wire Test once watermain installation is completed. The Contractor is responsible for repairing any disruptions found as a result of the Tracer Wire Test immediately.

### **5.6. OTHER**

This section provides specifications for various infrastructure that may be required to be located within the municipal right-of-way or on municipal property owned by Amherstburg.



### 5.6.1. Sidewalk

Concrete sidewalks shall be constructed in accordance with OPSS 351 and OPSD 310.010, 310.030, 310.031, 310.033, 310.039 as well as Detail R3. Sidewalks shall be constructed through driveways/entrances unless noted otherwise herein. Sidewalk jointing and finishing shall be as per Detail R8.

Sidewalks will be required in the following instances:

- on both sides of arterial roads; 2m wide sidewalk is recommended
- on both sides of collector roads; 2m wide sidewalk is recommended
- on both sides of residential streets which may lead to the location of a school or park; 2m sidewalk is recommended
- on both sides of residential streets (including cul-de-sacs and crescents) which do not lead to schools or parks; 2m sidewalk is recommended
- where there is a possibility of a requirement to provide continuity of sidewalk (single or both sides) to future developments;
- the location is shown on Detail CS-1, CS-2, and CS-3;
- all sidewalks shall be handicap accessible and include wheelchair access ramps at all intersections and curbed driveway approaches as per the applicable OPSS and AODA requirements
- where required, school bus "pick-up" pads shall be constructed in consultation with the respective school boards.

All sidewalks will be 125mm thick, 30 MPa concrete on 150mm Granular 'A' base. Sidewalks shall be constructed through driveways 150mm thick, 30 MPa concrete on a 150mm Granular 'A' base. Sidewalks in commercial areas will at a minimum match the thickness of the asphalt or concrete approach. All sidewalk construction in Amherstburg shall have horizontal broom finish with 3" smooth edging along both sides.

Minimum widths of sidewalks to provide minimum wheelchair turning radii is 1.5m.

Amherstburg encourages developers to consider installing multi-use pathways (up to 3m in width) in lieu of sidewalks on collector roads. This aligns with Amherstburg's goal of encouraging active transportation throughout the town.

Sidewalk platforms, at intersection radii, shall be constructed in accordance with OPSD 310.030, 310.031, 310.033 and 310.039. All platforms, at crosswalk locations, shall have steel tactile plates as per OPSS 310.039, painted yellow.

The Developer shall install all sidewalks at the time of completion of the maintenance period for the underground works. Any review and approval of development drawings includes the requirement for tactile walking surface indicators at all municipal sidewalk curb ramps. Amherstburg and/or the Developer may require a delay in the schedule to install sidewalks based on the level of building activity and/or to allow for the



consolidation of utility trenches. Refer to Section 1.2.4.1. for details on Delay of Surface Asphalt and Sidewalks.

Developers will be responsible to maintain and repair damaged sidewalks for one year from Amherstburg's "acceptance of services". The Developer shall also include sidewalks shown on the lot grading sheets submitted to Amherstburg, prior to the issuance of building permits.

The Accessibility for Ontarians with Disabilities Act (AODA) was established in 2005 outlining accessibility standards for organizations, including Municipalities. Ontario Regulation 119/11, Accessibility for Ontarians with Disabilities Act (AODA), was amended by Ontario Regulation 413/12 to include Part IV.1, Design of Public Space Standards (Accessibility Standards for the Built Environment). The amendment to the regulation came into force January 1, 2013 and applies to public spaces that are newly constructed or redeveloped after January 1, 2016 by municipalities among other obligated organizations. The Act does not require existing sidewalks or wheelchair ramps to be retrofitted or replaced.

In order to comply with the Act requirements, the exterior path must have a minimum clear width of 1500 mm. Where the curb ramp is provided at a pedestrian crossing, it must have tactile walking surface indicators that:

- are metal,
- have raised tactile profiles,
- have a high tonal contrast with the adjacent surface (yellow in colour),
- are located at the bottom of the curb ramp, and
- follow OPSS.MUNI 351

### 5.6.2. Multi-Use Pathways

3.0m wide multi-use pathways (75mm asphalt thickness on 250mm Granular 'A') may be requested in lieu of concrete sidewalks. The base is to be 300mm wider than the asphalt on each side. Minimum HL4 base course asphalt is to be used.

### 5.6.3. Lot Grading Requirements

An overall lot grading plan for the subdivision is prepared by the Applicant's Consulting Engineer and is approved by the Engineering, Building Departments and ERCA. Where new developments outlet to natural water courses or municipal drains, ERCA may also review road grades and minimum structure opening elevations as they may relate to prescribed 1:100 flood line and flood plain criteria.

The elevation of the storm sewer should ensure gravity flow from future buildings and rear yard drains to the sewer main in the road. Existing drainage patterns from abutting



properties must not be blocked. The grading plan must ensure that existing overland flow routes are maintained (including overland flow routes for 1:100-year flows).

The Overall Lot Grading Plan is reviewed to ensure that the building grade elevations are set. The grade elevation difference between adjacent units shall be accommodated through maintainable slopes (i.e. 1 in 6) and driveway slopes shall not exceed 8% on private property and 4% within the municipal right-of-way. Consideration to existing sidewalk grades shall be used to determine appropriate slopes. Desirable allowable grade differences between adjacent lots shall be 150 mm. Where this cannot be provided, terracing, retaining walls, etc. may be required.

The Overall Lot Grading Plan also identifies those building lots that require a Certified Bearing Certificate by a Geotechnical Engineer. This Certificate confirms the allowable soil bearing pressure and are required where the future buildings may be on a previous municipal drainage ditch or low area that has been filled. This information is forwarded to the Building Department for their consideration for footing requirements.

After the sewers, watermain and road have been serviced, the as-built elevation of the sanitary service connections and the storm service connections shall be provided by the Applicant's Consulting Engineer to Amherstburg using a Private Drain Connection Sheet (PDC). When the builder comes in for an individual lot, these elevations are given to the builder for his use. The builder shall verify these elevations in the field prior to construction.

Building Department will provide a copy of the approved lot grading, sanitary service connection, and storm service connection to the permit holder at the time of the issuing of the building permit.

At least two (2) rear yard catch basins shall be installed by the builder on each lot typically near the rear corners. Amherstburg will consider reducing this requirement to at least one (1) rear yard catch basins shall be installed by the builder on each lot typically near the corners for four or more-unit townhomes. One of the catch basins must be installed at the end of the rear yard drainage piping for maintenance purposes. Catch basins are to be high density polyethylene, or concrete with an approved lid. The Applicant or Applicant's home builder will be responsible for the rear yard drainage system to the storm sewer connection at the street limit.

All homes must be designed to include a sump pump overflow.

The Building Department does a visual inspection of the rough grading once construction is complete to confirm that the intent of the lot grading has been satisfied. The permit holder shall have the elevation checked, by hiring an Ontario Land Surveyor at their expense for confirmation. The elevations shall be shown on a final grading sheet for each lot, submitted to the Building Department for final approval.



#### 5.6.4. Cross Sections

Refer to Detail CS-1, CS-2, and CS-3.

#### 5.6.5. Streetlighting and Hydro

The minimum criteria for the design of street lighting, power distribution and other services are noted below. All materials shall be compliant with Canadian Standards, as a minimum, and suitable for its intended application. The Consulting Engineer shall verify all existing services to the best of their knowledge and coordinate all new lighting, power distribution and communication services to avoid conflicts with other trades.

The Developer will be responsible to borne all costs associated with energization of the hydro appurtenances installed.

##### *5.6.5.1. General*

Every effort should be made to align street lights with side lot lines or lot lines between parcels. Designer shall follow Amherstburg's cross section details within this Manual.

Electrical ground grid or rods to be installed as per all applicable local codes, regulations and/or standards. Consideration should be made to future ground rod locations during the design stages of any development.

Amherstburg's preference (per the local 22m cross-section) is to design for all streetlights to be installed on one side of the street, and wherever possible, on the same side of the right-of-way as the sidewalks (where applicable). Distribution patterns may vary depending on the design application. Other distribution patterns may be accepted upon review of a complete photometric drawing submission to Amherstburg provided by Engineer.

If changes to the specific poles and fixtures noted in this Manual are required, the Designer shall contact Amherstburg with the Designer's recommendations to be approved prior to implementation.

All new subdivisions and/or roadways shall be designed with LED lighting.

The Developer is responsible for the illumination of all newly created intersections and roadways.

The joint IESNA (Illuminating Engineering Society North America) and IDA (International Dark Sky Association) societies MLO (Model Lighting Ordinance) BUG system (Backlight-Uplight-Glare) was implemented to provide a more accurate and consistent rating system for light fixtures that will provide enhanced control with glare and light trespass and will reduce overall light pollution than the conventional full, semi and non "cut-off" rating system. The BUG system was released as an IES Technical



Memorandum TM-15. The BUG rating system employs zones of intended use and evaluates the desired light fixture by % of total lumens at various angles in specified defined quadrants that represent backlight, up light and glare.

The Consulting Engineer will attempt to implement fixtures that will be rated in accordance with the joint IDA and IES lighting design guideline to minimize light pollution and to better evaluate the proposed light fixture, utilizing fixtures that are compliant with the ratings of the zone intended for use.

#### 5.6.5.2. Minimum Design Criteria

Street lighting design shall be based on road and pedestrian classification as defined by the authority having jurisdiction. Classifications may be found within the Illuminating Engineering Society of North America (IESNA) standards for roadway lighting (RP-8-00), luminaire classification system for outdoor luminaires (TM-15-11) and/or the TAC guide book. The Consulting Engineer is responsible to review the latest edition of all codes and standards to ensure all lighting levels, intensity and uniformity ratios are achieved.

Photometric plans and lamp specifications shall be submitted for review of development applications when specified by Amherstburg and will form part of development approval agreements.

Photometric values shall be shown within the entirety of the right-of-way in streetlight design drawings submitted for approval.

The approved streetlight poles and fixtures to be used within Amherstburg are noted below:

Table 8 - Streetlight Specifications

Streetlight Style	Pole	Fixture
Cobra Head	25 ft Class A round grey street light pole by StressCrete Limited (Pole Order Number E-250-APR-G-MOO S/F 120)	NXT-S Series LED fixtures (Example order # NXT-36S-0-7-2ES-5-GY-3-UL-S-2H)
Cobra Head	30 ft Class A round grey street light pole by StressCrete Limited (Pole Order Number E-300-APR-G-MOO S/F 120)	NXT-L Series LED fixtures (Example order # NXT-48M-0-7-2ES-6-GY-3-UL-S-2H)
Decorative	Octagonal fluted Midnight Lace 20 ft tall pole by StressCrete Limited (Example KTH18-G-E10)	King Luminaire Decorative fixture (Example - K118R-R1AR-III-60SSL-1042-120:277-K14-PE7-SST-4K)





The following guiding principles and techniques are to be adopted for the lighting of private and public lands, and applied consistently to obtain development approvals:

- Contribute to personal safety
  - Locate lamps so as to avoid glare
  - Provide additional shielding of lamp fixtures to avoid glare
  - Provide uniform lighting without sudden light to dark transitions
  - Provide overlap of light distribution
  - Provide illumination to articulate steps
  - Coordinate spacing and height of lamps with landscaping to ensure lighting coverage is not interrupted
- Support the supervision of secure areas
  - Provide good colour rendering for identification purposes using acceptable street lighting standards
  - Provide sufficient lighting coverage including building recesses or inside corners
- Assist in way finding
  - Provide illumination to improve legibility of notes, landmarks and circulation areas
  - Align lamps in consistent, recognizable and unambiguous patterns
  - Provide a uniform and modest brightness along paths of travel
- Conserve energy
  - Employ alternatives to best conserve energy
  - Dim down lighting to minimum levels after normal operating hours (where required/ requested)
- Preserve the experience of the night sky
  - Light pollution is considered undesirable and many feel that it reduces the enjoyment of night sky.
  - Provide full cut-off lighting (zero percent of peak intensity radiating above 90 degrees and 10 percent of peak intensity above 80 degrees) or employ low cut-off where full cut-off lighting alternatives are not feasible, as approved by Amherstburg. As LED fixtures can't be fully evaluated in terms of full, semi-cutoff or non-cutoff terms, and as the movement towards anti-light pollution increases, a new system has been implemented jointly by IESNA and IDA to evaluate luminaires. The MLO (Model Lighting Ordinance) uses the BUG (note 8) rating of the fixture shall follow TM-15, issued by IESNA and IDA.
  - For all area lighting, luminaires should be equipped with devices for re-directing light such as shields, visors or hoods.
  - Beacon lights are strongly discouraged unless the application requires such lighting, and as approved by Amherstburg.
- Respect the privacy of residential space



- Locate lamps to direct light away from neighbouring properties
  - Provide supplementary shielding of lamps to direct light away from neighbouring properties
  - Provide lamp fixture mounting heights that avoid glare to the vantage point of neighbouring residential units
  - Provide recessed light fixtures that avoid glare to the vantage point of neighbouring residential units
- Respect animal habitat
  - Direct illumination away from abutting Municipal Parks and naturalized areas on abutting private lands
- Heighten the enjoyment of public space and night time activity
  - Provide minimum illumination to encourage night time use
  - Minimize glare using shielding of fully recessed light fixtures, as required
  - Reveal the salient features of a site using a combination of diffused and spot lighting

Fully shielded is assumed in all references.

Luminaires will be full cut-off unless otherwise provided with IESNA BUG rating.

#### *5.6.5.3. Hydro Distribution*

The power distribution system consisting of the primary and secondary power feeders, transformers and underground infrastructure shall be designed in accordance with the appropriate power supply authority requirements. The Developer is responsible to obtain the approval of the appropriate power supply authority prior to construction.

#### *5.6.6. Utilities*

Utility Services such as, but not limited to, voice, data and television shall be coordinated by the Consulting Engineer unless otherwise advised. These services and associated conduit routing shall be clearly identified in road crossings, on cross-sections, etc.

#### *5.6.7. Tree Planting*

The Developer will pay Amherstburg in the amount of \$600 per unit within the subdivision, prior to construction of any such phase, for the planting of a tree of at least 60mm caliber in accordance with the Amherstburg's Tree By-law. This requirement will be specified in the subdivision agreement for the lands.

The trees will be installed by Amherstburg on the lots where homes have been constructed and the front and side yards have been seeded and sodded, once per year annually in the fall. The trees will be planted on municipal property at a location selected by Amherstburg.





Tree planting requirements shall also be applicable for newly created lots through consent.

Plan of condominium and apartment building proposals can propose tree planting locations through a landscape plan and shall be reviewed and approved during the site plan control process. Amherstburg encourages private developments to incorporate trees and landscaping to provide shade, expand water-permeable surfaces, and provide an improved walking experience.

Inquires related to the tree planting process for new development should be directed to Amherstburg's Manager of Roads and Fleet.

#### 5.6.8. Pavement Markings, Information, and Regulatory Signs

A "traffic signing plan" listing all signs and locations and pavement markings is to be submitted for Amherstburg's approval by the Developer's Consulting Engineer. The Manager of Engineering will make the final determination on the scope of this work.

Amherstburg will be responsible for the installation of all new regulatory, warning and street name signs in accordance with all applicable Ontario Traffic Manuals.

All stormwater management facilities are required to have signage to identify the following information to the public:

- That the site contains a stormwater management facility
- Any potential hazards and limitations of water use
- The purpose of the facility
- ECA approval number and/or asset ID
- Owner's contact information

The Developer shall pay for all required signs including "no parking" signs as per Amherstburg's User Fee by-law. The Consulting Engineer must provide Amherstburg with a sign layout plan for review and approval. This plan must include locations of all signs to be used.

No existing signs are to be removed without Amherstburg's written approval.

Dead end barriers shall be constructed at all temporary cul-de-sacs and/ or ends of roadways, which are to be extended in subsequent phases by the Developer.

Signage will be used to designate "no parking" areas. Stop bars are required only at intersections with arterial or collector roads. For arterial and collector roads, stop bars shall be two component cold extruded polymer material. For local residential streets, organic solvent-based or latex-based painted stop bars will be accepted.

The Developer will arrange and be responsible for the cost of all paint markings.



#### 5.6.9. Mailbox Locations

Locations for Community Mailboxes (CMB) must be coordinated and approved by Canada Post and Amherstburg. Mailboxes shall be located on collector roads whenever possible. Car bays shall be incorporated into the right-of-way design for all CMB locations on collector roads.

Specifications for the construction of concrete pads and installation of CMBs must be obtained from Canada Post by the Developer's Consultant and included in the drawing set. The location of CMBs must be approved prior to installation of sidewalk.

#### 5.6.10. Public Works Permits

Any person who will be undertaking activity on Town Highways, Right of Ways or Road Allowances (utility installation, driveway approaches, etc.) shall be required to make application for a Public Works Permit.

An application must be completed and submitted to Amherstburg's Public Works Department prior to commencement of any work.

The Applicant shall:

1. Complete the prescribed application form and identify the Permit being applied for;
2. Provide complete details of the Activity that shall include, but not be limited to the specifications outlined on the application and any attached schedules;
3. Provide a detailed Traffic Control Plan if required;
4. Pay the non-refundable Permit fee by certified check or debit at the Public Works Building;
5. Provide such other information as required by the Director.

A Permit shall not be issued until proof of Insurance and indemnification in accordance with the requirements of this by-law is received.

Indemnity deposit is received by Amherstburg to cover the faithful performance of the terms of the permit including maintenance, repair and restoration carried out by the permit Holder and every other obligation arising under and imposed upon the permit holder.

An emergency contact telephone number for the permit holder is provided. The permit holder shall maintain and answer a telephone at all times during the period for which the permit holder is responsible for the activity.

When the applicant is requesting multiple road cuts, Amherstburg reserves the right to issue a single permit or multiple permits dependant on the nature of the activity.



If it is the intent of the applicant to complete activity within a right-of-way that is minor (at the discretion of the Director) and of short duration, (i.e. does not cause any disruption to traffic flows, does not break ground and does not create a potential for damages to existing utilities) then a permit may not be required.

The permit shall become void if the activity authorized by the Permit is not commenced within six (6) months of the date of issue.

Any person required to renew and/or extend a Permit shall submit a new application form to the Director of Infrastructure Services.

The Director of Infrastructure Services reserves the right to issue or deny issuing any permit.

A permit granted by the Director of Infrastructure Services may be revoked whenever, in their discretion, the permit holder of such permit is in non-compliance with its terms or there are concerns for the safety of the public.

#### 5.6.11. Driveways

All new and modified residential, commercial, industrial and institutional driveways; with or without curb cuts and culverts located on municipal roads within Amherstburg must conform with the Driveway Alteration and Installation Policy.

Applicant will be responsible to upgrade existing sidewalks from 125 mm thickness to 150 mm thickness at the time of driveway construction as well as replace any damaged (cracked, settled, etc.) sidewalk panels.

Sidewalks will extend straight through all driveways, concrete, asphalt, paving, stone or coloured concrete driveways (existing or new). For non-coloured concrete driveways, the Applicant will define the sidewalk across the driveway using an expansion joint, dummy joint or sawcut along with edging to match sidewalk detail.

#### 5.6.12. Restoration & Landscaping

Restoration of all boulevard areas disturbed as a result of the construction of site services shall be completed to match the existing conditions or better, but not less than 100mm topsoil and sod for existing maintained lawn areas.

The Developer must have a landscape plan prepared by a professional landscaping firm and it is to be reviewed and approved by Amherstburg. All landscaping proposed within the municipal right-of-way shall require low/no maintenance.



### 5.6.13. Backfill and Compaction

Trench backfill and compaction shall generally be in conformance with the minimum requirements outlined in OPSS MUNI.401, OPSS MUNI.402, OPSD 802.010, OPSD 802.013, OPSD 802.020, OPSD 802.023, OPSD 802.030, OPSD 802.031, OPSD 802.032, OPSD 802.033, OPSD 803.010, and the Excess Soil Regulation (O. Reg 406/19).

For all open cut trenches within the road (back of curb to back of curb) approved granular shall be used. Granular trench backfill should be brought up 50mm-100mm above subgrade. This process is to ensure that during road cut operations, granular trenches are fully exposed in the subgrade.

Based on site specific soil conditions, geotechnical recommendations for alternative degrees of native backfill compaction should be confirmed by a qualified geotechnical engineer.

Only recycled material approved by the Province and Amherstburg may be used. Amherstburg reserves the right to request engineered and environmental reports on the acceptability of the recycled material for specific intended uses at the Developer's expense.

### 5.6.14. Culverts

In ditched ROWs, driveway culverts are required (other than at highpoints). All culverts shall be new; corrugated/ribbed steel (CSP) or High-Density Polyethylene 320 KPA (Boss 2000) pipe; diameter and length to be specified by Amherstburg.

Culverts shall be backfilled with a minimum compacted base of 100 mm of Granular "A" and cover of 150 mm Granular "A."

Minimum culvert width of 6.1 metre laid on a minimum compacted thickness of 150 mm of approved backfill material, in accordance to OPSS.

Enclosures of abutting open roadside ditches shall be required for new developments, additions and/or alterations to existing properties. Ditch enclosures shall be constructed in accordance with the specifications in this Manual. All culverts shall include catch basins to capture stormwater run-off from existing roadside drainage patterns.

Driveway side slopes should be graded to a maximum of 1.5:1 from the entrance platform to the ends of the culvert invert at the bottom of the ditch with gabion stone. Headwalls may also be approved at Amherstburg's discretion.

Driveways installed over an open Municipal Drain shall require the culvert design and construction approvals to be completed through the procedures of the Drainage Act.



#### 5.6.15. Fencing

The height, type, and construction details of all fences required to be installed as part of the development are to be shown in the design drawings. Required fencing locations are to be determined by Amherstburg's Zoning By-law and Official Plan.

#### 5.6.16. Entrance Features

Entrance feature shall be defined as a permanent sign and all surrounding landscaping that displays the name of the residential, commercial, or industrial subdivision located at the primary entrance of the development.

Amherstburg is generally not supportive of proposals for entrance features.

All entrance features proposed within Amherstburg are subject to review by Planning & Public Works. All entrance features that are proposed are not guaranteed approval.

All entrance features proposed within the municipal right-of-way are required to be low/no maintenance and display zero conflicts with essential municipal services being constructed in the development. Essential municipal servicing shall not be modified or deviate from the standards of this Manual to accommodate an entrance feature. Minimal plantings shall be included in the design of the entrance feature. Electrical service or water supply shall not be permitted to be used within the entrance feature.

The entrance feature shall be subject to the regulations outlined in Amherstburg's Sign By-law.

Upon expiration of the maintenance period of the entrance feature, the entrance feature shall become Amherstburg's property and maintained by the Public Works Department.

#### 5.6.17. Parks

All parkland properties will require full municipal servicing to be installed to the property line for future development of the park amenities.



## 6.0 TRANSITION POLICY

The requirements within the Infrastructure Standards Manual shall take effect within 30 days of the latest revision date noted in the Revisions section of this Manual.

For all future phases of development, the requirements of the Infrastructure Standards Manual shall apply.

For all previously executed development agreements, the requirements contained within the current development agreement shall apply.

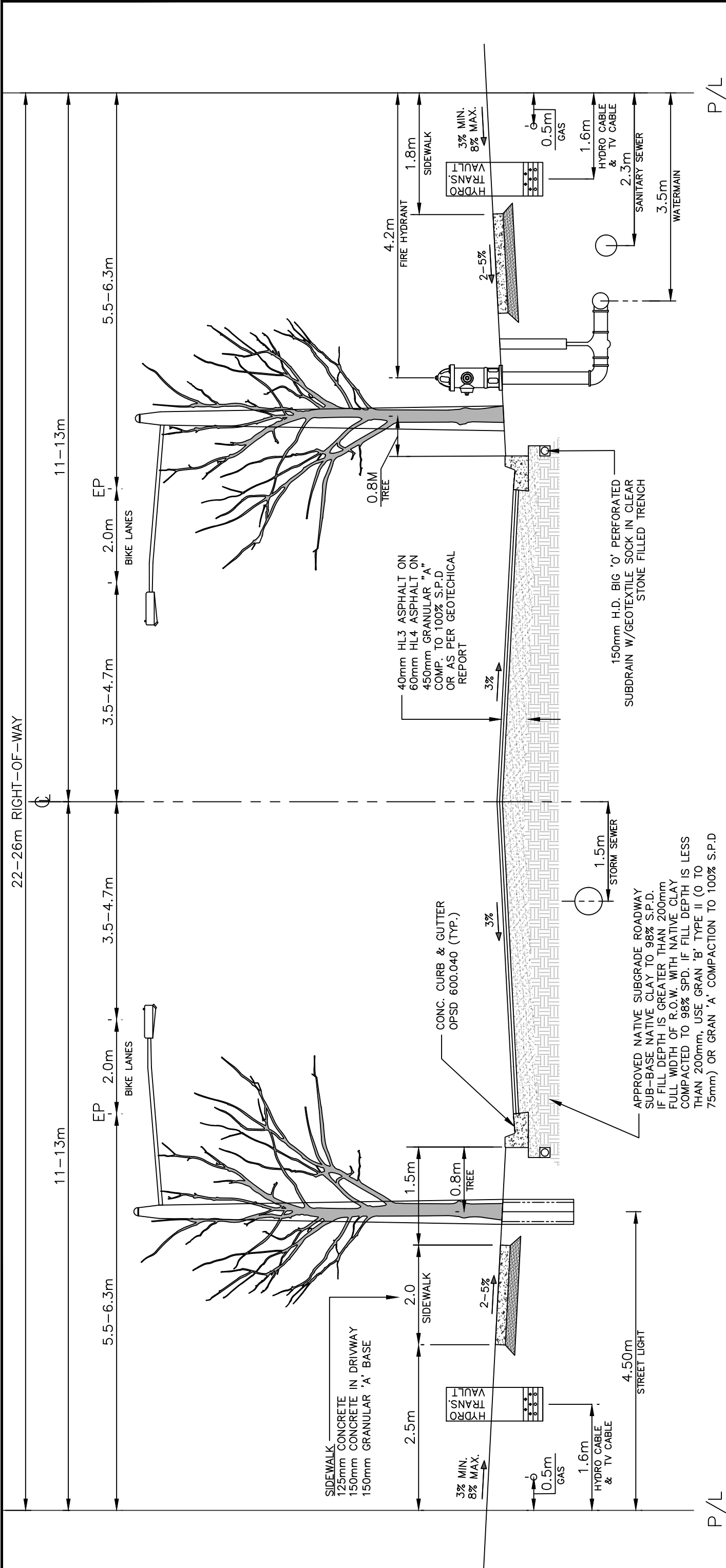


## **APPENDIX A**

### DETAILS








TYPICAL 22.0m R.O.W. CROSS SECTION

ADDITIONAL NOTES:

1. FINAL LOCATION OF UTILITIES MAY VARY DEPENDING ON UTILITY COMPANY AND ON SITE SPECIFICS REQUIREMENTS. FINAL POSITIONING OF UTILITY INFRASTRUCTURE SHALL BE VERIFIED BY A REPRESENTATIVE OF THE TOWN OF AMHERSTBURG.
2. 3.0m MULTI-USE PATHWAYS (75mm ASPHALT THICKNESS ON 250mm GRANULAR 'A') MAY BE REQUESTED IN LIEU OF CONCRETE SIDEWALK. THE BASE IT TO BE 300mm WIDER THAN THE ASPHALT ON EACH SIDE. MINIMUM HL4 BASE COURSE ASPHALT IT TO BE USED.
3. ALL SANITARY AND STORM SERVICES SHALL INCLUDE A TEE CLEANOUT AT PROPERTY LINE. ALL CLEANOUTS SHOULD PROJECT 300mm ABOVE FINISHED GRADE AND COLOUR CODED FOR INSPECTION. ONCE INSPECTION IS COMPLETE THE CLEANOUT SHOULD BE CUT, CAPPED AND BURIED 150mm-300mm BELOW FINISHED GRADE.
4. WATER SERVICE TO BE SET AT PROPERTY LINE.
5. EXPOSED SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF A GEOTECHNICAL ENGINEER TO VERIFY SUITABILITY.
6. SPARE CONDUIT SHALL BE INSTALLED WITHIN THE JOINT USE DUCT BANK AS PER TOWN OF AMHERSTBURG INFRASTRUCTURE STANDARDS MANUAL.
7. CURB INLETS CATCH BASINS ARE TO BE INSTALLED WHEN BIKE LANES ARE PRESENT



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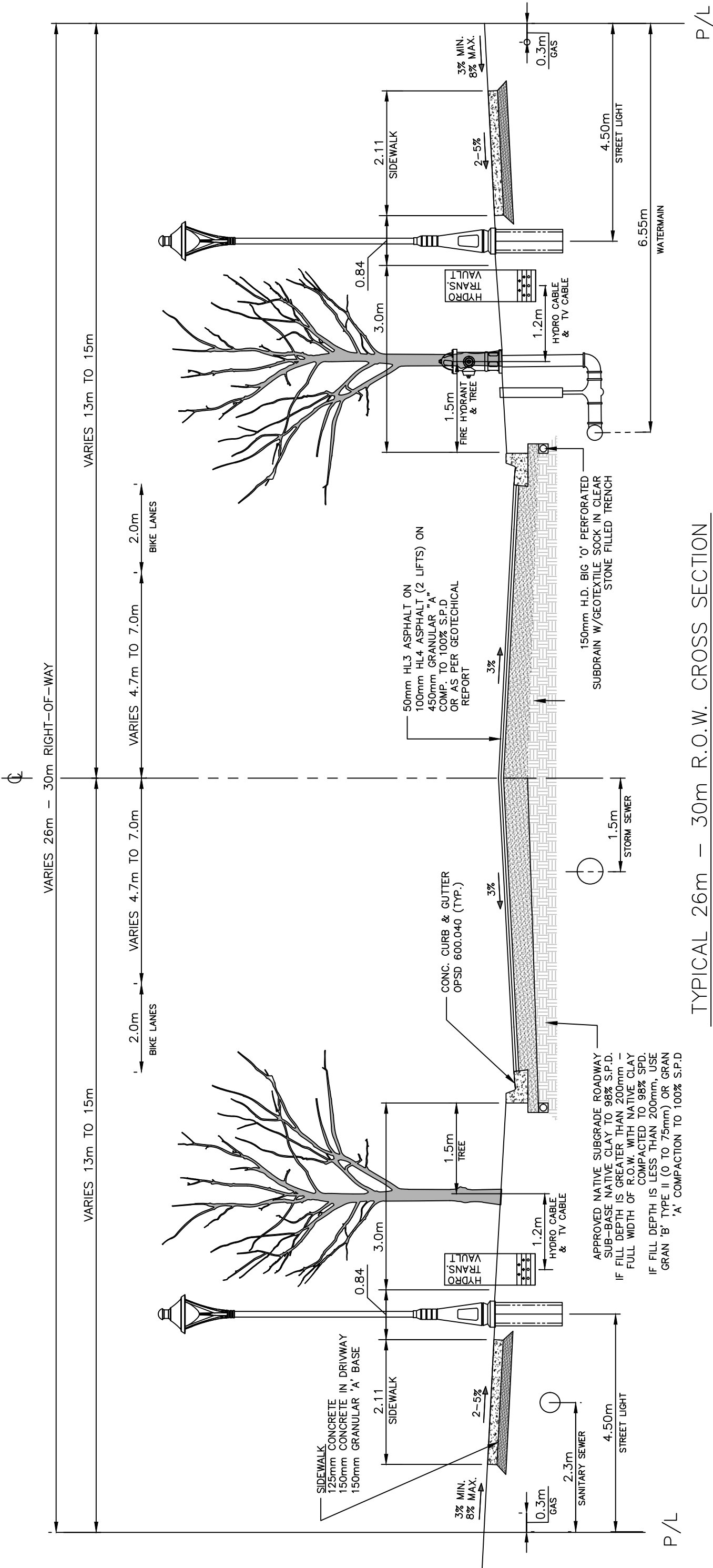
REVISIONS

BY


DATE

TOWN OF AMHERSTBURG  
INFRASTRUCTURE STANDARDS MANUAL

FIGURE CS-2  
TYPICAL ROAD CROSS SECTION  
22-26m R.O.W. - COLLECTOR



4. WATER SERVICE TO BE SET AT PROPERTY LINE.
5. EXPOSED SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF A GEOTECHNICAL ENGINEER TO VERIFY SUITABILITY.
6. SPARE CONDUIT SHALL BE INSTALLED WITHIN THE JOINT USE DUCT BANK AS PER TOWN OF AMHERSTBURG INFRASTRUCTURE STANDARDS MANUAL.
- \*\* SERVICE CORRIDOR OFFSETS TO BE CONFIRMED WITH MANAGER OF ENGINEERING**



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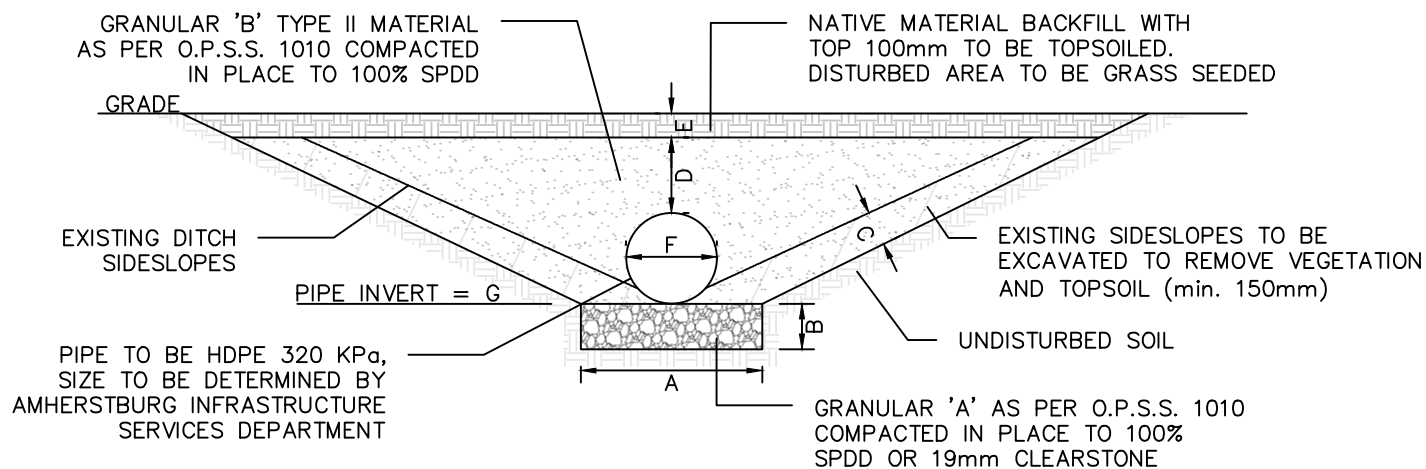
TOWN OF AMHERSTBURG  
INFRASTRUCTURE STANDARDS MANUAL

FIGURE CS-3

TYPICAL CROSS-SECTION  
FOR ARTERIAL ROAD

26m - 30m RIGHT-OF-WAY





#### DIMENSIONS

A = DIAMETER OF PIPE + 300mm

B = 150mm

C = 150mm (min.)

D = 150mm (min.) (FOR DRIVEWAYS SEE BELOW)

E = VARIES + 100mm TO BRING GRADE TO FINISHED ELEVATION FOR DRIVEWAYS (SEE BELOW)

F = DIAMETER OF PIPE TO BE VERIFIED BY THE TOWN OF AMHERSTBURG PUBLIC WORKS OFFICE

G = GENERALLY BOTTOM OF EXISTING DITCH, MUST BE VERIFIED BY PUBLIC WORKS DEPARTMENT

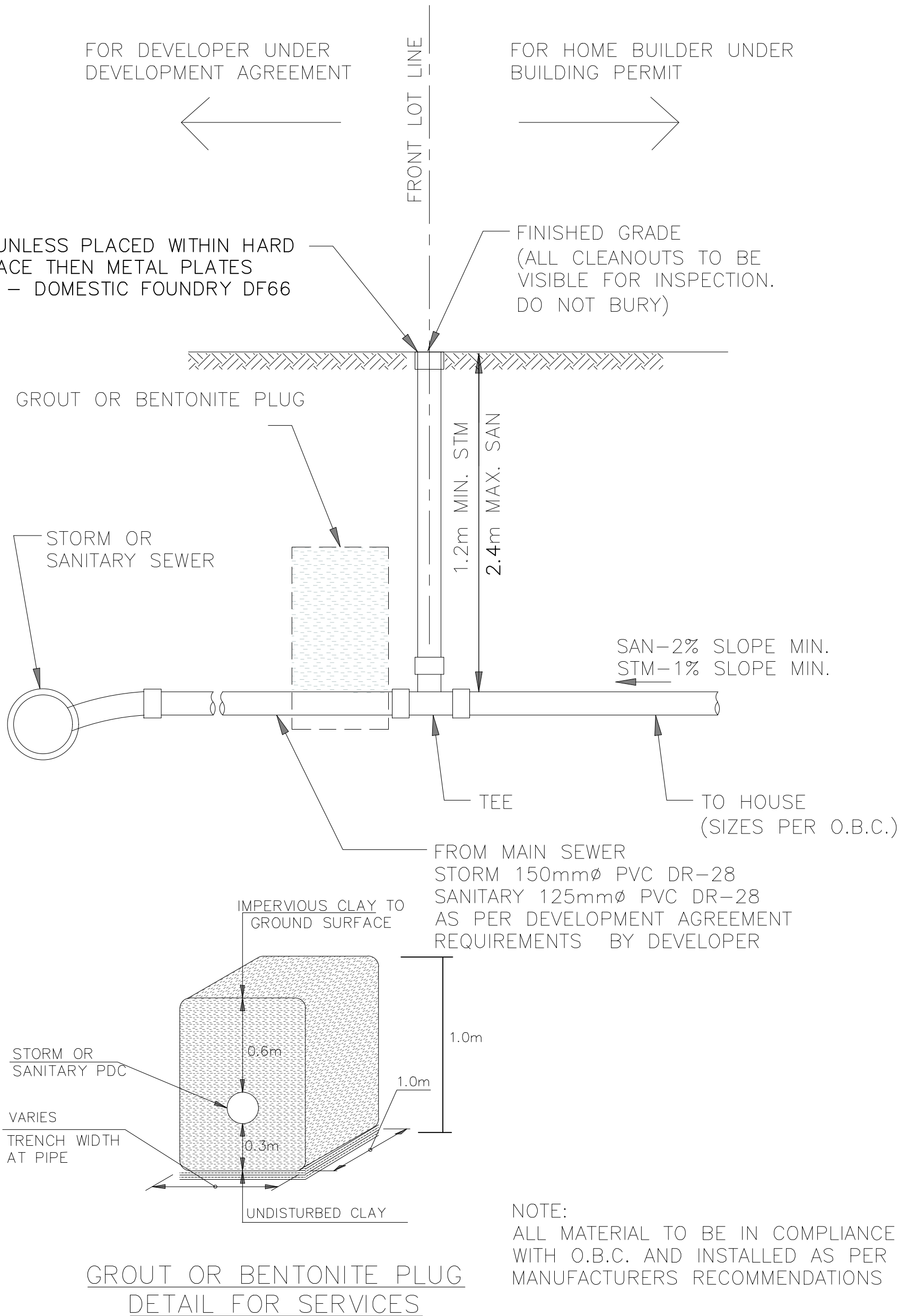
#### NOTES:

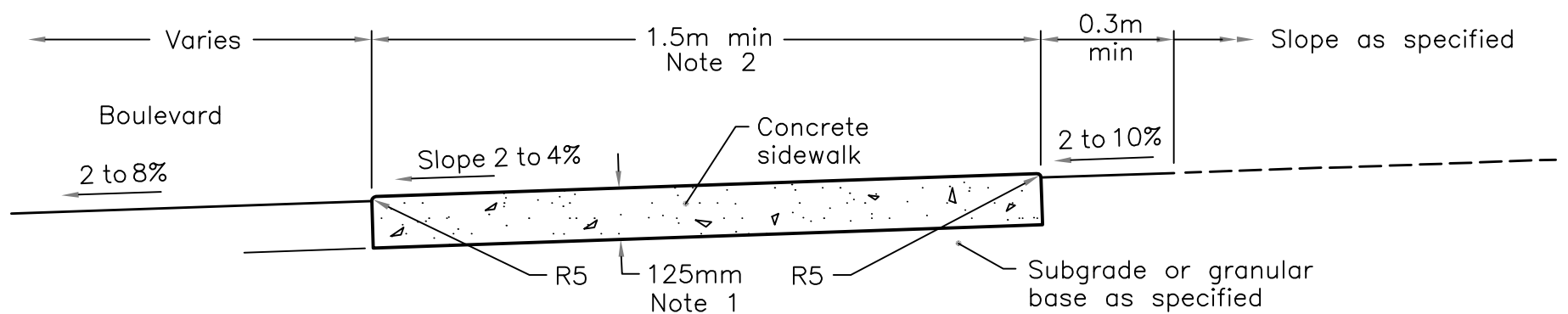
FOR DRIVEWAY ENCLOSURES "E" MUST BE 300mm OF GRANULAR 'A' MATERIAL WITH "D" BEING GRANULAR 'B' TYPE II MATERIAL COMPACTED TO 100% STANDARD PROCTOR DRY DENSITY



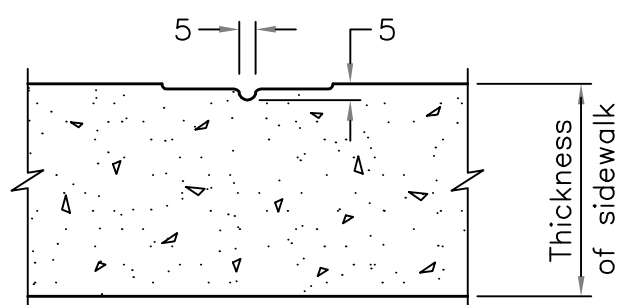
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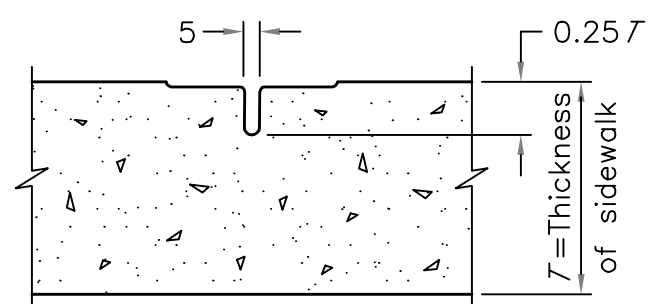




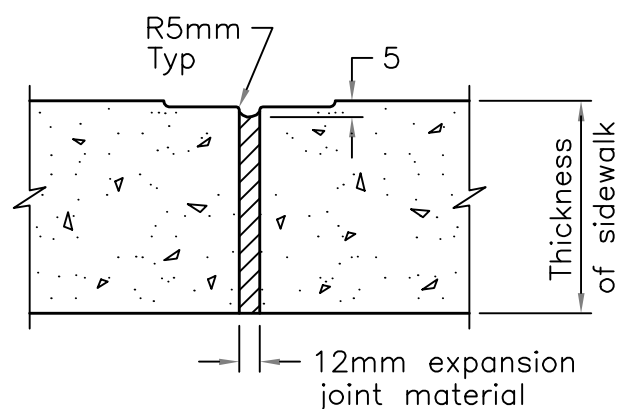
**TYPICAL SECTION**



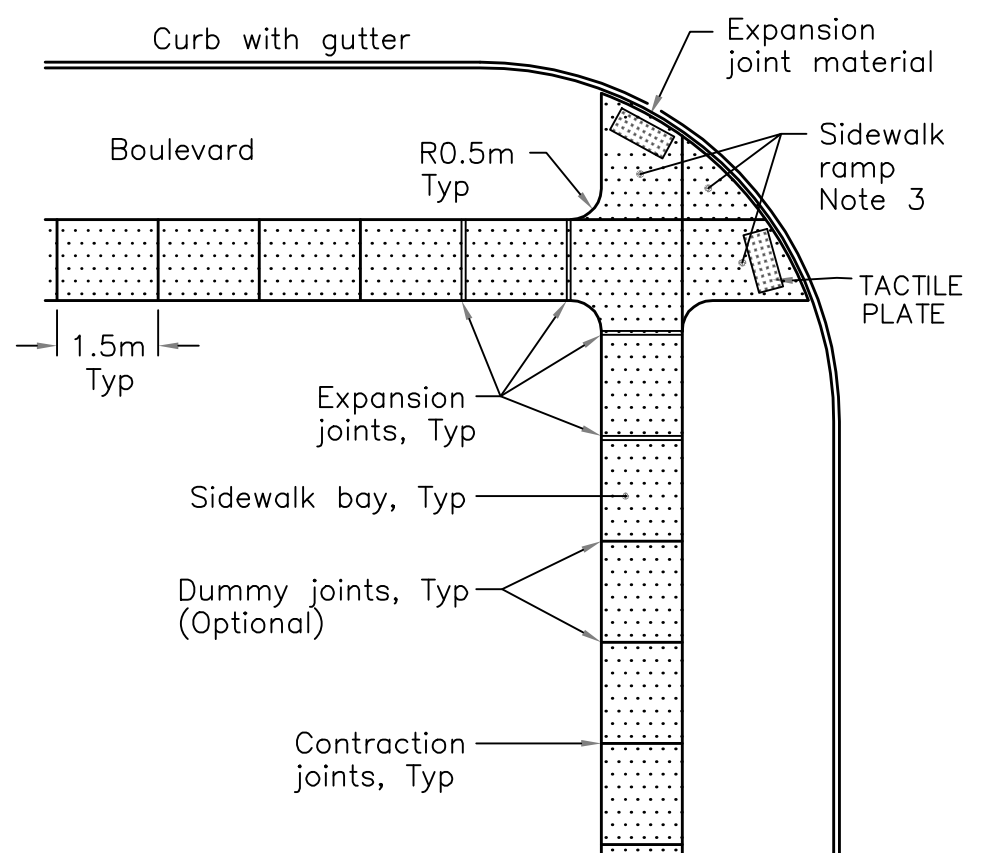
**DUMMY JOINT (OPTIONAL)**



**CONTRACTION JOINT (Note 4)**



**EXPANSION JOINT**



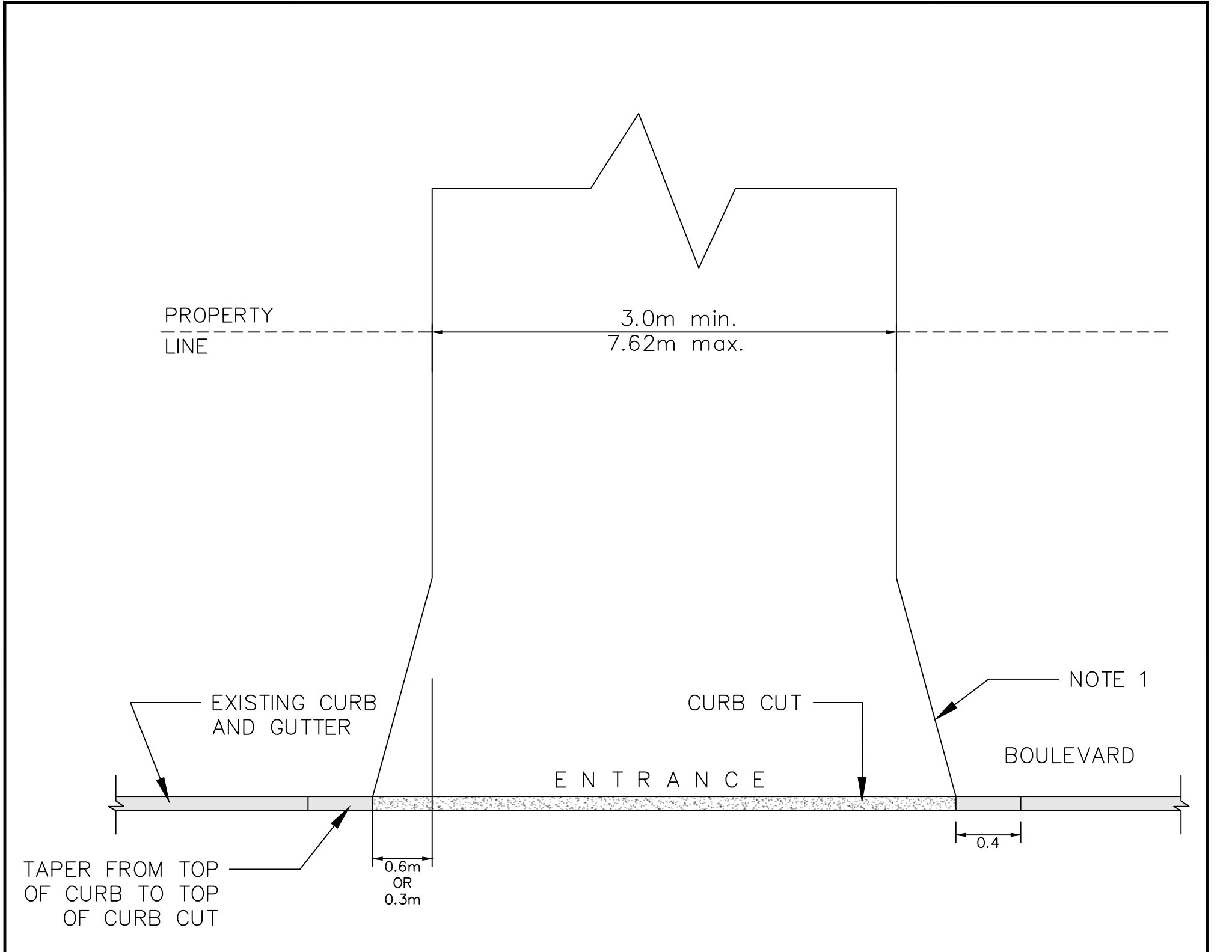
**JOINT LAYOUT**

**NOTES:**

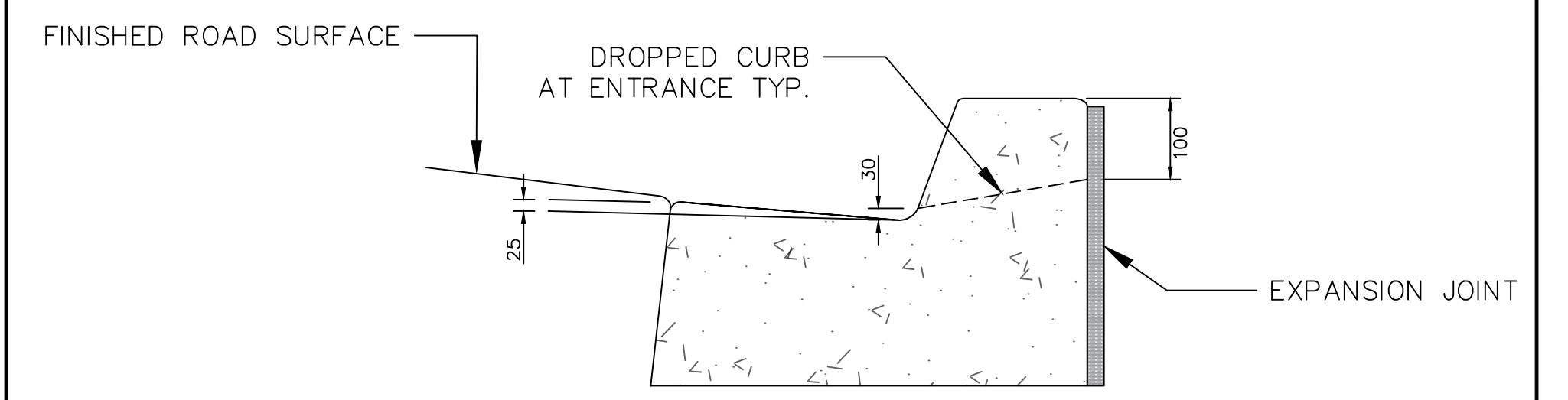
1. SIDEWALK THICKNESS AT RESIDENTIAL DRIVEWAYS AND ADJACENT TO CURB SHALL BE 150mm. AT COMMERCIAL AND INDUSTRIAL DRIVEWAYS, THE THICKNESS SHALL BE 200mm.
2. SIDEWALK WIDTH SHALL BE WIDER WHEN SPECIFIED
3. THIS DETAIL SHALL BE READ IN CONJUNCTION WITH OPSD 310.030, 310.031, 310.033, AND 310.039
4. CONTRACTION JOINT MAY BE TOOLED OR SAWCUT.
5. EXPANSION JOINTS ARE REQUIRED EVERY FIVE PANELS AND ON ALL FOUR SIDES WHERE A DRIVEWAY ABUTS A SIDEWALK.

ALL DIMENSIONS AND ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN





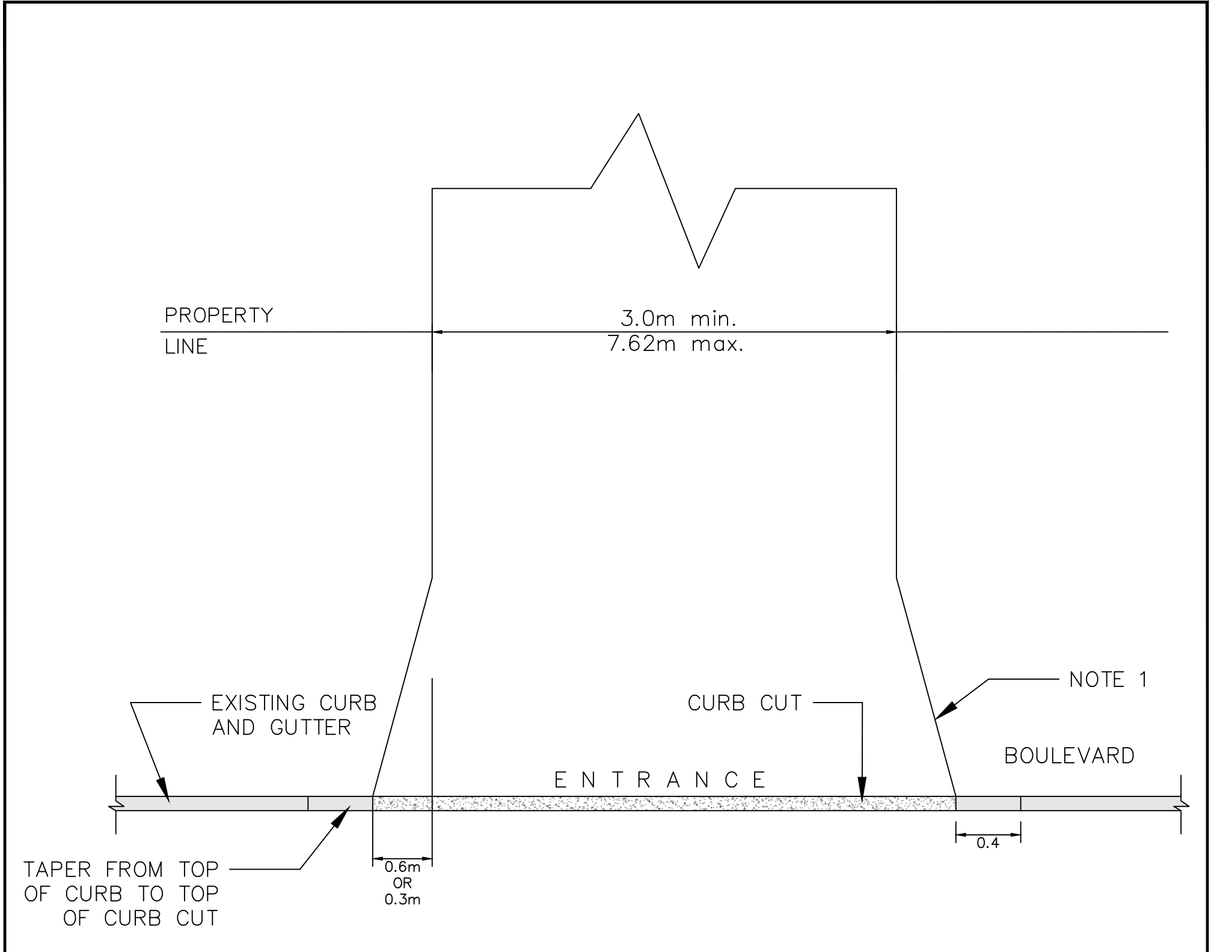
PLAN



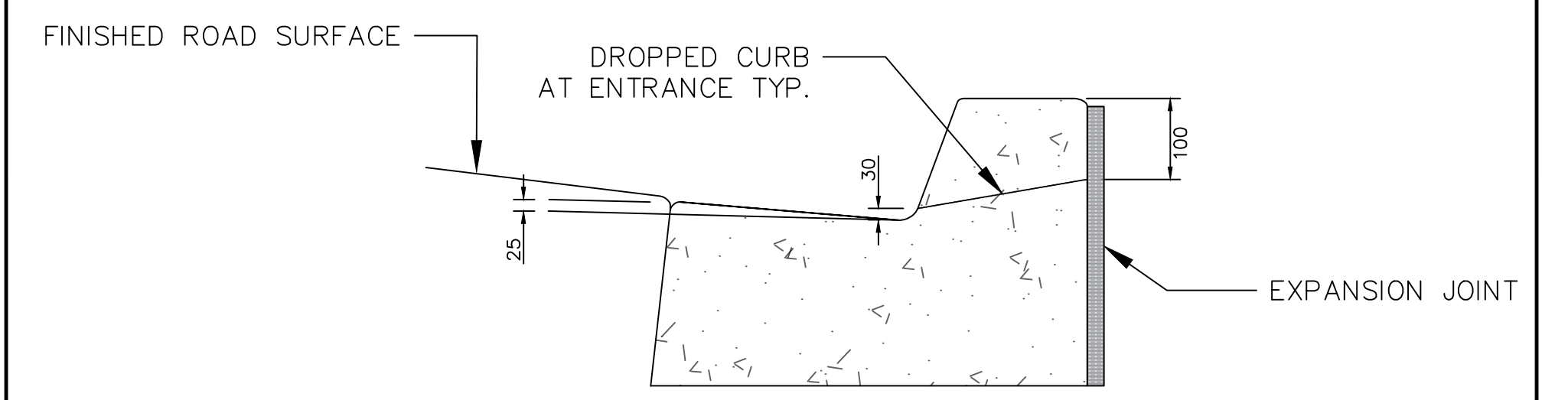
NOTES:

- 1. DRIVEWAY WIDTHS BETWEEN 3.0m AND 6.0m TO HAVE A 0.60m WIDE FLARE, DRIVEWAY WIDTHS OVER 6.0m TO HAVE 0.3m WIDE FLARE
- 2. DRIVEWAYS LOCATED NEAR STREET INTERSECTIONS MUST HAVE 8.0m CLEAR SITE DISTANCE FROM INTERSECTION PROPERTY CORNER TO NEAR EDGE OF DRIVEWAY FLARE

ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN



PLAN

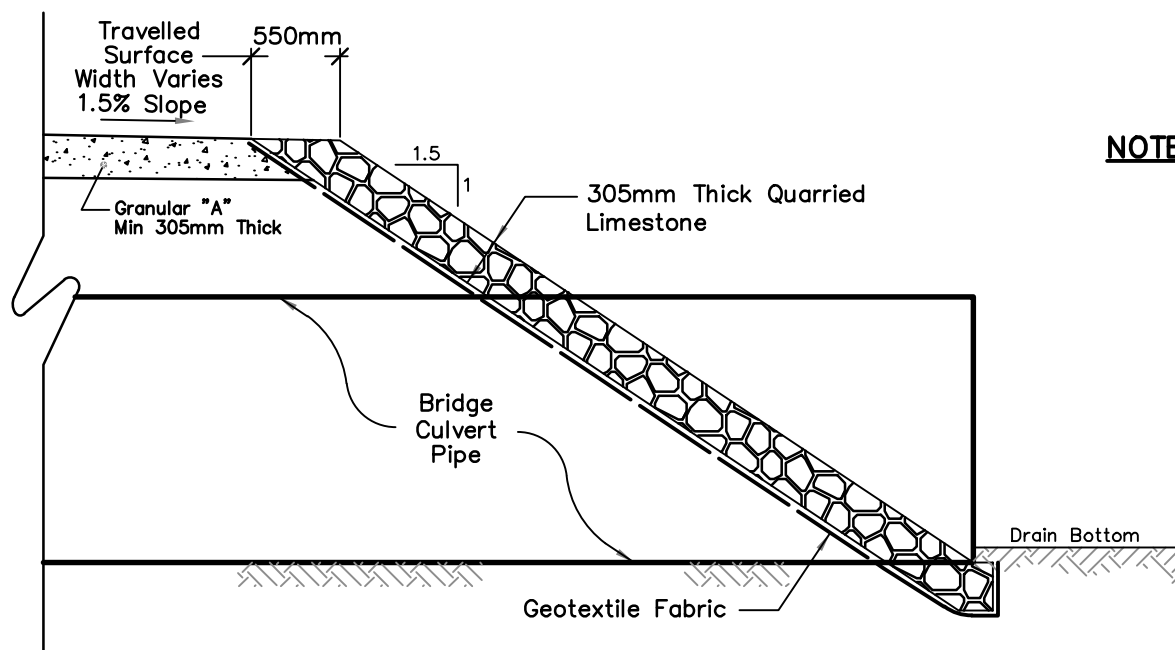


NOTES:

- 1. DRIVEWAY WIDTHS BETWEEN 3.0m AND 6.0m TO HAVE A 0.60m WIDE FLARE, DRIVEWAY WIDTHS OVER 6.0m TO HAVE 0.3m WIDE FLARE
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ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN

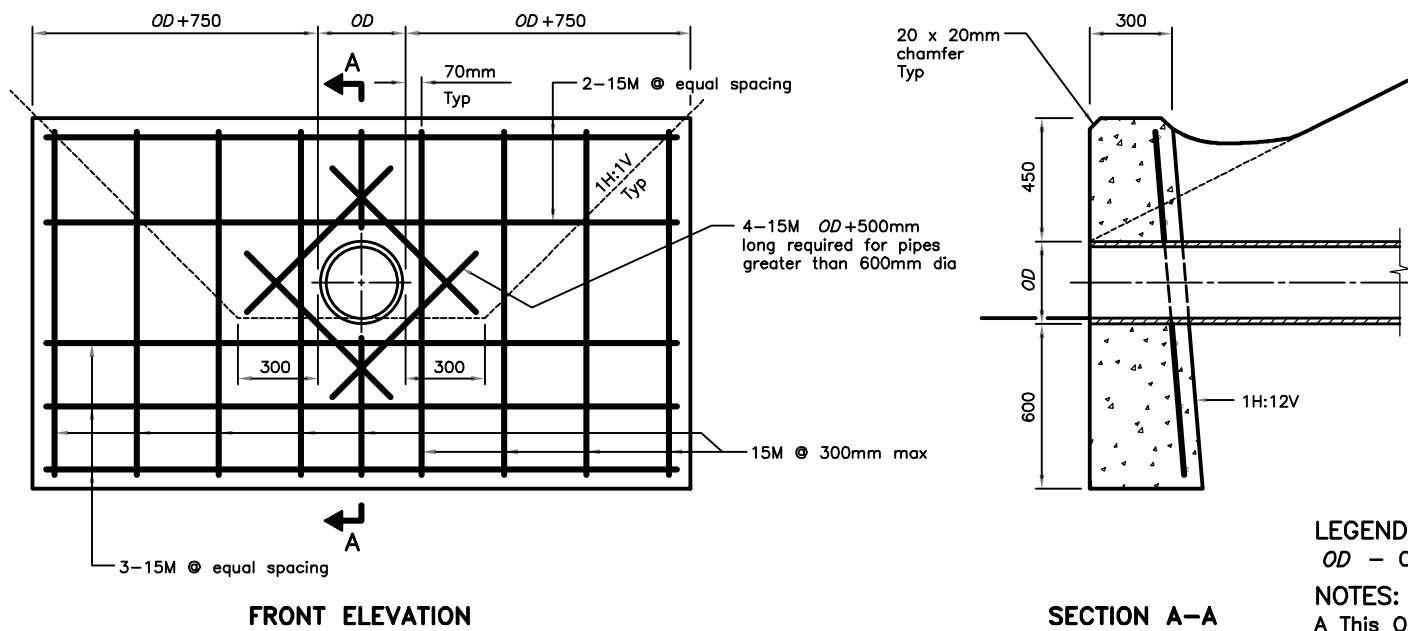




**NOTE:**

1. Size of Quarried Limestone to be 100mm to 250mm
2. Geotextile Fabric to be GMN 160 OPSS CLASS I or Equal

TYPICAL QUARRIED LIMESTONE END PROTECTION



**FRONT ELEVATION**

**SECTION A-A**

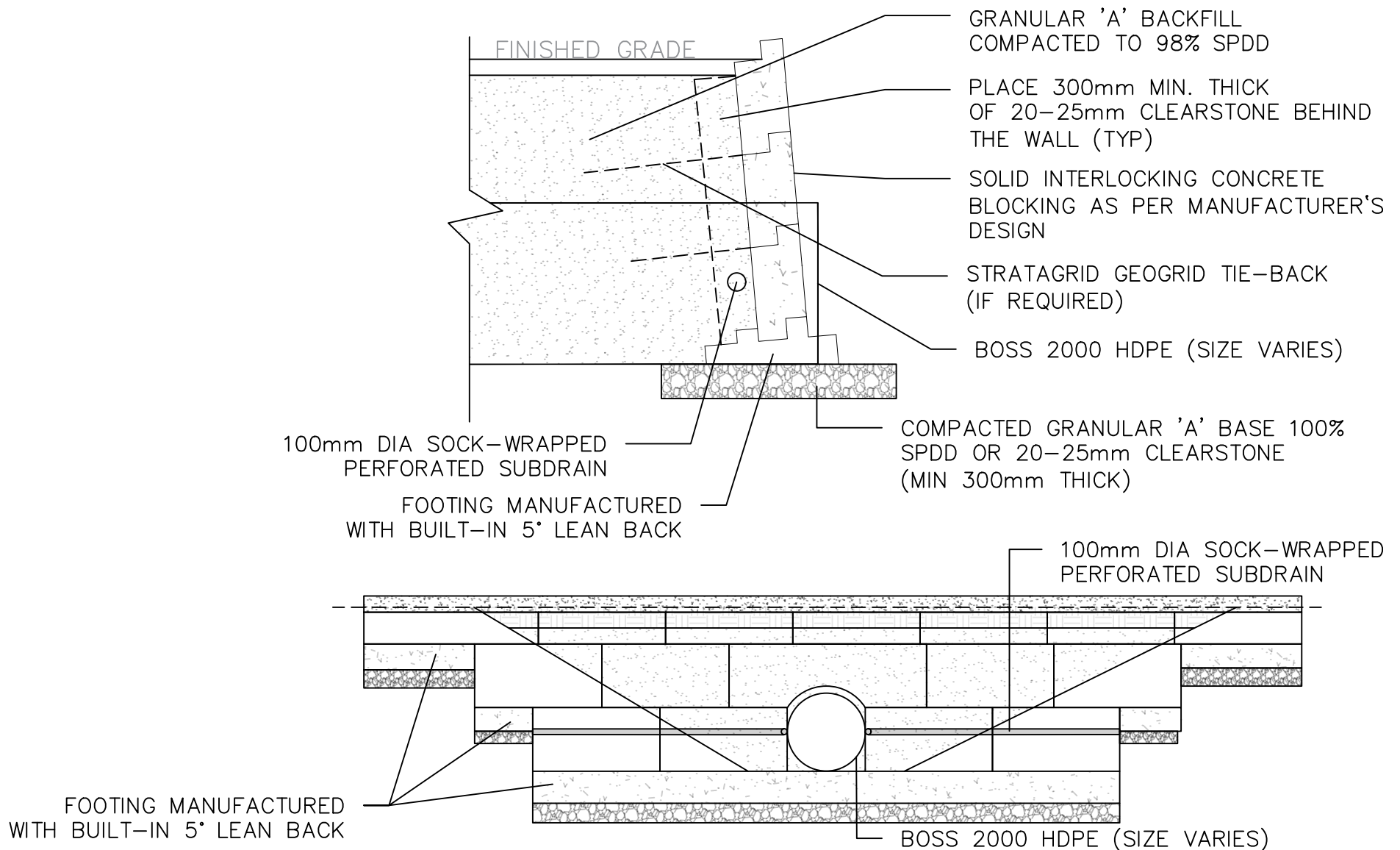
**LEGEND:**

OD - Outside diameter of pipe

**NOTES:**

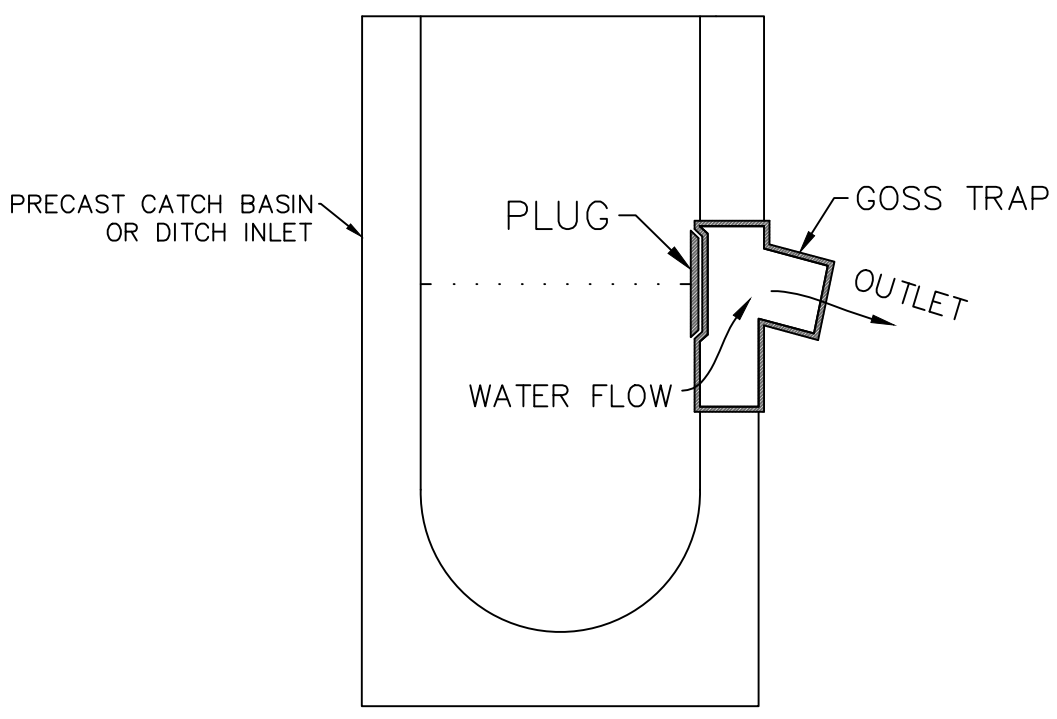
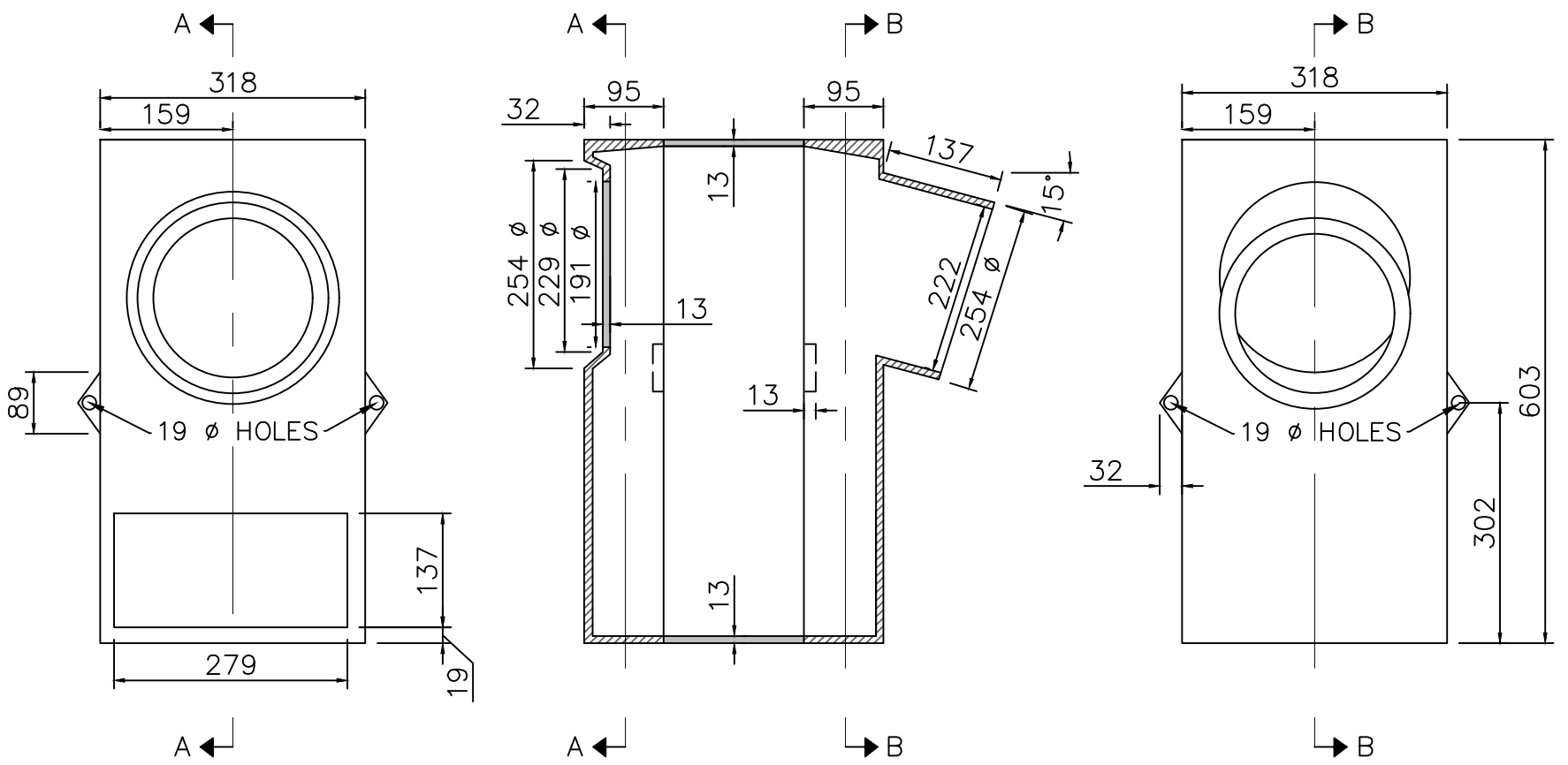
- A This OPSP to be read in conjunction with OPSP 3940.150.  
 B If a steel grate is required, refer to OPSP 804.05.  
 C Class of concrete: 30MPa.  
 D Cover to reinforcing bars 70mm ± 20mm.  
 E All dimensions are in millimetres unless otherwise shown.

CONCRETE HEADWALL



CONCRETE BLOCK HEADWALL





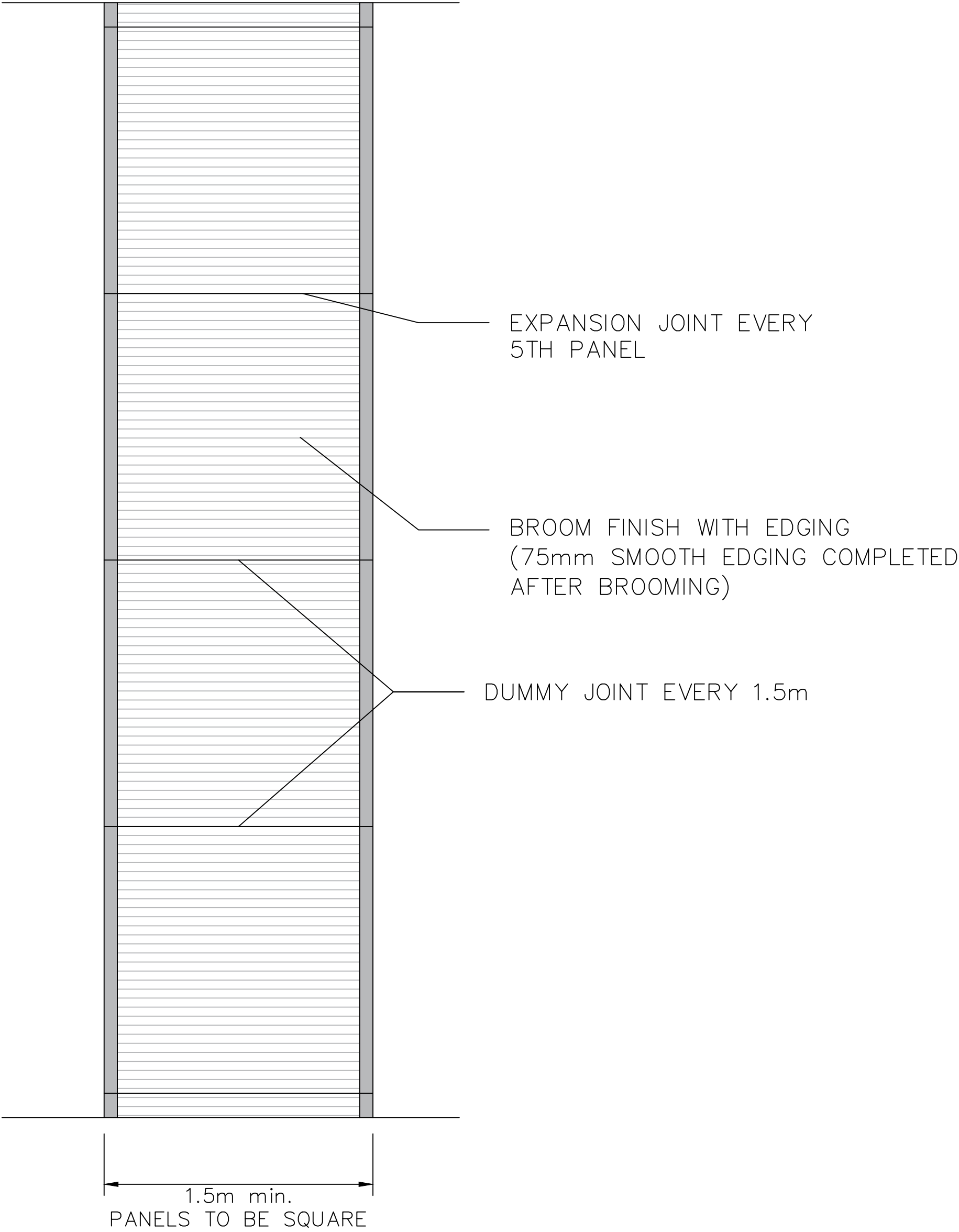
NOTES:

1. AS ILLUSTRATED IN THE DIAGRAM ABOVE, THE GOSS TRAP HELPS PREVENT SUBSTANCES FLOATING ON THE SURFACE (i.e GAS, OIL, LEAVES, BRANCHES, etc.) FROM ENTERING THE PIPE
2. CAST IRON GOSS TRAP PLUGS ARE AVAILABLE
3. FOR OTHER APPLICATIONS CONTACT THE INFRASTRUCTURE SERVICES DEPARTMENT

ALL DIMENSIONS IN MILLIMETERS, UNLESS OTHERWISE SHOWN

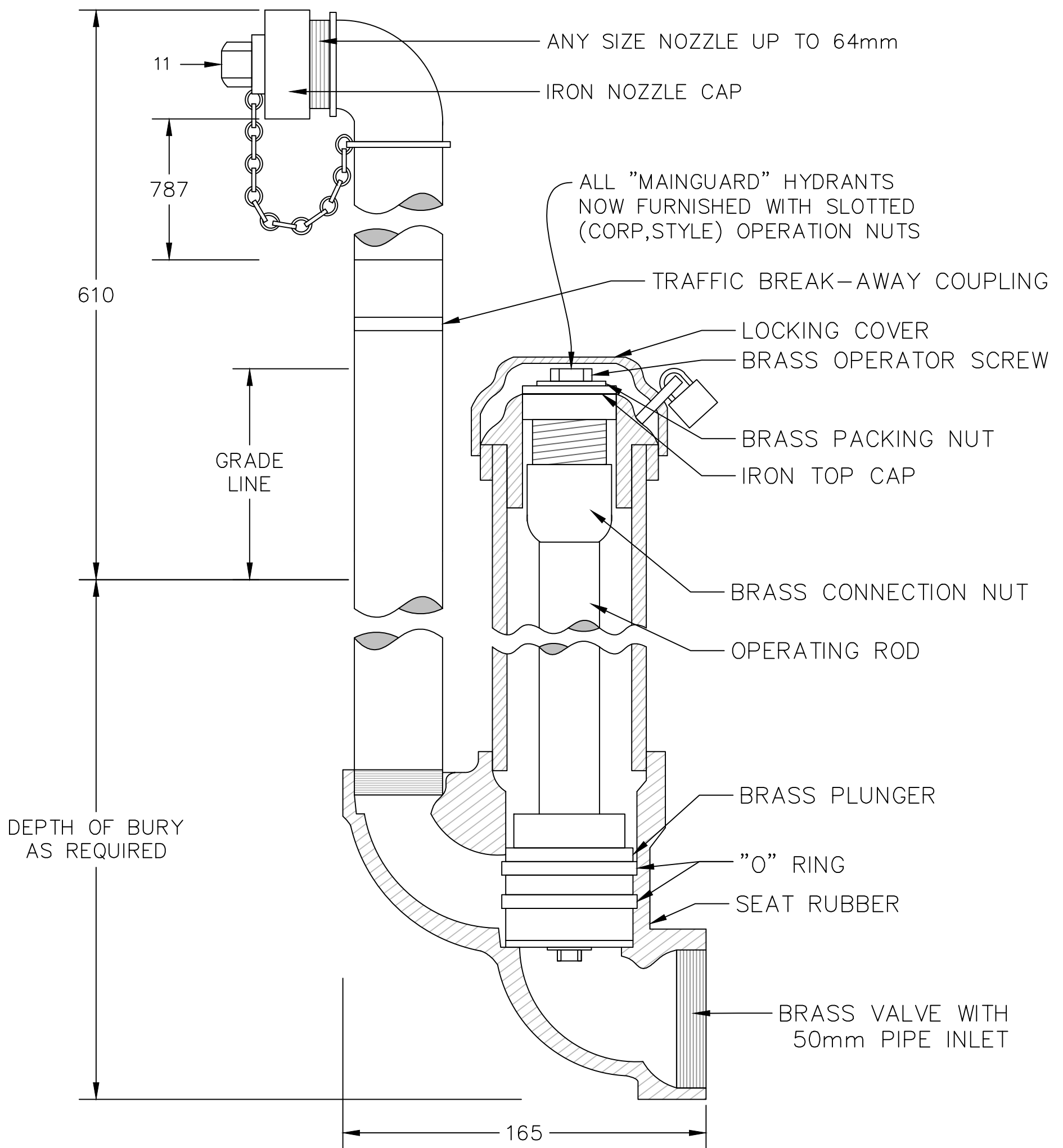


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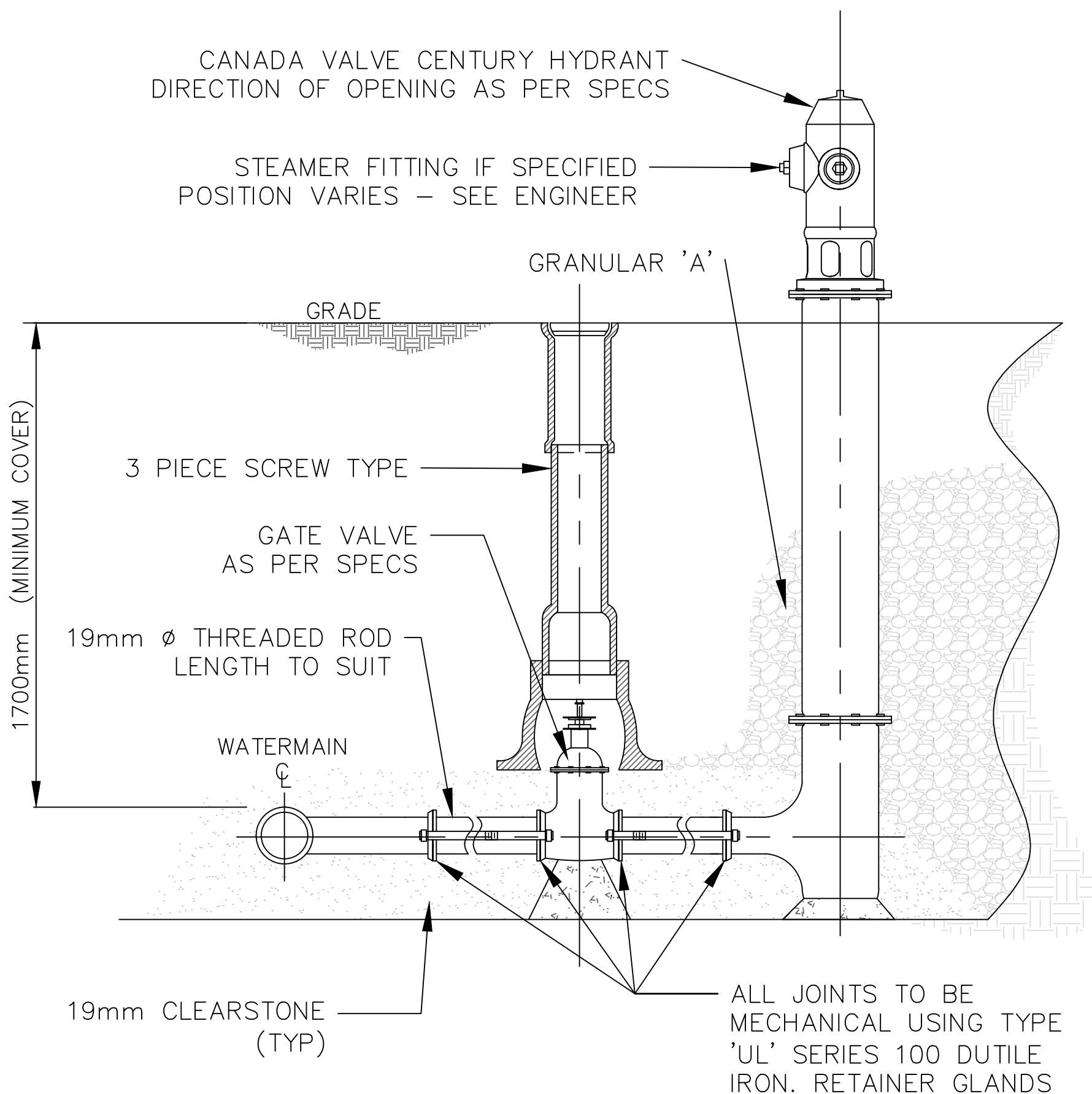
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**FIGURE R-8**  
SIDEWALK JOINTING/  
FINISHING DETAIL



ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN

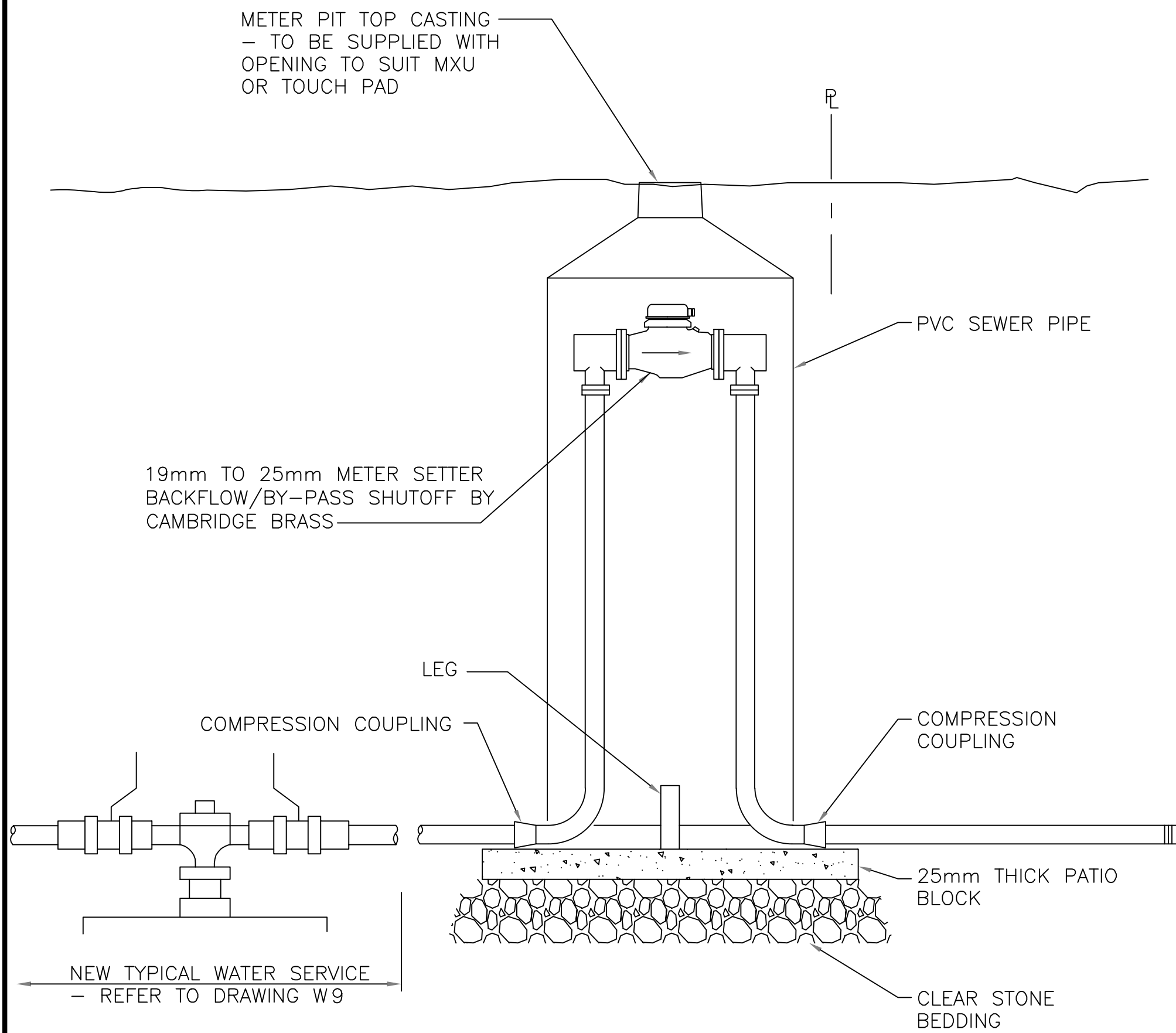




NOTES:

- BOLTS FOR BURIED FLANGE TO FLANGE CONNECTIONS ARE TO BE STAINLESS STEEL
- ALL DIMENSION IN MILLIMETERS UNLESS OTHERWISE SHOWN





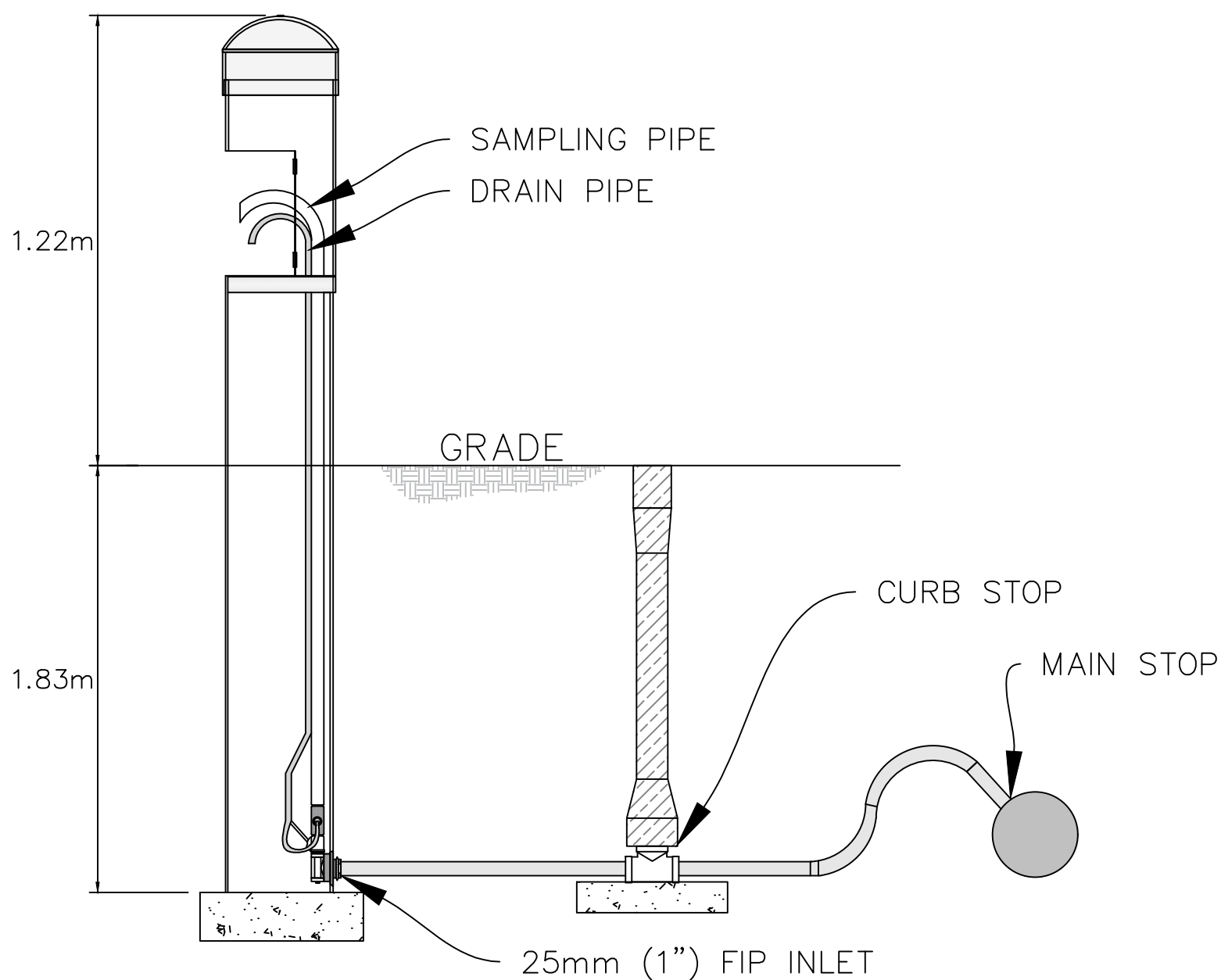
## NOTES

1. STANDARD SHALL BE USED FOR 19mm TO 25mm METER SIZES ONLY AND SHALL ONLY BE APPROVED FOR USE BY THE ENVIRONMENTAL SERVICES DEPARTMENT ON A SITE SPECIFIC BASIS
2. PIT LOCATION SHALL BE DETERMINED SOLELY BY THE ENVIRONMENTAL SERVICES DEPARTMENT.

ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN



DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.



- SAMPLING STATIONS SHALL HAVE A 13mm ( $\frac{1}{2}$ " ) 316 STAINLESS STEEL WATERWAY. (NO LEAD)
- SAMPLING STATIONS SHALL BE EQUIPPED WITH A 9.5mm ( $\frac{3}{8}$ " ) 316 STAINLESS STEEL VENT TUBE. THIS IS USED TO PUMP STANDING WATER FROM UNIT AFTER USE, PREVENTING FREEZING AND BACTERIA GROWTH.
- THE ENCLOSURE SHALL BE MADE FROM PLASTIC PIPE WITH A LOCKABLE ACCESS DOOR.
- THE ENCLOSURE SHALL PROTECT ALL COMPONENTS FROM CORROSIVE SOIL AND GROUND WATER. AFTER THE WATER IS TURNED O AT THE CURBSTOP, ALL WORKING PARTS SHALL BE REMOVABLE WITHOUT DIGGING
- SAMPLING STATIONS WILL BE EQUIPPED WITH A 25mm (1" ) FIP INLET FOR THE CONNECTION TO THE WATERMAIN.
- STANDARD TEST TAP IS DESIGNED FOR A 1.8 METER (6 FEET) BURY AND A 1.2 METER (4 FEET) PEDESTAL. (ALTERNATE LENGTHS AVAILABLE)

TYPICAL INSTALL FROM WATERMAIN TO TEST TAP SAMPLING STATION:

19mm ( $\frac{3}{4}$ " ) mainstop, 19mm ( $\frac{3}{4}$ " ) domestic pipe to a 19mm ( $\frac{3}{4}$ " ) curbstop, 19mm ( $\frac{3}{4}$ " ) domestic pipe to Test Tap.

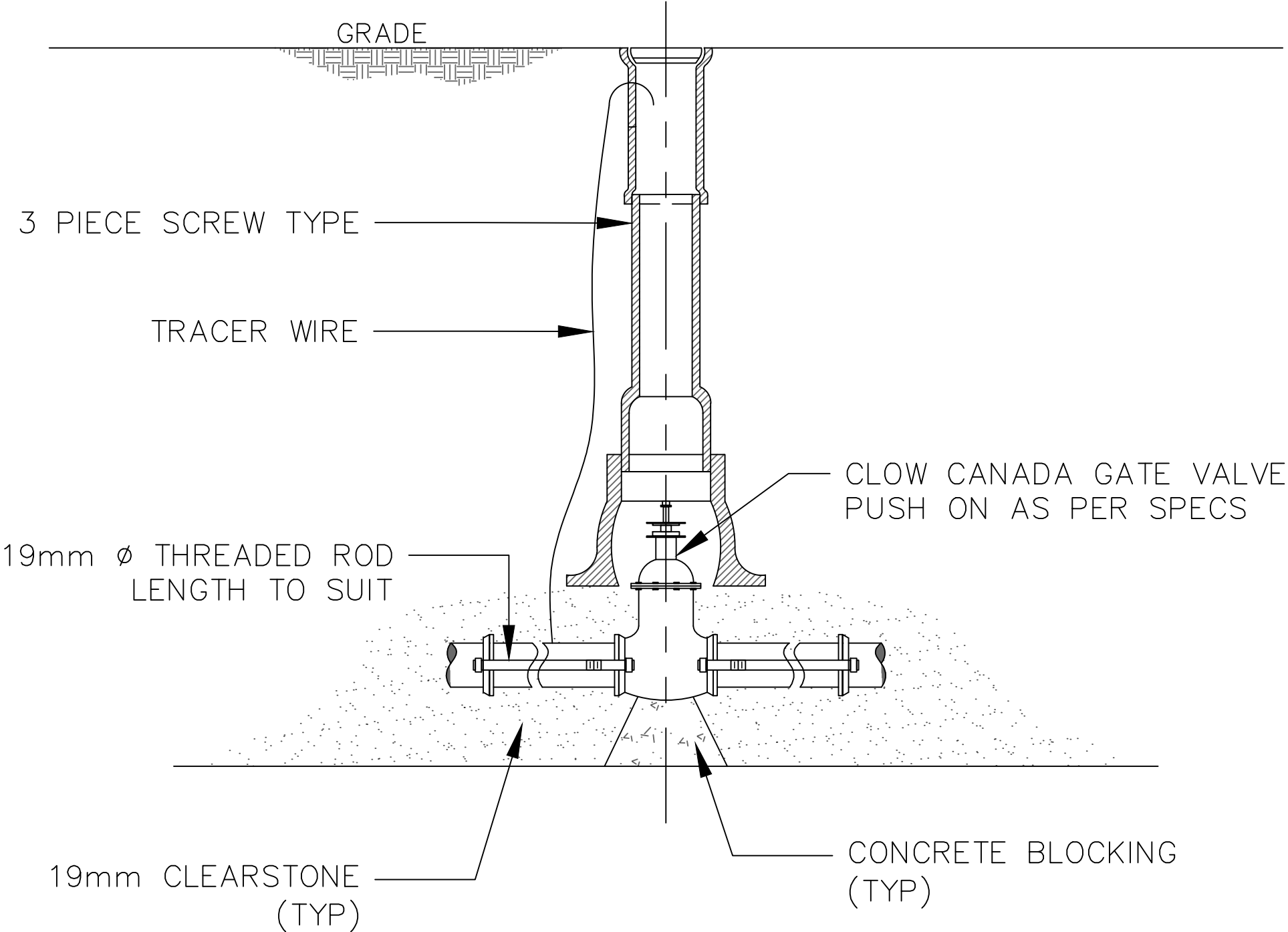
NOTES:

1. THE TEST TAP SHOULD REST ON A CONCRETE SLAB 30cmX30cm PATIO SLAB IS ACCEPTABLE
2. THE CURBSTOP SHOULD REST ON A CONCRETE SLAB. SMALL PATIO STONE IS ACCEPTABLE
3. ENSURE SERVICE TUBING TO THE TAP IS WELL SUPPORTED TO PREVENT EXCESS PRESSURE ON THE PITILESS ADAPTER
4. BACKFILL MUST BE SLOW AND CONSISTENT TO PREVENT THE DEFORMATION OF THE TEST TAP CLOSURE
5. BACKFILL MATERIAL SHOULD BE FREE OF ROCKS (GRAN B TYPE I)
6. FLEXIBLE TUBING MUST BE USED TO INSTALL THE TEST TAP. (NO RIGID PIPE)



DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.





NOTES:

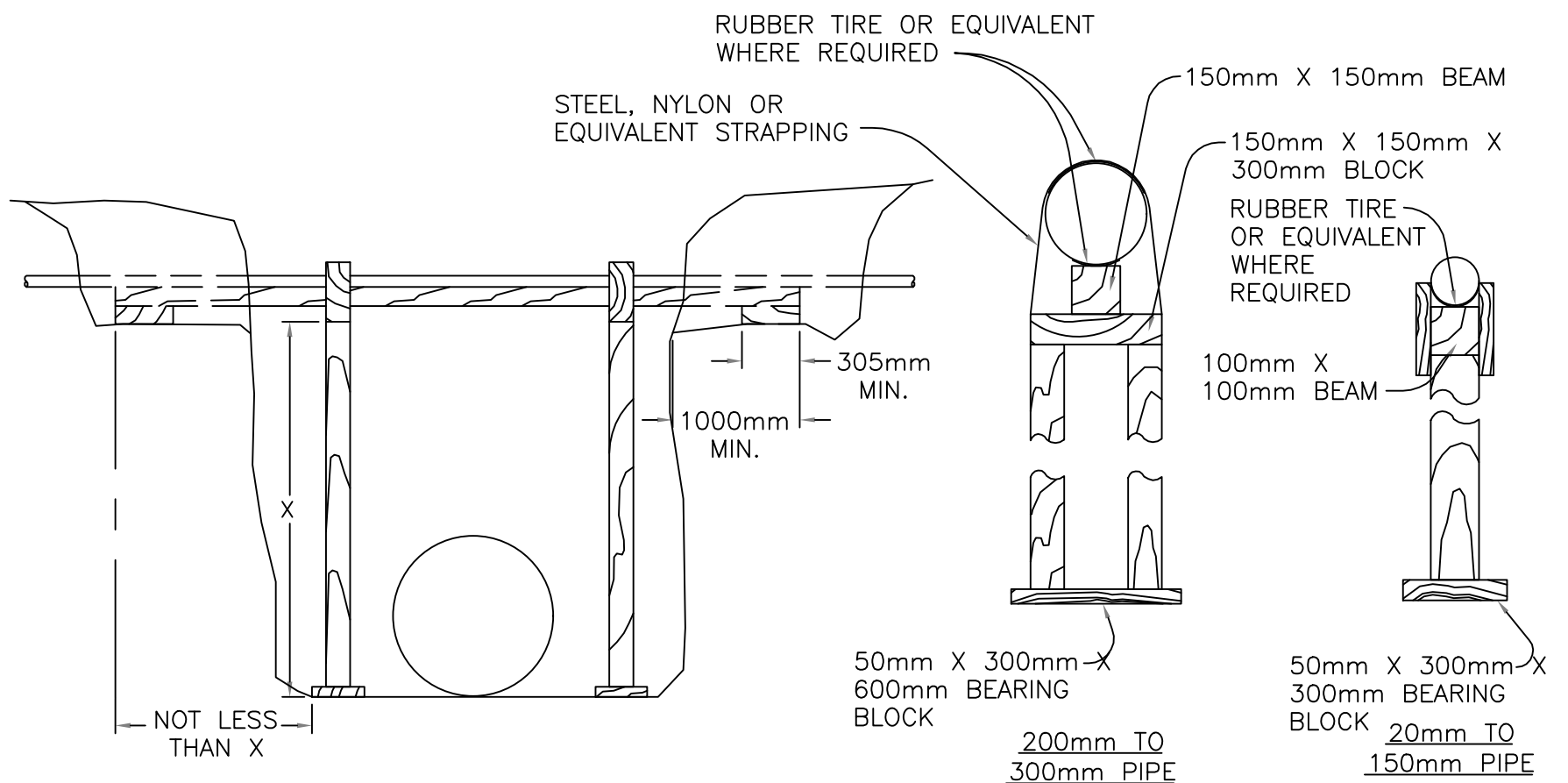
- 1. TO PROTECT COATINGS ON PIPE, VALVES, FHs, ETC. USE WOOD WEDGES BETWEEN CONCRETE BLOCKS AND LOAD POINTS. DO NOT USE CHAINS FOR LIFTING.
- 2. ALL TEE BOLTS MUST HAVE ZINC CAPS ON MECHANICAL FITTINGS.



DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.

**FIGURE W-5**  
TYPICAL VALVE SETTING



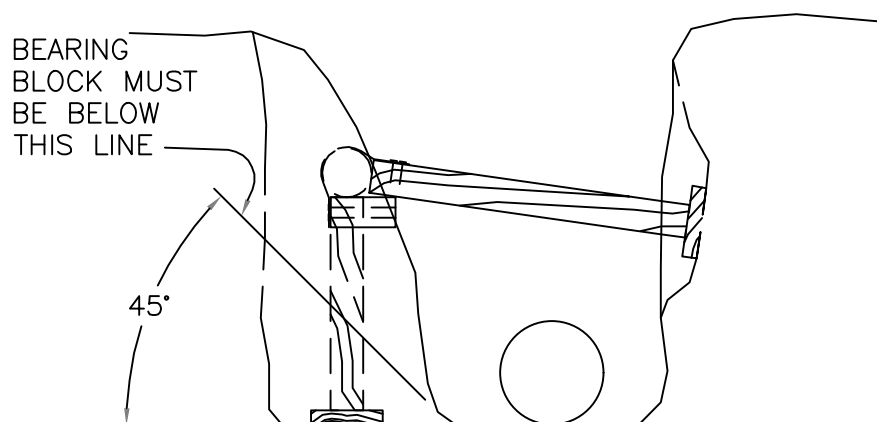


PIPE LINES CROSSING TRENCH

COLUMN DETAILS

NOTE:

100mm X 100mm TIMBER BEAM REQUIRED BENEATH ALL 20mm TO 150mm PIPE.  
NO SUPPORTS REQUIRED FOR PIPE WHEN SPANS ARE 610mm OR UNDER COLUMNS TO BE MAXIMUM 1830mm CENTRE TO CENTRE.

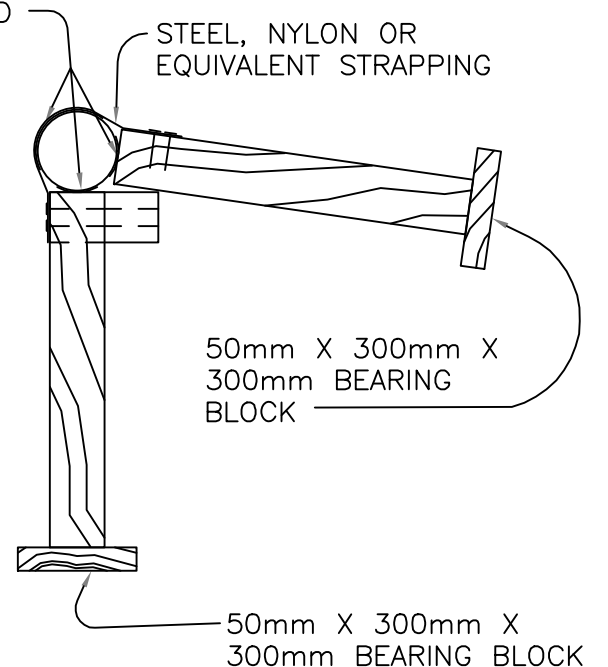


PIPE LINES PARALLEL TO TRENCH

NOTE:

VERTICAL COLUMNS TO BE A MAXIMUM 1830mm CENTRE TO CENTRE. SIDE BRACES TO BE SPACED AS FOLLOWS:  
20mm TO 75mm – 3.6m CENTRE TO CENTRE  
100mm TO 300mm – 5.5m CENTRE TO CENTRE

RUBBER TIRE OR EQUIVALENT WHERE REQUIRED



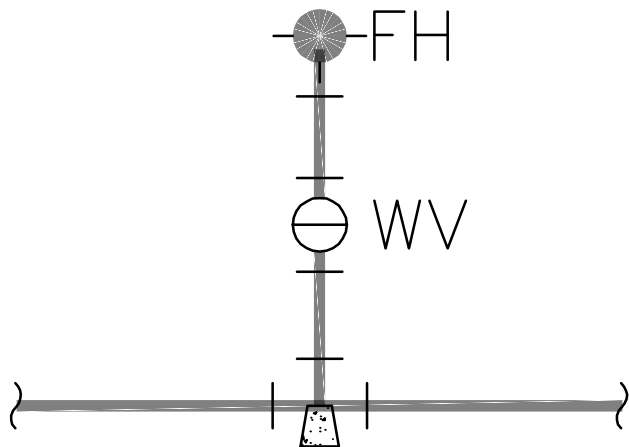
COLUMN DETAILS

COLUMN SIZES		
PIPE SIZE	COLUMN LENGTH	
	UP TO 3.0m	OVER 3.0m
20mm TO 150mm	100mm X 100mm	150mm X 150mm
200mm TO 300mm	2-100mm X 100mm OR 1-150mm X 150mm	2-150mm X 150mm OR 1-200mm X 200mm

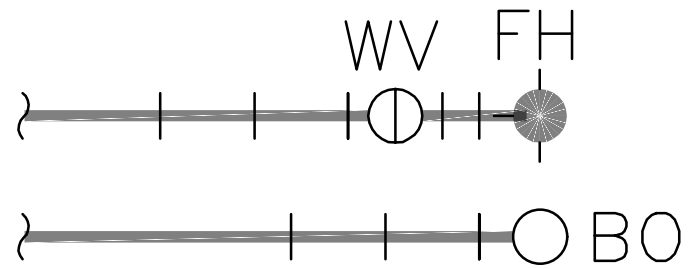
GENERAL NOTES:

1. ADDITIONAL SUPPORTS WILL BE REQUIRED AT MECHANICAL COUPLINGS OR VALVES
2. PIPE COATING TO BE PROTECTED FROM SUPPORTS & STRAPPING BY A PIECE OF RUBBER TIRE OR EQUIVALENT.
3. THE ABOVE DESIGNS ARE SUGGESTIONS ONLY AND THE UTILITY ASSUMES NO RESPONSIBILITY FOR WORKMANSHIP, VARIABLE SOIL CONDITIONS OR LIVE LOADS.

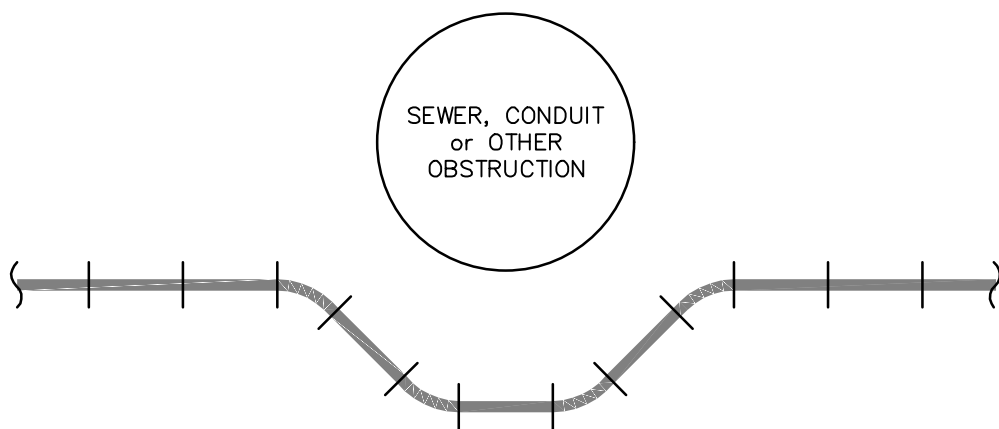




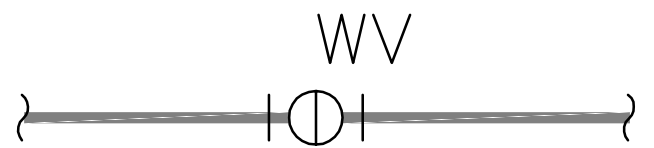
ON LINE FIRE HYDRANT  
 RESTRAIN FIRE HYDRANT LEAD PIPES AND  
 FIRST MAIN JOINT ON EITHER SIDE OF TEE  
 (REFER TO DETAIL W5)



DEAD END BLOW OFF/FIRE HYDRANT  
 RESTRAIN THREE (3) JOINTS FROM END



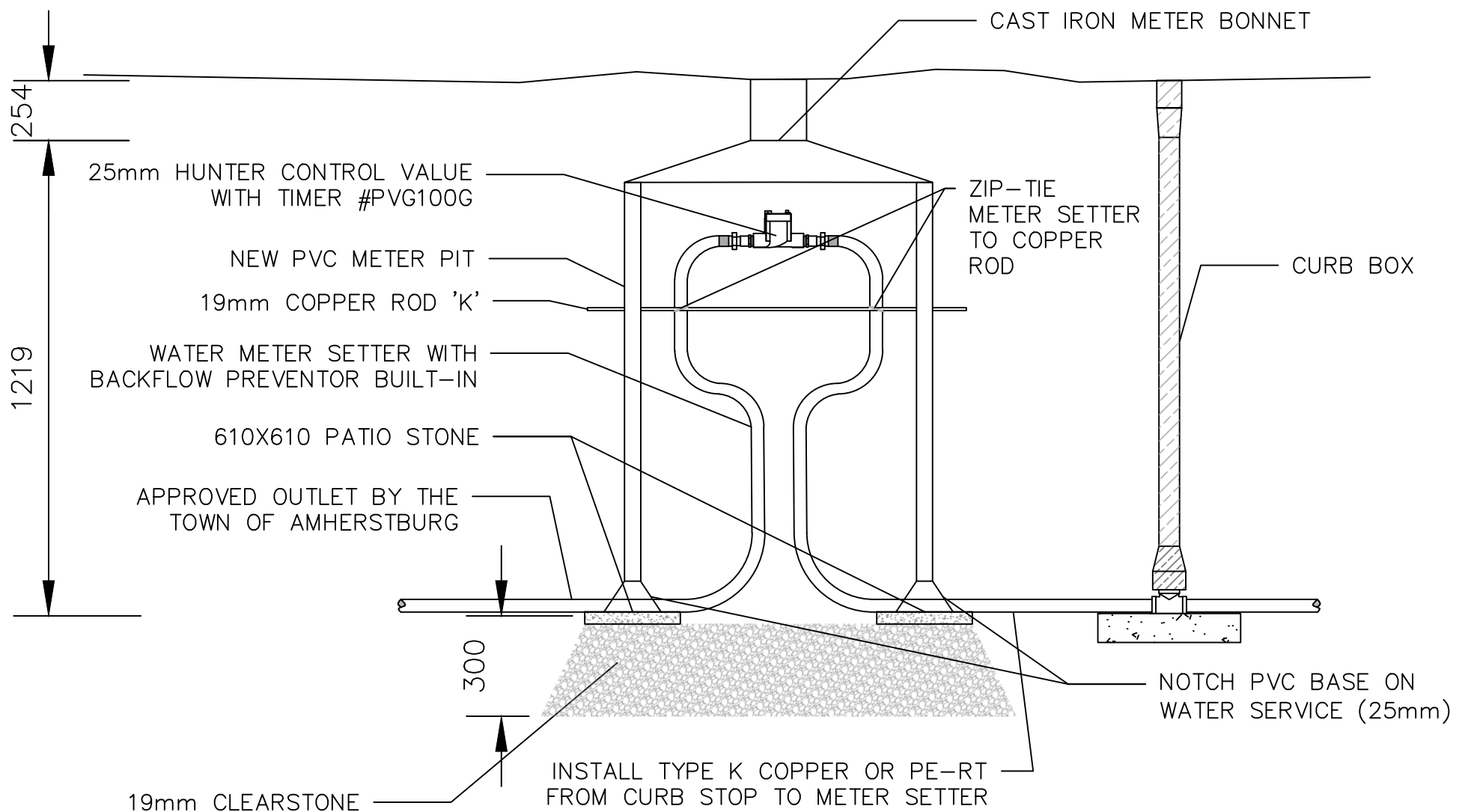
WATERMAIN LOWERING  
 RESTRAIN ALL JOINTS STARTING AND ENDING  
 THREE (3) JOINTS FROM LOWERING



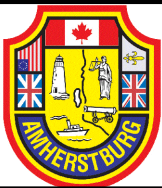
IN LINE VALVE  
 RESTRAIN FIRST MAIN JOINT ON EITHER SIDE  
 OF VALVE (REFER TO DETAIL W4)



DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.

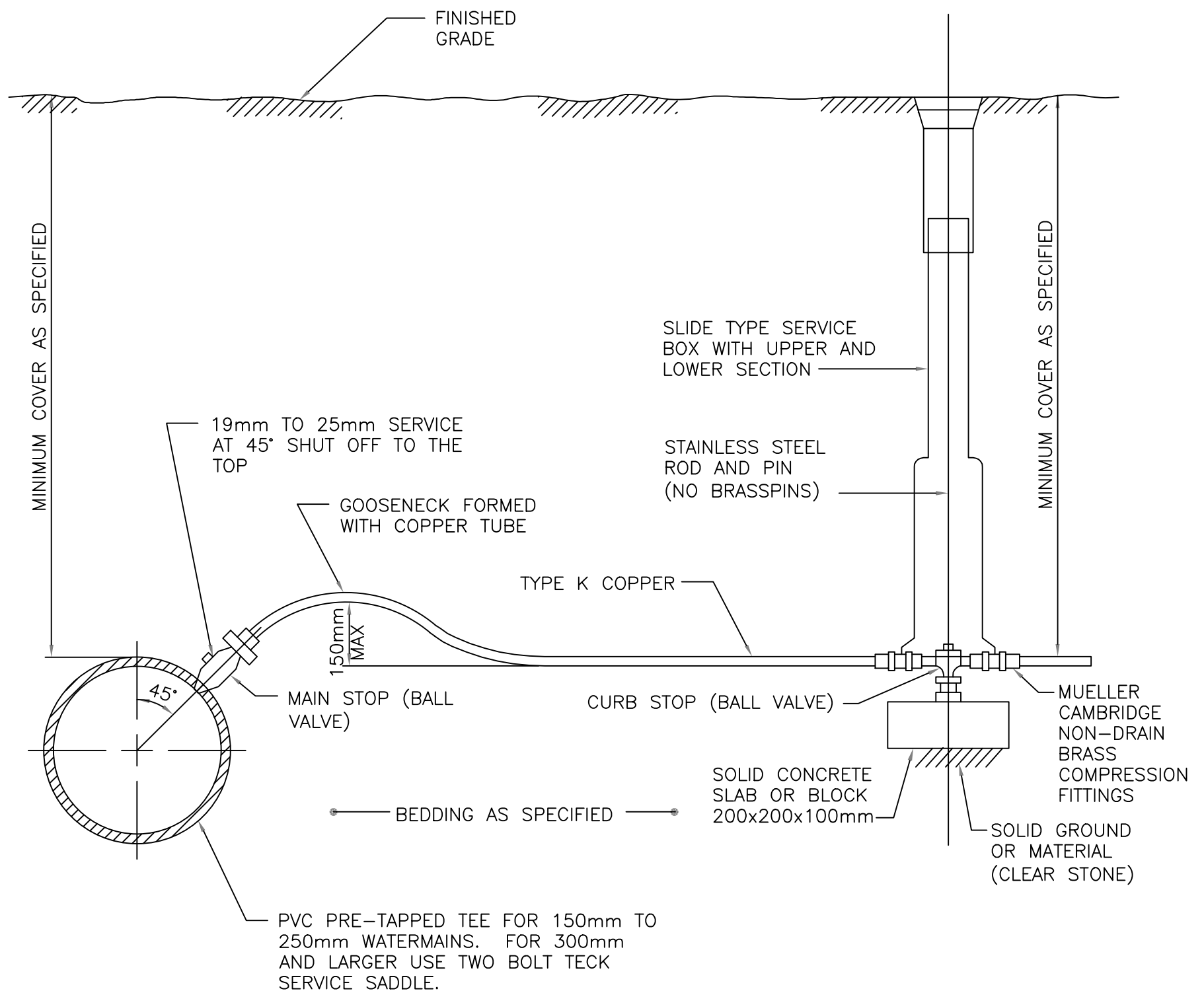


- NOTES:
1. REPRESENTATION FROM THE TOWN OF AMHERSTBURG ENVIRONMENTAL SERVICES DEPARTMENT SHALL BE PRESENT DRIVING THE INSTALLATION OF THE AUTO FLUSHER
  2. OUTLET FOR THE AUTO FLUSHER TO BE APPROVED BY THE TOWN OF AMHERSTBURG PRIOR TO THE COMMENCEMENT OF ANY WORK. THE TOWN WILL BE SOLELY RESPONSIBLE FOR THE REMOVAL OF THE AUTO FLUSHER INSTALLED WITHIN THE TOWN OF AMHERSTBURG.
  3. IF AN EXISTING 19mm SERVICE IS ACCEPTED TO BE USED FOR AUTO FLUSHER, CONTRACTOR TO INCLUDE 19mm TO 25mm REDUCER TO INCOPORATE THE REQUIRED 25mm AUTO FLUSHER AND PIT
- ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN



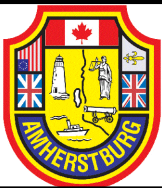
DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.

**FIGURE W-8**  
AUTO FLUSHER DETAIL



NOTES:

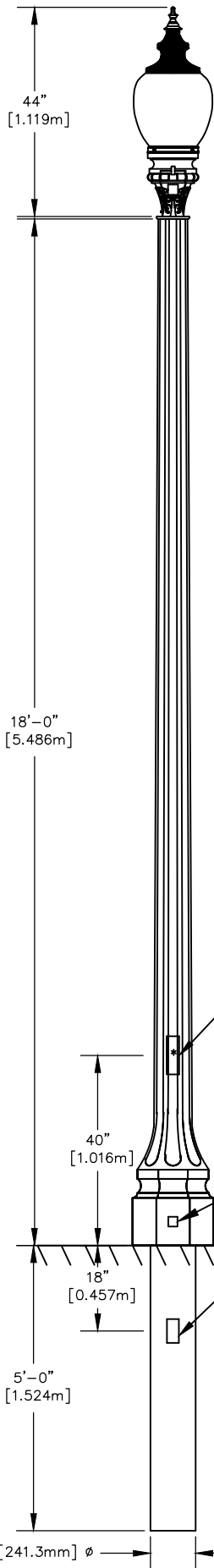
1. USE PRE-TAPPED TEES FOR ALL SERVICE CONNECTIONS TO PVC WATERMAINS
2. FOR ANY JUNCTION MADE IN THE SERVICE PIPE, BETWEEN MAIN STOP AND CURB STOP, COUPLINGS WILL NOT BE PERMITTED UNLESS THE SERVICE LENGTH EXCEEDS 20m
3. ALL WATER SERVICES TO BE INSTALLED 90° TO THE LONGITUDINAL AXIS OF THE WATERMAIN
4. ALL WET TAPS ON LIVE WATERMAINS SHALL BE DONE BY A LICENSED OPERATOR
5. GOOSE NECK IS NOT REQUIRED WHEN PE-RT PIPE IS USED



DESIGNED	JD
DRAWN	JD
CHECKED	SD
APPROVED	TH
DATE	2023-12-12
SCALE	N.S.

**FIGURE W-9**  
TYPICAL WATER SERVICE  
INSTALLATION

REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.



CHECK ONE	WATTAGE	SERIES
<input type="checkbox"/>	25W	1036
<input type="checkbox"/>	40W	1036
<input type="checkbox"/>	60W	1036
<input type="checkbox"/>	75W	1036
<input type="checkbox"/>	100W	1054

#### LUMINAIRE SPECIFICATIONS

CATALOGUE NO.: K118R-B3AR-IV-\_\_\_\_(SSL)-\_\_\_\_  
-120:277-K14-PE7-SST-4K-WS

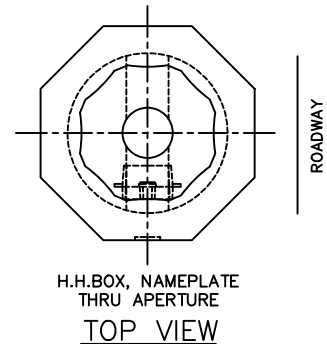
QUANTITY:  
OPTICAL SYSTEM: BAFFLED ARRAY ACRYLIC RIPPLED  
IES CLASS.: TYPE IV  
INPUT WATTAGE: SEE CHART  
SERIES: SEE CHART  
SOURCE: SOLID STATE LIGHTING  
LINE VOLTAGE: 120:277V  
LIGHT SOURCE: LIGHT EMITTING DIODE  
POLE ADAPTOR: K14  
CCT: 4000K  
PAINT: TEXTURED BLACK  
OPTIONS: #1 VENTED FINIAL  
SOLID SPUN TOP  
TWISTLOCK RECEPTACLE  
(PHOTO-EYE INCLUDED)  
WATTAGE SELECTOR

#### POLE SPECIFICATIONS

CATALOGUE NO.: KTH18-G-E10  
C/W 140-35/35

QUANTITY:  
POLE CLASS: A  
SECTION: FLUTED OCTAGONAL  
COLOUR: MIDNIGHT LACE  
FINISH: ETCHED  
POLE TOP: 6 1/8" [155.6mm] FL/FL  
POLE BUTT: 9 1/2" [241.3mm] Ø  
POLE LENGTH: 23' 0" [7.0m]  
APPROX WEIGHT: 1,390 lbs [631kg]  
MIN. RACEWAY: 1 1/8" [28.6mm] Ø

**COATINGS REQUIRED**  
-2 COATS ACRYLIC  
FULL LENGTH



2 5/8" x 8" [66.7mm x 203.2mm]  
RECESSED ZINC H.H.BOX & COVERPLATE  
(PAINT: TEXTURED BLACK)  
C/W #6 GROUNDWIRE x 18"L  
[457.2mm] & ROBERTSON SCREWS  
H.H.BOX TO BE ELECTRICALLY  
GROUNDED

#### NOTES:

StressCrete makes no claims that the reference embedment depth shown is suitable for supporting this structure. It is recommended that a competent professional evaluate the soils present on site, confirming required embedment depth, hole diameter and backfill material to be used.

Contractor to install burndy ksu22 6-25 universal servit bolt connectors (or equivalent), connecting the #6 copper wire from the pole to the luminaire ground & a separate connector bonding pole to supply grounding conductor.

CUSTOMER APPROVAL & DATE:



King Luminaire • StressCrete • Est. 1953

**STRESSCRETE GROUP**

#### Manufacturing Locations:

Burlington, Ontario 1-800-268-7809  
Northport, Alabama 1-800-435-6563  
Atchison, Kansas 1-800-837-1024  
Jefferson, Ohio 1-800-268-7809

CUSTOMER ORDER No:
STRESSCRETE ORDER No:
KING U.S. ORDER No:

PROJECT/CUSTOMER: TOWN OF AMHERSTBURG				
DRAWN BY: J.H.	AT: SC1	CHECKED BY:	DATE: 05/21/24	REVISION: A
DRAWING TYPE: CONCEPT DWG.			DRAWING NUMBER: Q-2405032-1	

REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.

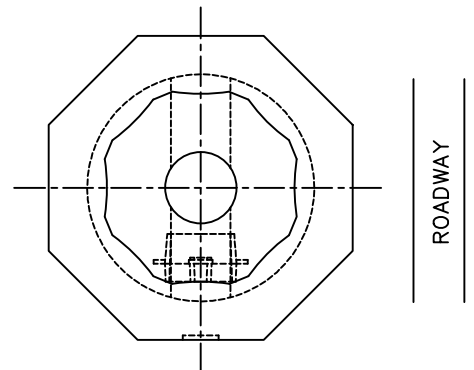
### POLE SPECIFICATIONS

CATALOGUE NO.: KTH18-G-E10  
C/W 140-35/35

QUANTITY:  
POLE CLASS: A  
SECTION: FLUTED OCTAGONAL  
COLOUR: MIDNIGHT LACE  
FINISH: ETCHED

POLE TOP: 6 1/8" [155.6mm] FL/FL  
POLE BUTT: 9 1/2" [241.3mm] Ø  
POLE LENGTH: 23' 0" [7.0m]  
APPROX WEIGHT: 1,390 lbs [631kg]  
MIN. RACEWAY: 1 1/8" [28.6mm] Ø



**NOTE:**  
INSTALL 2" [50mm] ELECTRICAL COUPLING DURING SET-UP

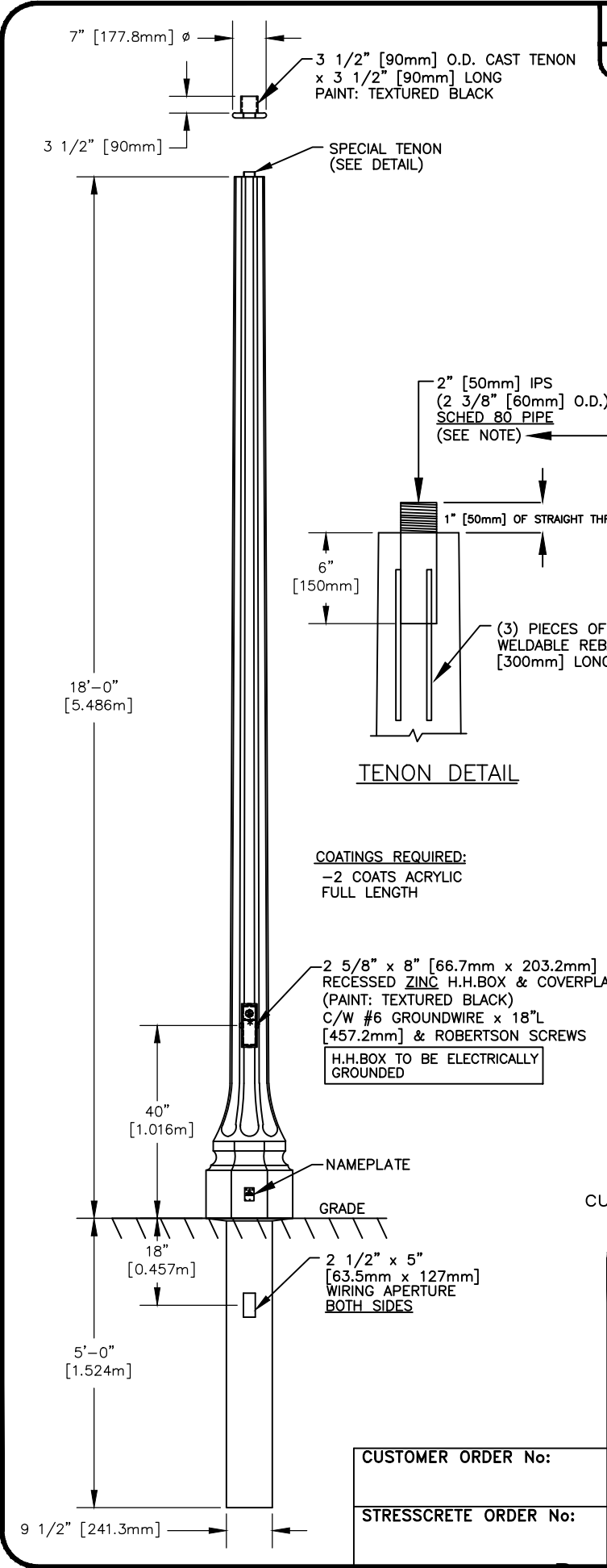


H.H.BOX, NAMEPLATE THRU APERTURE  
TOP VIEW

**NOTES:**  
StressCrete makes no claims that the reference embedment depth shown is suitable for supporting this structure. It is recommended that a competent professional evaluate the soils present on site, confirming required embedment depth, hole diameter and backfill material to be used.  
Contractor to install burndy ksu22 6-25 universal servit bolt connectors (or equivalent). connecting the #6 copper wire from the pole to the luminaire ground & a separate connector bonding pole to supply grounding conductor.

CUSTOMER APPROVAL & DATE: \_\_\_\_\_

  King Luminaire • StressCrete • Est. 1953 <b>STRESSCRETE GROUP</b>	<b>Manufacturing Locations:</b> Burlington, Ontario 1-800-268-7809 Northport, Alabama 1-800-435-6563 Atchison, Kansas 1-800-837-1024 Jefferson, Ohio 1-800-268-7809				
	<b>PROJECT/CUSTOMER:</b> TOWN OF AMHERSTBURG				
<b>CUSTOMER ORDER No:</b> _____	<b>DRAWN BY:</b> J.H.	<b>AT:</b> SC1	<b>CHECKED BY:</b> _____	<b>DATE:</b> 05/21/24	<b>REVISION:</b> A
<b>STRESSCRETE ORDER No:</b> _____	<b>DRAWING TYPE:</b> APPROV./MFG. DWG.		<b>DRAWING NUMBER:</b> Q-2405032-2		



REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.

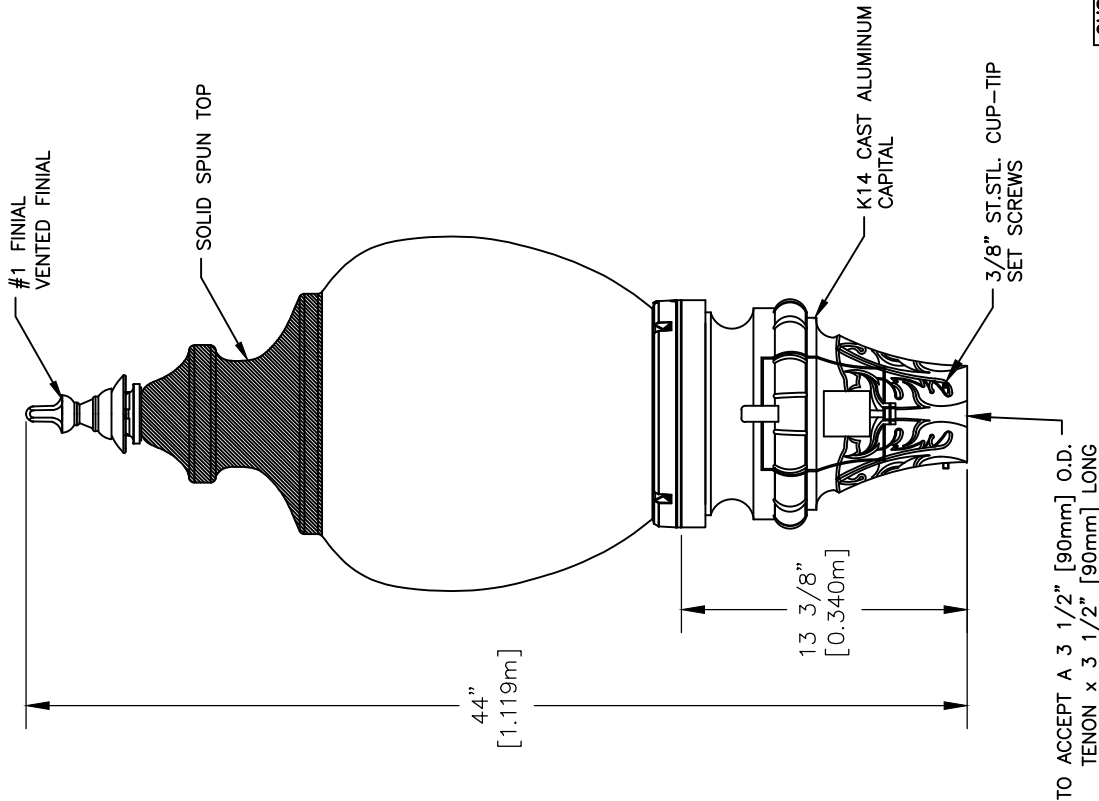
**LUMINAIRE SPECIFICATIONS**  
 CATALOGUE NO.: K118R-B3AR-IV-SS-4K-WS  
 -120:277-K14-PE7-SST-4K-WS

QUANTITY: 1  
 OPTICAL SYSTEM: BAFFLED ARRAY ACRYLIC RIPPLED  
 IES CLASS.: TYPE IV  
 INPUT WATTAGE: SEE CHART  
 SERIES: SEE CHART  
 SOURCE: SOLID STATE LIGHTING  
 LINE VOLTAGE: 120:277V  
 LIGHT SOURCE: LIGHT EMITTING DIODE  
 POLE ADAPTOR: K14  
 CCT: 4000K  
 PAINT: TEXTURED BLACK  
 OPTIONS: #1 VENTED FINIAL  
 SOLID SPUN TOP  
 TWISTLOCK RECEPTACLE (PHOTO-EYE INCLUDED)  
 WATTAGE SELECTOR



**OPTIONS**  
 QUICK DISCONNECT ☒  
 TERMINAL BLOCK ☐

CHECK ONE	WATTAGE	SERIES
<input type="checkbox"/>	25W	1036
<input type="checkbox"/>	40W	1036
<input type="checkbox"/>	60W	1036
<input type="checkbox"/>	75W	1036
<input type="checkbox"/>	100W	1054

CUSTOMER APPROVAL & DATE:



CUSTOMER ORDER No:	
STRESSCRETE ORDER No:	
KING U.S. ORDER No:	

King Luminaire • Stresscrete • Est. 1953

**S T R E S S C R E T E**

**G R O U P**

*Manufacturing Locations:*

Burlington, Ontario 1-800-268-7809

Northport, Alabama 1-800-435-6563

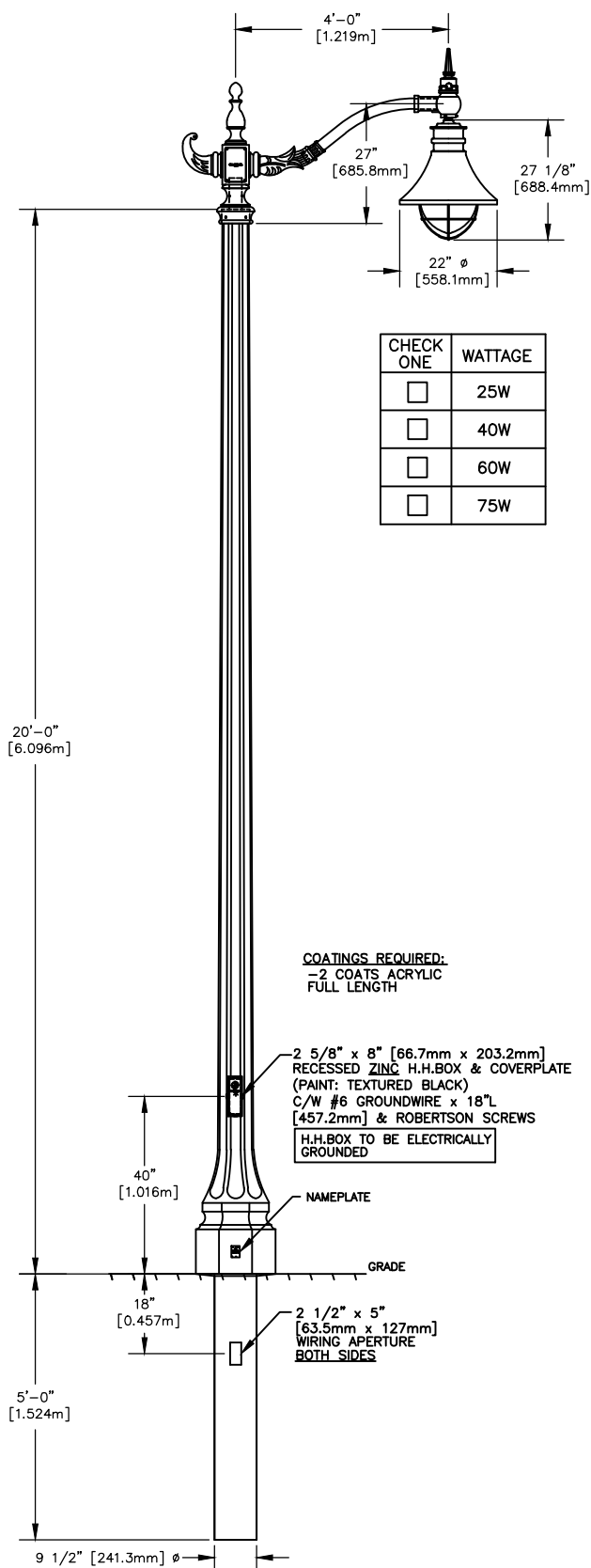
Atchison, Kansas 1-800-837-1024

Jefferson, Ohio 1-800-268-7809

PROJECT/CUSTOMER: TOWN OF AMHERSTBURG

DRAWN BY: J.H.	AT: SC1	CHECKED BY:	DATE: 05/21/24	REVISION: A
DRAWING TYPE: APPROVAL/MFG. DWG.				DRAWING NUMBER: Q-2405032-3

REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.



CHECK ONE	WATTAGE
<input type="checkbox"/>	25W
<input type="checkbox"/>	40W
<input type="checkbox"/>	60W
<input type="checkbox"/>	75W

COATINGS REQUIRED:  
- 2 COATS ACRYLIC  
FULL LENGTH

2 5/8" x 8" [66.7mm x 203.2mm]  
RECESSED ZINC H.H. BOX & COVERPLATE  
(PAINT: TEXTURED BLACK)  
C/W #6 GROUNDWIRE x 18"L  
[457.2mm] & ROBERTSON SCREWS  
H.H. BOX TO BE ELECTRICALLY  
GROUNDED

2 1/2" x 5"  
[63.5mm x 127mm]  
WIRING APERTURE  
BOTH SIDES

#### LUMINAIRE SPECIFICATIONS

CATALOGUE NO.: K210-P4GS-III-\_\_\_(SSL)-7030  
-120:277-KPL20-PE7-#5-4K-WS

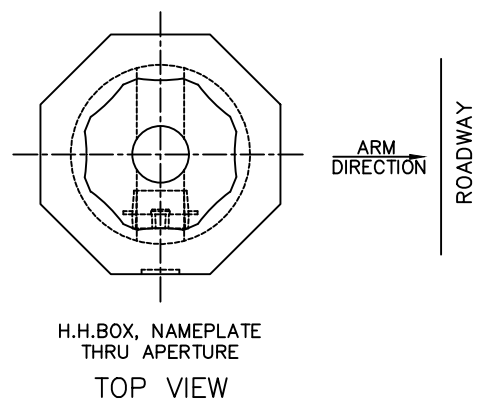
QUANTITY:  
OPTICAL SYSTEM: P4 RIPPLED GLASS SHALLOW LENS  
IES CLASS.: TYPE III  
WATTAGE: SEE CHART  
SOURCE: SOLID STATE LIGHTING  
SERIES: 7030  
LINE VOLTAGE: 120:277V  
CCT: 4000K  
PAINT: SMOOTH BLACK  
OPTION: KPL-20 LEVELING DEVICE  
C/W TWISTLOCK RECEPTACLE  
(PHOTO-EYE INCLUDED),  
#5 FINIAL,  
WATTAGE SELECTOR

#### ARM SPECIFICATIONS



CATALOGUE NO.: KA72-T2-1-4' S/F KPL20  
QUANTITY:  
TYPE: ATLANTIC  
MATERIAL: ALUMINUM  
PAINT: SMOOTH BLACK  
OPTIONS: -

#### POLE SPECIFICATIONS

CATALOGUE NO.: KTH20-G-E10-DB  
C/W 140-30/70  
QUANTITY:  
TYPE: TALISMAN HIGHWAYMAN  
SECTION: FLUTED OCTAGONAL  
COLOUR: MIDNIGHT LACE  
FINISH: ETCHED  
POLE TOP: 5 15/16" [150.8mm] FL/FL  
POLE BUTT: 9 1/2" [241.3mm] Ø  
POLE LENGTH: 25' 0" [7.62m]  
APPROX WEIGHT: 1,450 lbs. [658 kg]  
MIN. RACEWAY: 1 1/8" [28.6mm] Ø



CUSTOMER APPROVAL & DATE:

 		<b>Manufacturing Locations:</b> Burlington, Ontario 1-800-268-7809 Northport, Alabama 1-800-435-6563 Atchison, Kansas 1-800-837-1024 Jefferson, Ohio 1-800-268-7809	
King Luminaire • StressCrete • Est. 1953 <b>STRESSCRETE GROUP</b>			
<b>PROJECT/CUSTOMER:</b> TOWN OF AMHERSTBURG			
<b>DRAWN BY:</b> J.H.	<b>AT:</b> SC1	<b>CHECKED BY:</b> DATE: 05/21/24	<b>REVISION:</b> A
<b>DRAWING TYPE:</b> CONCEPT DWG.		<b>DRAWING NUMBER:</b> Q-2405032-4	

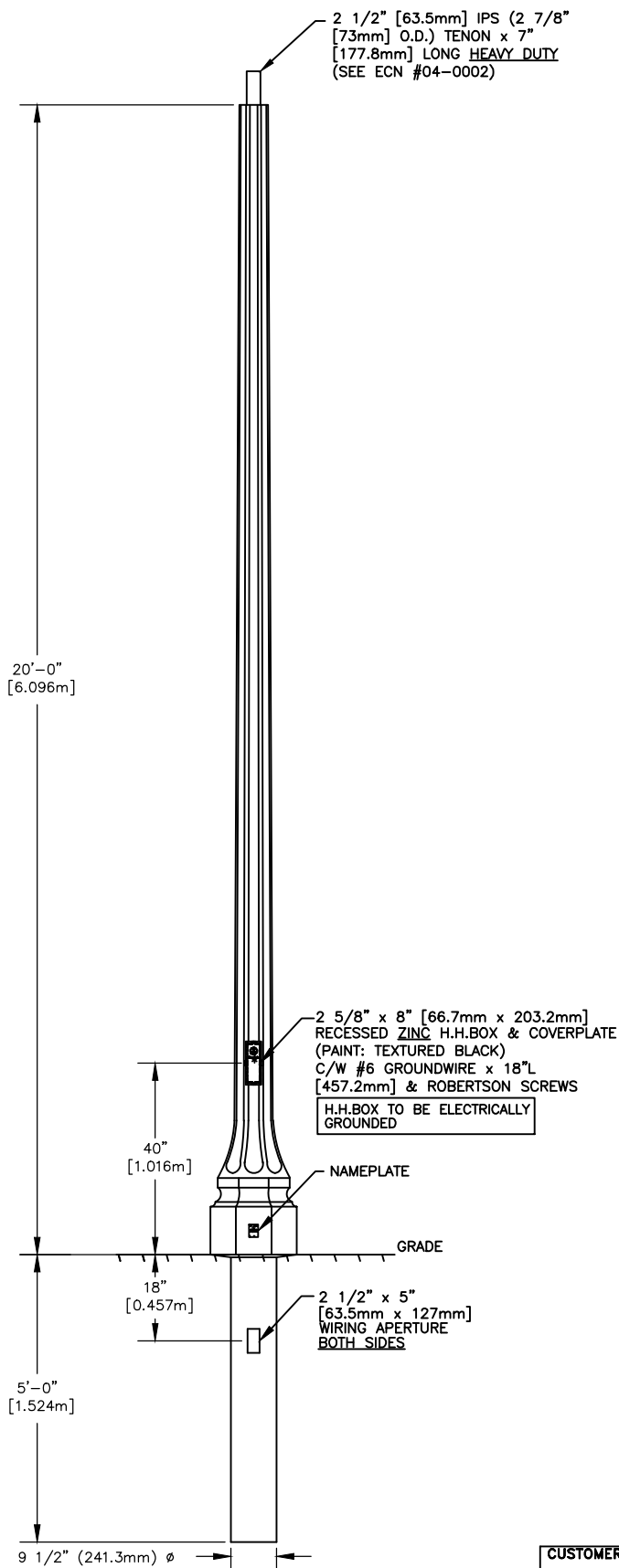
#### NOTES:

StressCrete makes no claims that the reference embedment depth shown is suitable for supporting this structure. It is recommended that a competent professional evaluate the soils present on site, confirming required embedment depth, hole diameter and backfill material to be used.

Contractor to install burndy ksu22 6-25 universal servit bolt connectors (or equivalent), connecting the #6 copper wire from the pole to the luminaire ground & a separate connector bonding pole to supply grounding conductor.



REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.



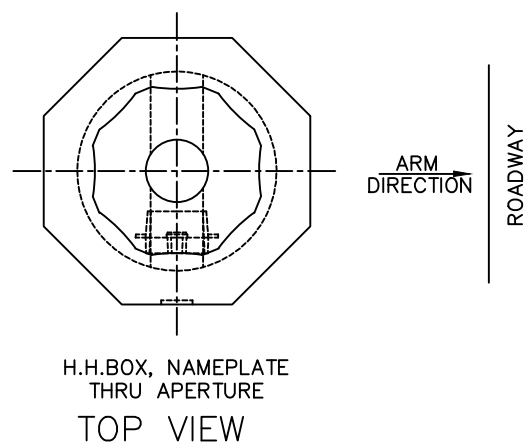
### POLE SPECIFICATIONS

CATALOGUE NO.: KTH20-G-E10-DB  
C/W 140-30/70

QUANTITY:  
POLE CLASS: A  
TYPE: TALISMAN HIGHWAYMAN  
SECTION: FLUTED OCTAGONAL  
COLOUR: MIDNIGHT LACE  
FINISH: ETCHED  
POLE TOP: 5 15/16" [150.8mm] FL/F  
POLE BUTT: 9 1/2" [241.3mm] Ø  
POLE LENGTH: 25' 0" [7.62m]  
APPROX WEIGHT: 1,450 lbs. [658 kg]  
MIN. RACEWAY: 1 1/8" [28.6mm] Ø



### COATINGS REQUIRED:

-2 COATS ACRYLIC  
FULL LENGTH



**NOTES:**  
StressCrete makes no claims that the reference embedment depth shown is suitable for supporting this structure. It is recommended that a competent professional evaluate the soils present on site, confirming required embedment depth, hole diameter and backfill material to be used.  
Contractor to install burndy ksu22 6-25 universal servit bolt connectors (or equivalent), connecting the #6 copper wire from the pole to the luminaire ground & a separate connector bonding pole to supply grounding conductor.

CUSTOMER APPROVAL & DATE:

 		<b>Manufacturing Locations:</b> Burlington, Ontario 1-800-268-7809 Northport, Alabama 1-800-435-6563 Atchison, Kansas 1-800-837-1024 Jefferson, Ohio 1-800-268-7809	
King Luminaire • StressCrete • Est. 1953 <b>STRESSCRETE GROUP</b>			
<b>CUSTOMER ORDER No:</b> PROJECT/CUSTOMER: TOWN OF AMHERSTBURG		<b>DRAWN BY:</b> J.H. <b>AT:</b> SC1 <b>CHECKED BY:</b> <b>DATE:</b> 05/21/24 <b>REVISION:</b> A	
<b>STRESSCRETE ORDER No:</b> <b>KING U.S. ORDER No:</b>		<b>DRAWING TYPE:</b> APPROVAL/MFG. DWG. <b>DRAWING NUMBER:</b> Q-2405032-5	

REV.	ALTERATION	DATE	BY
A	METRIC DIMENSIONS ADDED	06/06/24	J.H.

**LUMINAIRE SPECIFICATIONS**

CATALOGUE NO.: K210-P4GS-III-\_\_\_(SSL)-7030  
 -120:277-KPL20-PE7-#5-4K-WS

QUANTITY:

OPTICAL SYSTEM: P4 RIPPLED GLASS SHALLOW LENS  
 IES CLASS.: TYPE III

WATTAGE: SEE CHART

SOURCE: SOLID STATE LIGHTING

SERIES: 7030

LINE VOLTAGE: 120:277V



CCT: 4000K

PAINT: SMOOTH BLACK

OPTION: KPL-20 LEVELING DEVICE  
 & TWISTLOCK RECEPTACLE  
 (PHOTO-EYE INCLUDED),  
 #5 FINIAL,  
 WATTAGE SELECTOR

CHECK ONE	WATTAGE
<input type="checkbox"/>	25W
<input type="checkbox"/>	40W
<input type="checkbox"/>	60W
<input type="checkbox"/>	75W

CUSTOMER APPROVAL & DATE: \_\_\_\_\_

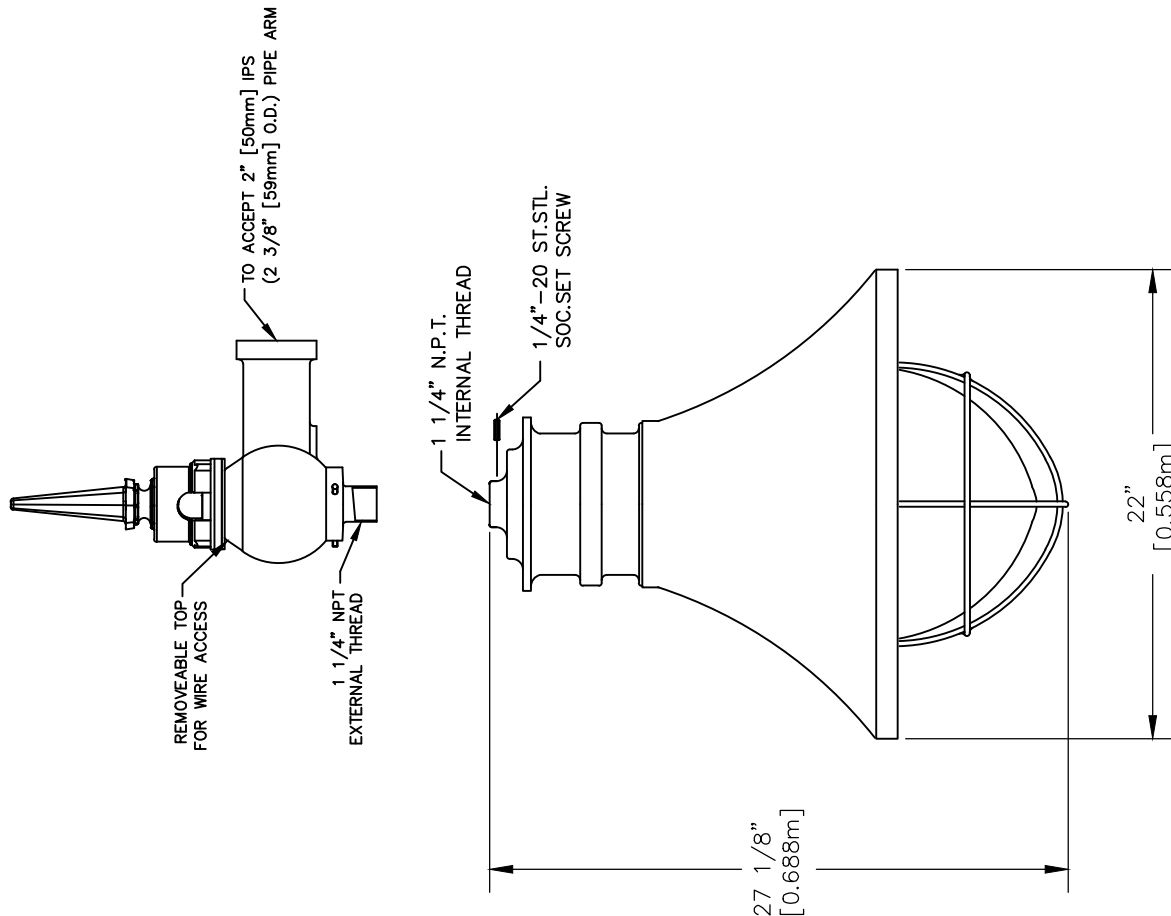



King Luminaire • StressCrete • Est. 1953  
 S T R E S S C R E T E  
 G R O U P

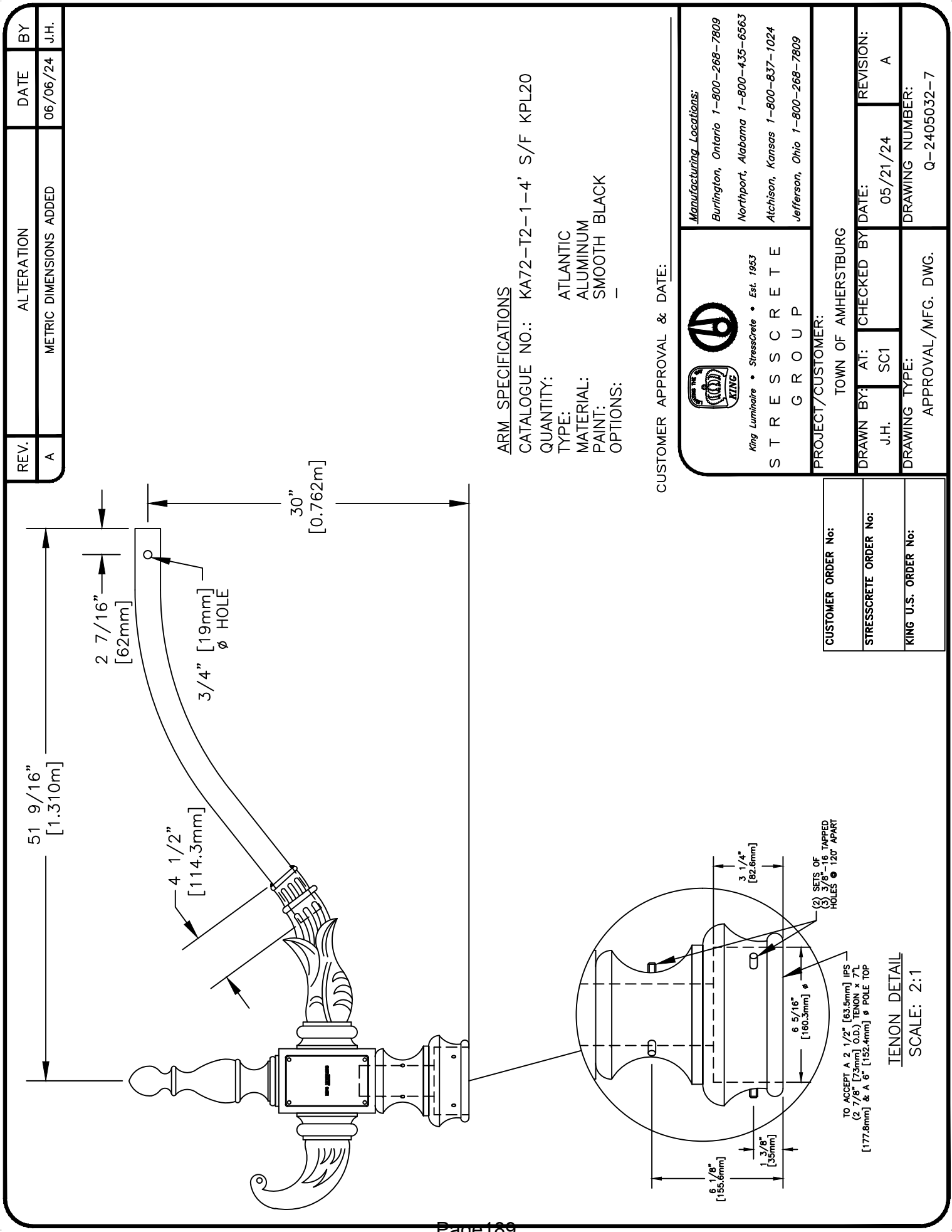
**Manufacturing Locations:**  
 Burlington, Ontario 1-800-268-7809  
 Northport, Alabama 1-800-435-6563  
 Atchison, Kansas 1-800-837-1024  
 Jefferson, Ohio 1-800-268-7809

PROJECT/CUSTOMER: TOWN OF AMHERSTBURG			
DRAWN BY: J.H.	AT: SC1	CHECKED BY DATE: 05/21/24	REVISION: A
DRAWING TYPE: APPROVAL/MFG. DWG.		DRAWING NUMBER: Q-2405032-6	

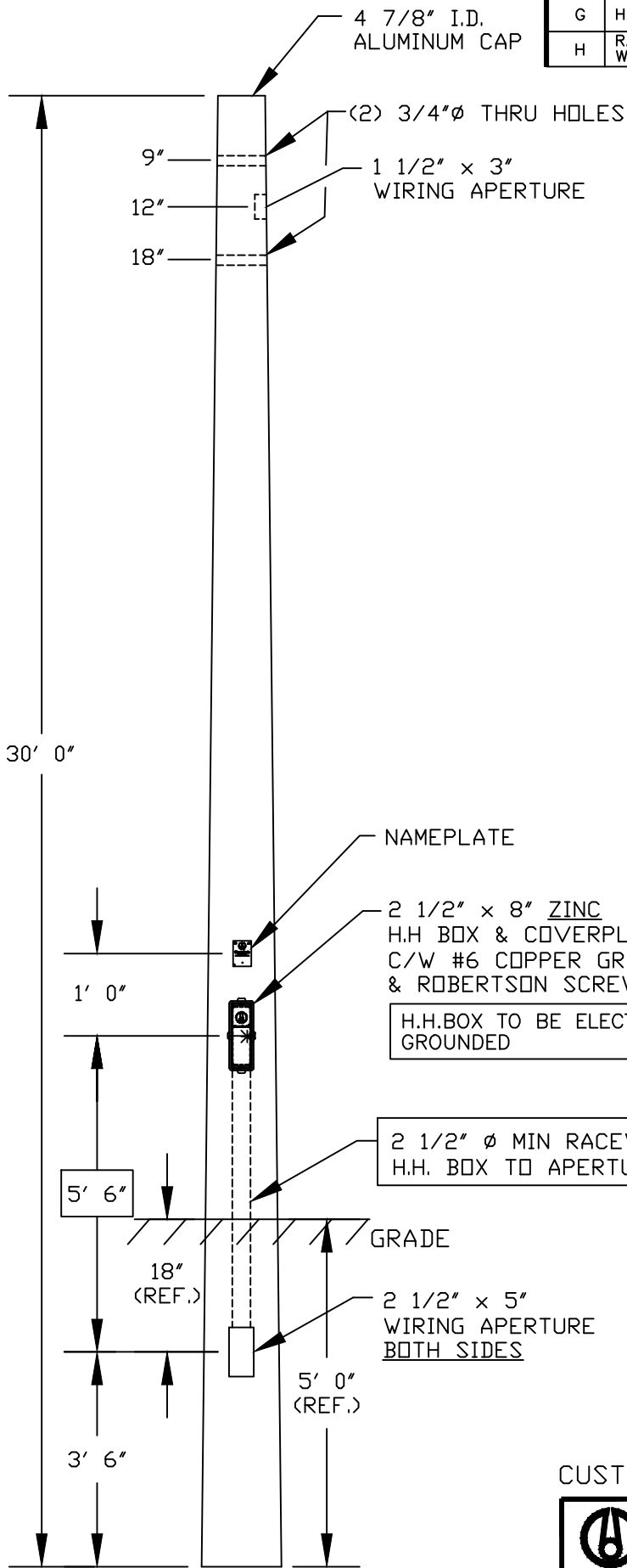
CUSTOMER ORDER No:
STRESSCRETE ORDER No:
KING U.S. ORDER No:



- NOTE:**
- 1) UNDERSIDE OF SPINNING TO BE PAINTED SAME COLOR AS REST OF LUMINAIRE
  - 2) PIPE SEALER TO BE USED ON ALL N.P.T. THREADED COMPONENTS



REV.	ALTERATION	DATE	BY
G	H.H BOX GROUNDING NOTE ADDED	08/25/23	A.Z.
H	RACEWAY FROM B/G APERTURES TO H.H.BOX WAS 3-1/2" DIA.	07/08/24	A.A.



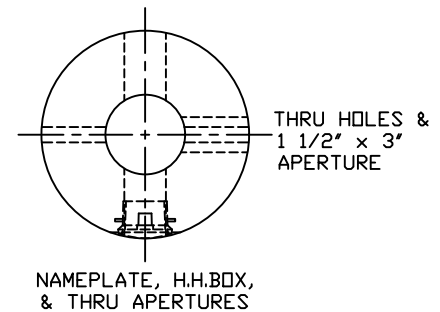
CATALOGUE NO.: E300-APR-G-M00  
S/F 120

QUANTITY: **10**  
SECTION: ROUND  
FINISH: MOULD FINISH  
POLE TOP: 4 3/4" DIA.  
POLE BUTT: 10 1/8" DIA.  
POLE LENGTH: 30' 0"  
APPROX. WGT: 1,365 lbs.  
MIN RACEWAY: 1 1/8" Ø

POLE REQUIRED TO HOLD 5.2 SF  
EPA IN A 95-MPH 3-SEC GUST  
WIND SPEED PER AASHTO LTS-5  
POLE DESIGNED FOR NOMINAL  
GROUNDLINE MOMENT OF 13.8 K-FT

COATINGS REQUIRED:

-SILANE 10 FT. ABOVE GRADE



TOP VIEW

CUSTOMER APPROVAL: \_\_\_\_\_



**StressCrete Limited**

840 WALKER'S LINE, P.O. BOX 7  
BURLINGTON, ONTARIO CANADA L7R 3X9

CUSTOMER ORDER NO.:

**2380-706880**

STRESSCRETE ORDER NO.

S-SC1-2406120.1

DRAWING NAME:

APPROV./MFG. DWG

DWG. NUMBER:

ESSEX30APR

DATE:

08/28/03

DWG BY:

A.A.

REV.

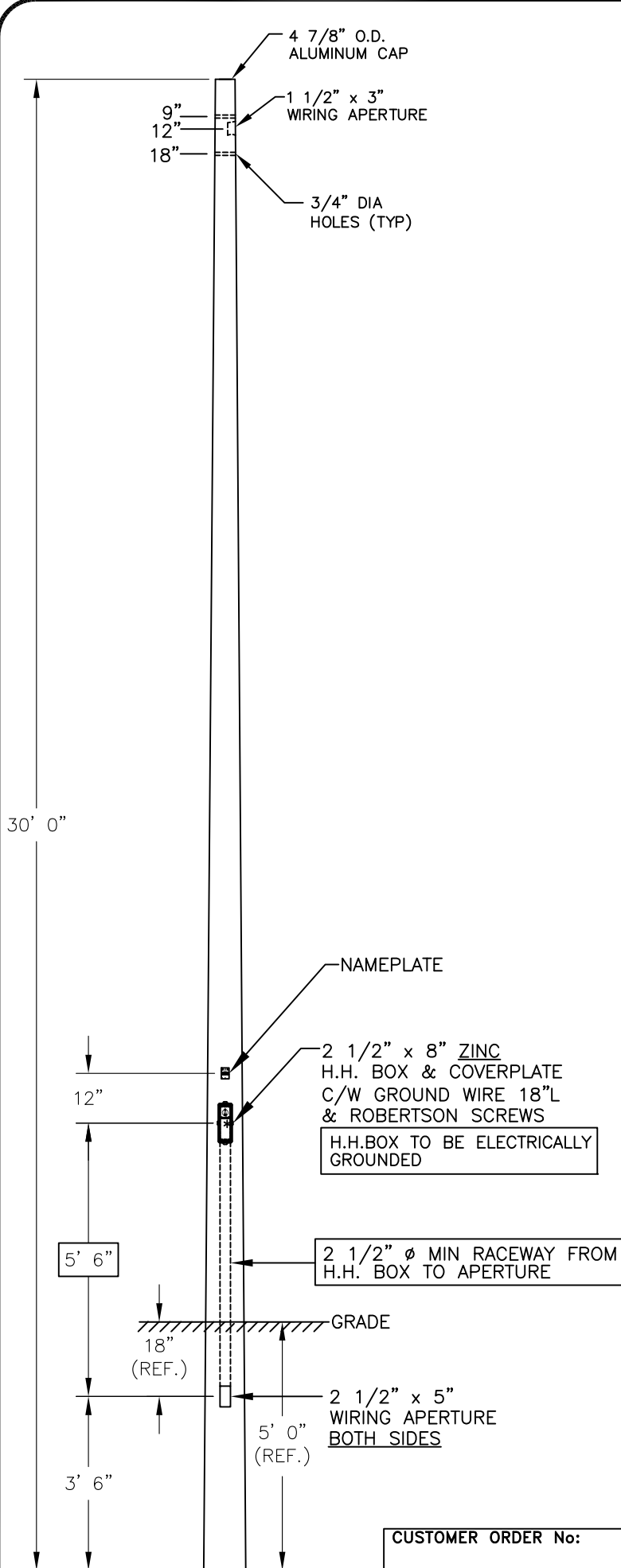
H

PROJECT/CUSTOMER:

CHK BY:

ESSEX POWER

\\SPEC\\ESSEX30APR



REV.	ALTERATION	DATE	BY
A	DWG REVIEWED & UPDATED	03/07/24	A.A.
B	MIN. RACEWAY WAS 3 1/2" Ø	09/11/24	A.A.

### POLE SPECIFICATIONS

CATALOGUE NO.: E300-BPR-G-M00  
S/F 120

QUANTITY:

SECTION: ROUND

FINISH: MOULD FINISH

POLE TOP: 4 3/4" Ø

POLE BUTT: 10 1/8" Ø

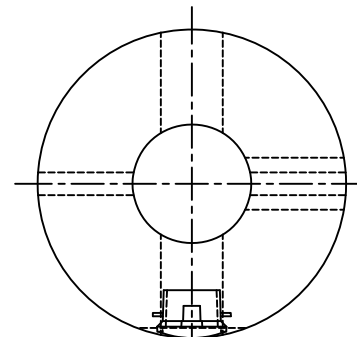
POLE LENGTH: 30' 0"

APPROX. WGT.: 1,365 lbs.

MIN. RACEWAY: 1 1/8" Ø

### COATINGS REQUIRED:

SILANE 10 FT. ABOVE GRADE



THRU HOLES &  
1 1/2" x 3"  
APERTURE

NAMEPLATE  
H.H.BOX  
THRU APERTURE  
TOP VIEW

### NOTES:

StressCrete makes no claims that the reference embedment depth shown is suitable for supporting this structure. It is recommended that a competent professional evaluate the soils present on site, confirming required embedment depth, hole diameter and backfill material to be used.

Contractor to install burndy ksu22 6-25 universal servit bolt connectors (or equivalent), connecting the #6 copper wire from the pole to the luminaire ground & a separate connector bonding pole to supply grounding conductor.

CUSTOMER APPROVAL DATE: \_\_\_\_\_



King Luminaire • StressCrete • Est. 1953

**STRESSCRETE**  
**GROUP**

### Manufacturing Locations:

Burlington, Ontario 1-800-268-7809

Northport, Alabama 1-800-435-6563

Atchison, Kansas 1-800-837-1024

Jefferson, Ohio 1-800-268-7809

ESSEX POWER

CUSTOMER ORDER No:

DRAWN BY:

TASHI B.

AT:

SC1

CHECKED BY:

DATE:

03/31/16

REVISION:

B

STRESSCRETE ORDER No. \_\_\_\_\_

DRAWING TYPE:

APPROV./MFG. DWG.

DRAWING NUMBER:

ESSEX30BPR-1



## **APPENDIX B**

### **WATER MATERIAL SPECIFICATIONS**



Item	Size Range (mm)	Specification	CSA Standard	ASTM Standard	Description	Approved Manufacturer / Model
Curb Stops	19-50	AWWA C800			Ball type & non-draining, inlet/outlet compression joints for CTS	Cambridge Brass, Mueller
Main Stops	19-50	AWWA C800			Ball type, Inlet male AWWA taper thread/ outlet compression joint for CTS	Cambridge Brass, Mueller
Compression Coupling	19-50	AWWA C801			Inlet/ outlet compression for CTS	Cambridge Brass, Mueller
Tapping Sleeve & Service Saddles	100-600	AWWA C207			Class 150, All stainless steel with type 304 stainless steel bolts	Cambridge Brass, Smith-Blair, Ford Fast Series, Mueller
Hydrants	All	AWWA C502		B584	One Storz pumper connection with Ontario standard threads, two standard hose connections, 30mm square operating unit, plugged drain holes, shop painted with two coats of yellow enamel, 150mm "Push ON" base, right to close	Canada Valve (Century) & Clow (Brigadier M67)
Hydrant Markers					Round markers	EH Wachs



Item	Size Range (mm)	Specification	CSA Standard	ASTM Standard	Description	Approved Manufacturer / Model
Valves	All	AWWA C550/C509				Mueller, Clow, EJ Flowmaster
Zinc Caps	All				Interprovincial corrosion control	Maple Agencies
Anodes	5.4kg (12lbs) & 10.9kg (24lbs)			B418	#10-7 strand 5' copper wire with jacket	Interprovincial Corrosion Control, Maple Agencies
Tracer Wire				D-1248	#12 AWG high-strength copper clad steel insulated with a 30mil high density polyethylene insulation, blue in colour	Copperhead 1230Blue-SF (open cut only) OR Copperhead 1230Blue-EHS (directional drilling only)
Tracer Wire Connectors						King Innovation 90220 Waterproof DryConn Lug
Tracer Wire Clamp					Brass anode clamp G-I-SDB/SB	NSI Industries
Thermal Insulation for Trench				518		DOW Chemical (Styrofoam HI 100) Brand, Owens Corning (Foamular 1000)
Thermal Insulation for Pipe	Consult with Amherstburg Water Department					
M.J. Fitting Gasket	100 – 600	AWWA C111				Sigma, Star
PVC Watermain Pipe	100 – 300	AWWA C900	B137.3		Class 150, DR 18, CIOD, Blue Colour	IPEX/ Blue Brute, IPEX/ Bionax, Royal Seal





Item	Size Range (mm)	Specification	CSA Standard	ASTM Standard	Description	Approved Manufacturer / Model
	350 – 600	AWWA C905	B137.3		Class 165, DR 25, CIOD, Blue Colour	IPEX/ Centurion, Royal Seal
	100 – 450	AWWA C909	B137.3	D1784	Class 12545B	IPEX/ Bionax
PVC Watermain Pipe (Directional Drill)	100 – 300	AWWA C900	B137.3		DR 14, DR 18	IPEX/ Fusible, IPEX/ Terrabrute, Royal/ Cobra Lock
	300<	AWWA C900/C905	B137.3		DR 18	IPEX/ Fusible
HDPE	Consult with Amherstburg Water Department					
PVC Fittings	100 – 300	AWWA C907	B137.2		Class 150, DR 18, CIOD, “Push On” only	IPEX/ Blue Brute, Royal Seal, RCT Flex-Tite
	350 – 600				Class 165, DR 25, CIOD, “Push On” only	IPEX/ Blue Brute, Royal Seal, RCT Flex-Tite
Ductile Iron Fittings	Consult with Amherstburg Water Department					
Transition Couplings	100 – 600	AWWA C219, C213, C550			Ductile Iron type 304 SS hardware, epoxy coated, NSF approved	Smith-Blair All 400 series, OMNI 441 series Robar/1406
Flanged Couplings	100 – 600	AWWA C219, C213, C550			Ductile Iron type 304 SS hardware, epoxy coated, NSF approved	Smith-Blair/ OMNI 912/913 series, Robar/7400 series, Ford/Flex FFCA, Clow 90C series
Reducing Couplings	100 – 600	AWWA C219, C213, C550			Ductile Iron type 304 SS	Smith-Blair/415, Robar 1506R &



Item	Size Range (mm)	Specification	CSA Standard	ASTM Standard	Description	Approved Manufacturer / Model
					bolts, nuts, and washers	1508R, Ford/Flex FRC
Restrainers	All sizes					Ford, Clow, Sigma, Star
Service Pipe	19 (3/4"), 25 (1")	AWWA C800		B88-49	Copper, Type 'K' or PE Pert	Great Lakes Copper
	25 (1")	AWWA/ CSA Approved	B137.1	2769	PE-RT pipe, blue in colour, NSF 61 & NSF 14 approved	Aquapure Print Stream
	25 (1")	AWWA C904	B137.1		Poly Class 160, blue in colour	Pex-B IPEX, Rehau
	25 (1")	AWWA C904	B137.1		Poly Class 160, blue in colour	Pex-A Munciplex IPEX, Rehau
Curb Boxes					Brass pentagon plug, arch base, bolt on curb box lid for tracer wire, 304 CC rod & pin	Mueller, Bibby
Valve Boxes				A48	Cast iron, drilled for tracer wire	Bibby, Star, Sigma
Double Check Valve Assembly Backflow Preventer	65 – 300	AWWA C510	B-64			Wilkens 350, Watts 774
Reduced Pressure Backflow Preventer	65 – 250	AWWA C510	B-64.4.1.		Approved for new installation on domestic services	Wilkens 375, Watts 994
Double Check Detector Assembly	80 – 250	AWWA C511			Shall be installed on	Wilkens 350DA DCDA, Watts 709DCA



Item	Size Range (mm)	Specification	CSA Standard	ASTM Standard	Description	Approved Manufacturer / Model
					fire protection systems	
Meter Wire					#18-#22 AWG 3 or 4 conductor non-braided wire	
Meter Cover	19 – 25				Double Lid Cover	Ford
Plastic Meter Cover	19 – 50					IPEX Ultra Rib
Meter Setter					Copper inlet angle ball valve, outlet angle ball valve	Ford
Automatic & Continuous Flusher	Consult with Amherstburg Water Department					
Sampling Station		NSF/ ANSI 372			5' depth of bury	Cromer Industries/ Test Tap
Liquid Chlorine 12%		NSF/ ANSI 60			Liquid Chlorine 12% (hypochlorite solution)	
Flow Monitor	Consult with Amherstburg Water Department					



## **APPENDIX C**

### **MUNICIPAL GUIDELINES**



## **Functional Servicing Report Guideline**

### **1.0 Introduction**

The Town of Amherstburg's primary objective is to ensure that adequate municipal services such as sewage disposal, water supply, storm drainage, and other essential services can be made available to all development proposals through existing availability of services to the site or required improvements to accommodate the development.

In order to achieve these goals, it is critical to identify, plan for, and where necessary, mitigate the impacts of development on the current municipal servicing network and the people who rely on it. Therefore, a functional servicing report (FSR) may be required for development applications that have the potential to have an adverse impact to the municipal servicing within the Town of Amherstburg.

If it is determined that the demands of the development cannot be accommodated by existing infrastructure, then the report shall outline the necessary improvements to municipal servicing infrastructure required to support the proposed level of development.

The Town of Amherstburg will be referred to as the Town for the remainder of this document.

The purpose of this guideline is to provide a consistent approach to developers and consultants regarding the preparation and submission of an FSR. A standardized set of guidelines will assist Town staff in reviewing FSRs while reducing revisions and resubmissions.

An FSR should be based on established engineering design principles, applicable guidelines (e.g. Ministry of the Environment, Conservation and Parks (MECP) Guidelines), regulations (Environmental Protection Act, Ontario Water Resources Act, Safe Drinking Water Act, Clean Water Act, Nutrient Management Act, etc.) and by-laws and infrastructure information available from the Town and Region.

For any details not addressed in these guidelines, good professional practice based on established standards and methodologies should be followed.

### **2.0 Public Record**

All FSRs submitted to the Town will become part of the public record. Information from these reports may be included in reports to Council or other public documents or shared with other municipalities or agencies, and excerpts from the study reports may be shared with other applicants or consultants to allow other FSRs to properly reflect the anticipated servicing impact and/or required improvements due to area developments.

### **3.0 Establishing Need**



The need for the completion of an FSR (along with other applicable supporting studies) will be identified in the pre-submission meeting with the Town. A high-level introduction of the proposed development will be required to be presented by the Developer at this meeting along with a preliminary sketch of the proposal.

An FSR may be requested any time a proposed development will cause an increased use of water, wastewater and/or stormwater infrastructure.

An FSR may be required to form part of a complete application for the following development application under the Planning Act:

- Official Plan Amendments
- Zoning By-law Amendments
- Draft Plan of Subdivision/Condominium
- Final Plan of Subdivision/Condominium
- Site Plan Control
- Consent to Sever
- Other planning applications, as deemed appropriate by the Manager of Engineering

Any development that does not proceed within 3 years of the original FSR date will be required to complete an updated analysis and resubmit for review and approval prior to proceeding with the works.

The level of detail required depends on the type of application and the size of the proposed development. For example, a report in support of an application for an Official Plan and/or Zoning By-law Amendment will be more conceptual than a report in support of an application for a Draft Plan of Subdivision, which will include more details, such as where lot, block or right-of-way dimensions are approved in principle. The applicant is encouraged to discuss the scope of the study with Town and Region staff prior to study commencement.

An environmental impact study may also be required to address the impact of development on water resources features or functions on- and off-site.

## **4.0 FSR Requirements**

### **4.1 Introduction/ Existing Conditions**

The FSR shall contain a description and a map of the study area including, but not limited to, the following information:

- Site location
- Existing land use type
- Type of surroundings and subject development lands
- Street names



- Existing municipal infrastructure surrounding the development site
- Reference reports and drawings (if applicable)
- Geotechnical conditions
- Environmental features (wetlands, woodlots, etc.)
- Design criteria and documents being used to design the servicing

## **4.2 Development Land Use/ Site Plan**

The FSR shall provide a full description of the proposed development including, but not limited to, the following elements:

- Proposed land use
- Property size (area)
- Number of residential units/ employees/ hotel rooms
- Gross floor area of commercial or industrial development
- Other developments in the study area being constructed, approved or in the approval process that may have potential impact to the recommendations in the FSR
- Any improvements included within the existing EA documents in the study area
- Anticipated timeline for construction of the proposal including any phasing (if phased, the FSR shall include recommendations per phase)
- Development proposal drawing

## **4.3 Source Water Protection**

An assessment of the proposed works shall be completed to determine if the works pose a significant drinking water threat and if so, features to mitigate the threat to sources of drinking water shall be identified in this section of the report.

## **4.4 Transportation Services**

- Site access
- Peak AM/PM trips
- Classification of all streets within the proposed road networks
- Approved street names
- Pedestrian facilities proposed and connectivity to existing pedestrian facilities
- Reference TIA (if applicable)



#### **4.5 Sanitary Servicing**

- Design criteria
- Anticipated usages
- Proposed sanitary servicing
- Details on appropriate outlet for the development
- Local capacity restraints (if applicable)
- Peak flow generated by the development
- Capacity analysis and % of capacity allocated to the development
- For industrial developments, confirm quality of discharge will meet Sewer Use Bylaws and/or discuss the nature of exceedances and treatments.

#### **4.6 Water Servicing**

- Design Criteria
- Fire flow demand
- Domestic water demand
- For industrial developments, confirm processing water demand
- Hydraulic Modeling and results (if applicable)

#### **4.7 Storm Servicing and Stormwater Management**

- Design Criteria
- Proposed storm servicing strategy
- Major overland flow route
- Offsite drainage
- Details on appropriate legal, sufficient outlet for the development
- Municipal drainage works (if applicable)
- Capacity analysis and % of capacity allocated to the development

#### **4.8 Utilities**

This section shall discuss available providers for hydro, gas, and communication utilities.

#### **4.9 Additional Considerations for Servicing**

- Identify if dewatering is required and how it will be managed





- Any other servicing requirements that do not fall under the headings identified in the guideline.

#### **4.10 Erosion and Sediment Control Plan**

This section of the report shall indicate how sediment migration will be minimized and erosion will be prevented on the site throughout the duration of construction activities (including inspection type and frequency to ensure all sediment and erosion control measures are maintained)

#### **4.11 Conclusion**

- Summary of the contents of the report
- Identify any limitations to the development and recommended solutions
- Confirmation if municipal servicing can sufficiently accommodate the proposed development

#### **4.12 Relevant tables, figures, appendices, calculations, drawings, etc. (as required)**

### **5.0 Evaluation of Impact**

#### **5.1 Servicing Availability**

Existing municipal servicing should be evaluated in terms of the availability of treatment and conveyance capacities for all municipal services within the proposed development.

In addition to the immediate receiver, all receiving infrastructure downstream of the Development shall be evaluated for capacity availability unless otherwise noted by the Town.

If the Town has an updated, working model in their possession that may assist the Consultant in determining available capacities specifically related to sanitary servicing, the Developer may choose to have the Town complete a wastewater servicing assessment on their behalf. The Developer shall be invoiced for all costs associated in the Town completing the wastewater servicing assessment upon completion of the work. The assessment results will form part of the FSR.



## **5.2 Tie-Ins to Existing Municipal Servicing**

All proposed municipal infrastructure tie-ins must be detailed in the FSR including but not limited to: sizing of existing & proposed infrastructure, construction methodology, details on road or lane closures that may result from the required tie-in, etc.

## **5.3 Cost Sharing**

The Developer shall be responsible for all municipal servicing improvements/ extensions/upsizing to provide adequate servicing capacities to facilitate the proposed development.

If the proposed development triggers the need for a planned municipal project to be completed sooner than originally anticipated OR includes additional work that will benefit the Town, there may be cost sharing opportunities with the Town of Amherstburg for the works.

In situations where a proposed infrastructure upgrade is identified as a major upgrade outlined in one of the Town's published masterplans and creates an improvement in the existing servicing network, the Town may consider alternative cost sharing measures on a case by case basis.

A cost sharing agreement is necessary in these cases in order to establish the Town's obligations to reimburse the developer's costs in financing the construction and to establish the developer's obligation for construction. Council approval of the construction and the reimbursement must be obtained prior to the commencement of construction.

## **5.4 Conclusions & Recommendations**

A summary of the key findings with respect to the functional servicing report of the proposed development shall be presented along with a summary of the recommended improvements if necessary as well as a high-level cost estimate of the recommended improvements.

## **6.0 Documentation**

AT A MINIMUM, an FSR should include all information outlined in section 4.0 of this guideline.



## **Operation and Maintenance Manual Guideline**

### **1.0 Introduction**

The Town of Amherstburg is in possession of consolidated linear infrastructure (CLI) environmental compliance approval (ECA) for both stormwater and sewage works.

In order to remain compliant with MECP requirements and our current approvals, an Operation & Maintenance (O&M) Manual shall be prepared and implemented for all infrastructure approved under Amherstburg's stormwater and sewage works CLI-ECAs.

An O&M manual is required when the stormwater or sewage infrastructure in the development proposal will be assumed by Amherstburg.

The Town of Amherstburg will be referred to as the Town for the remainder of this document.

The purpose of this guideline is to provide a consistent approach to developers and consultants regarding the preparation and submission of O&M manuals. A standardized set of guidelines will assist Town staff in reviewing O&M manuals while reducing revisions and resubmissions.

For any details not addressed in these guidelines, good professional practice based on established standards and methodologies should be followed.

### **2.0 Public Record**

All O&M manuals submitted to the Town will become part of the public record. Information from these reports may be included in reports to Council or other public documents or shared with other municipalities or agencies, and excerpts from the study reports may be shared with other applicants or consultants.

### **3.0 Establishing Need**

The need for the submission of an O&M manual (along with other applicable supporting studies) will be identified in the pre-submission meeting with the Town. A high-level introduction of the proposed development will be required to be presented by the Developer at this meeting along with a preliminary sketch of the proposal.

An O&M manual will be required to be submitted for review and acceptance if any of the following criteria is met:

- The development proposal includes any of the following elements as part of the stormwater strategy: pump station, LID, OGS unit, flow control device, dry pond, wet pond, etc.



- The development proposal includes any of the following elements as part of the proposed sewage works: pump station, forcemain, odour control device, corrosion control device, etc.

Manhole and linear sewer pipe O&M procedures are identified in the Town's overall O&M manuals for the existing systems. Development proposals that only include linear sewers as part of the overall design may not be required to prepare an O&M manual at the sole discretion of the Town. This will be communicated at the early stages of the development proposal if applicable.

## **4.0 O&M Manual Requirements**

### **4.1 Stormwater**

#### **4.1.1 Introduction**

- Site Location
- Brief description of the stormwater management strategy including list of appurtenances
- Outlet location

#### **4.1.2 Routine Operation of the Works**

- Detailed procedures for the standard/routine operation of the Works

#### **4.1.3 Inspection Programs**

The Inspection Program developed as part of the O&M manual must, at a minimum, address the presence of algae and/or invasive species that may impair the works and measurement of sediment depth, manual water levels (staff gauge) and/or visual observations, as appropriate to the Stormwater Management Facilities. Additional inspection programs may be included for trash build-up, presence of spills/oil/grease contamination, or blockages at the inlet and outlet pipes.

For each aspect of the Inspection program, the following information is required to be discussed:

- Frequency including specific month of the year when the inspection should occur
- Tests to be performed as part of the inspection program
- Methodology of all tests to be performed
- Specific indicators of when maintenance is necessary



- Images as necessary

#### **4.1.4 Maintenance and Repair Programs**

The Maintenance and Repair program developed as part of the O&M manual must, at a minimum, address stormwater pond sediment cleanout, pond dewatering, excavation, modification, replacement of LID soil/media/aggregate/geotextile, and sediment loading and removal methodology for all stormwater appurtenances that collect sediment.

For each aspect of the Inspection program, the following information is required to be discussed:

- Frequency including specific month of the year when the maintenance should occur
- Maintenance to be performed
- Methodology of all maintenance procedures to be performed
- Specific indicators of when the repair/maintenance is successful

#### **4.1.5 Source Water Protection**

- Operational and maintenance requirements to protect sources of drinking water, such as those included in the Standard Operating Policy for the Works
- Any applicable local Source Protection Plan policies

#### **4.1.6 Monitoring Plan**

- Procedures for routine physical inspection and calibration of monitoring equipment or components such as SCADA
- This section should align with the Town's Monitoring Plan for the existing system.

#### **4.1.7 Emergency Response, Spill Reporting and Contingency Plans**

- Procedures for dealing with equipment breakdowns, potential spills, and any other abnormal situations, including notification to the Spills Action Centre, the Medical Officer of Health, and the District Manager, as applicable

#### **4.1.8 Public Complaints**



- Procedures for receiving, responding, and recording public complaints, including recording any follow-up actions taken

#### **4.1.9 As-Built/ Record Drawings**

- Stamped and sealed by a Professional Engineer licensed to practise within the province of Ontario.

### **4.2 Sewage Works**

#### **4.2.1 Introduction**

- Site Location
- Brief description of the servicing strategy including list of appurtenances
- Outlet location

#### **4.2.2 Routine Operation of the Works**

- Detailed procedures for the standard/routine operation of the Works

#### **4.2.3 Inspection Programs**

The Inspection Program developed as part of the O&M manual must, at a minimum, address the presence of odour and visual observation of the Works.

For each aspect of the Inspection program, the following information is required to be discussed:

- Frequency including specific month of the year when the inspection should occur
- Tests to be performed as part of the inspection program
- Methodology of all tests to be performed
- Specific indicators of when maintenance is necessary
- Images as necessary

#### **4.2.4 Maintenance and Repair Programs**

The Maintenance and Repair program developed as part of the O&M manual must, at a minimum, address cleanout requirements for any storage or overflow tanks (as applicable).

For each aspect of the Inspection program, the following information is required to be discussed:



- Frequency including specific month of the year when the maintenance should occur
- Maintenance to be performed
- Methodology of all maintenance procedures to be performed
- Specific indicators of when the repair/maintenance is successful

#### **4.2.5 Source Water Protection**

- Operational and maintenance requirements to protect sources of drinking water, such as those included in the Standard Operating Policy for the Works
- Any applicable local Source Protection Plan policies

#### **4.2.6 Monitoring Plan**

- Procedures for routine physical inspection and calibration of monitoring equipment or components such as SCADA
- This section should align with the Town's Monitoring Plan for the existing system.

#### **4.2.7 Odour Impact Mitigation**

- Detailed procedures for the prevention of odours and odour impact

#### **4.2.8 Emergency Response, Spill Reporting and Contingency Plans**

- Procedures for dealing with equipment breakdowns, potential spills, and any other abnormal situations, including notification to the Spills Action Centre, the Medical Officer of Health, and the District Manager, as applicable

#### **4.2.9 Public Complaints**

- Procedures for receiving, responding, and recording public complaints, including recording any follow-up actions taken

#### **4.2.10 As-Built/ Record Drawings**

- Stamped and sealed by a Professional Engineer licensed to practise within the province of Ontario.



## **5.0 Documentation**

All inspections and maintenance completed to this system shall be logged. Templates forms can be found in Amherstburg's Infrastructure Standards Manual.

## **6.0 Maintenance Period**

The Developer shall be responsible to execute all requirements noted in the approved O&M manual during the infrastructure's maintenance period. The Developer shall bear all costs for inspections and maintenance of the infrastructure during the maintenance period.

All inspection and maintenance logs recorded during the maintenance period shall be submitted to the Town prior to the Town's assumption of the infrastructure.

Failure to submit inspection and maintenance logs may result in forfeit of securities being held by the Town.





## **Traffic Impact Assessment Guideline**

### **1.0 Introduction**

The Town of Amherstburg's primary objective is to provide optimum conditions for the movement of people and goods through:

- promoting active transportation and transit
- prioritizing the safety of transportation systems for all users
- improving regional transportation and transit connectivity
- developing urban area with compact built form and complete communities

In order to achieve these goals, it is critical to identify, plan for, and where necessary, mitigate the impacts of development on the current transportation network and the people who rely on it. Therefore, a traffic impact assessment (TIA) may be required for development applications that have the potential to adversely impact the transportation network within the Town of Amherstburg.

The Town of Amherstburg will be referred to as the Town for the remainder of this document.

The purpose of this guideline is to provide a consistent approach to developers and consultants regarding the preparation and submission of a TIA. A standardized set of guidelines will assist Town staff in reviewing TIAs while reducing revisions and resubmissions.

For any details not addressed in these guidelines, good professional practice based on established standards and methodologies should be followed.

### **2.0 Public Record**

All TIA reports submitted to the Town will become part of the public record. Information from these reports may be included in reports to Council or other public documents or shared with other municipalities or agencies, and excerpts from the study reports may be shared with other applicants or consultants to allow other TIAs to properly reflect the anticipated traffic due to area developments.

### **3.0 Establishing Need**

The need for the completion of a TIA (along with other applicable supporting studies) will be identified in the pre-submission meeting with the Town. A high-level introduction of the proposed development will be required to be presented by the Developer at this meeting along with a preliminary sketch of the proposal.

At a minimum, TIA will be required if any of the following conditions are met:



- The proposed development is anticipated to generate 30 auto trips or more in the peak hour of traffic for the development;
- The proposed development is in/near a location where a known local safety or capacity issue exists;
- The proposal includes a new access on or connection to an arterial or collector road;
- The proposal includes a new access or connection at any location where stopping or turning sight distance standards (based on the standards and methodologies given in the Transportation Association of Canada Geometric Design Manual) are not met;
- The proposal includes the closure of an existing through road;
- Site generated traffic associated with the proposed development will result in an intersection or driveway turning movement becoming critical (see definition below) or will make operations for a critical movement worse.

A critical movement is defined as follows:

- All intersections
  - Any movement where the 95th percentile queue exceeds available storage.
- Unsignalized intersections
  - Any movement with level of service “E” or worse.
- Signalized intersections
  - Any movement with level of service “F”.
  - Through movements and shared through/turning movements: any movement with v/c of 0.85 or higher.
  - Exclusive turning movements: any movement with v/c of 1.0 or higher.
- Any location where a driveway access is anticipated to be blocked/inaccessible due to queueing vehicles

A Traffic Brief may be requested by the Town in lieu of a TIA when the development does not meet the criteria noted above but a specific area of concern has been identified by the Town. The Town, at its sole discretion, will determine whether a traffic brief will be sufficient, as well as the specific scope required to be included in the brief.

The TIA or Traffic Brief (as deemed necessary) shall be prepared by or under the supervision of a Professional Engineer (or Limited Engineering License holder practicing within the limits of their license) licensed in the Province of Ontario with experience and expertise in the field of transportation and traffic engineering, who must stamp, sign, date the report, and take professional responsibility for the work.

Any development that does not proceed within 3 years of the original TIA date will be required to complete an updated analysis and resubmit for review and approval prior to proceeding with the works.



## 4.0 TIA Requirements

The TIA shall be submitted in metric units.

### 4.1 Study Area

The TIA shall contain a description and a map of the study area including, but not limited to, the following information:

- Site location
- Existing land use type
- Type of surroundings and subject development lands
- Road jurisdictions
- Road classifications, speed limits, and lane configurations
- Street names
- Signalized and/or unsignalized intersections and their locations
- Available transit services, parking facilities, pedestrian and cycling facilities

The limits of the study area shall extend such that the study area includes all highways, interchanges and intersections that will be affected or potentially affected by the traffic generated by the proposed development. The limits of the study area must be approved by the Town in advance of the preparation of the TIA or Traffic Brief.

### 4.2 Development Land Use/ Site Plan

The TIA shall provide a full description of the proposed development including, but not limited to, the following elements:

- Proposed land use
- Property size (area)
- Number of residential units/ employees/ hotel rooms
- Gross floor area of commercial or industrial development
- Other developments in the study area being constructed, approved or in the approval process that may have potential impact to the recommendations in the TIA
- Any road improvements that are planned within the next 10-20 years or under construction within the study area (refer to Transportation Masterplan and Roads Needs Study)
- Any improvements included within the existing EA documents in the study area



- Anticipated timeline for construction of the proposal including any phasing (if phased, the TIA shall include recommendations per phase)
- Site plan drawing

#### **4.3 Horizon Years/ Scenarios**

In general, the horizon year(s) for impact analysis must include the existing conditions at the time of preparation of the TIA, the anticipated time of completed build-out of the proposal, and 5 years from the anticipated build-out of the site. Additional horizon years may be required to be assessed based on phasing of the development.

#### **4.4 Time Periods**

Typically, the weekday morning AM and afternoon PM peak hour periods should be evaluated. If the site is located in a major tourism area or is expected to generate significant weekend traffic, then the weekend peak hour may also require analysis.

#### **4.5 Data Collection**

The consultant shall undertake collection of the required data on their own. Counts from the local municipality or County of Essex collection counts may be considered acceptable, however, only data collected within 18 months of the submission date for the study shall be used.

#### **4.6 Background Growth**

The background growth in traffic should be established in consultation with Town staff based on growth rates identified within area transportation studies. In absence of these methods, a background traffic growth factor between 1 to 2 percent will be determined by the Town Staff.

#### **4.7 Site Generated Traffic**

##### **4.7.1 Trip Generation**

The volume of traffic generated by a proposed development shall be estimated using the procedures described in the most current version of ITE Trip Generation Manual.

The TIA shall present trip generation assumptions and results in table form identifying the categories and quantities of land uses, with the



corresponding trip generation rates or equations and the resulting number of trips.

The report should also include a detail of any initiatives proposed to provide alternatives to single-occupancy vehicle use and any steps that will be taken to support transit use, walking, cycling or other forms of travel choices.

#### **4.7.2 Trip Distribution**

The TIA shall describe methods and assumptions for distribution and route assignment of traffic. Assumptions for Origin/Destination and Percent Distribution shall be presented in table form and traffic assignment shall be presented as a diagram.

Assumptions for trip distribution shall be supported by one or more of the following:

- Transportation Tomorrow Survey (TTS) data
- Origin-destination Surveys
- Comprehensive Travel Surveys
- Planning models
- Market studies

Assumptions for route assignment shall be supported by existing travel patterns and expected future travel patterns and should be presented in table form based on the identified horizon years.

#### **4.7.3 Pass-By and Internal Capture Trips**

Pass-by trips are defined as intermediate stops made on the way from an origin to a primary destination. Methods and assumptions for adjusting gross trip generation for pass-by trips shall be in accordance with the ITE's Trip Generation Handbook.

Internal Capture trips are defined as those trips made among land uses internal to the site. The method addressed in the ITE's Trip Generation Handbook shall be followed to estimate the percentage reduction in trip generation due to internal capture.

For land uses not currently included in the ITE's Trip Generation Handbook, all trips will be considered as primary trips.



Assumptions for Pass-by and Internal Capture Trips should be presented in a table form.

## 5.0 Evaluation of Impact

### 5.1 Operational Analysis

The evaluation of impacts shall be conducted for all time periods of each horizon year. The peak hour analysis shall be undertaken for full development and, if applicable for all interim stages, with and without the relevant transportation improvements as well as for:

- Existing traffic conditions
- Existing traffic conditions plus background growth
- Existing traffic conditions plus background growth plus site-generated traffic

Capacity analysis shall be performed at all proposed site access points and intersections in the study network in accordance with the methodology described in the latest edition of the ITE Trip Generation Manual data.

Critical movements should be identified within the document.

Conventional signal timing plans should be used and all proposed adjustments to traffic signal timing, phasing and cycle lengths should be evaluated in terms of pedestrian crossing time, effect on queue lengths, adequacy of existing storage and effects on the existing signal co-ordination in accordance to Niagara Region standards.

Two stages left turning movements or pedestrian crossings shall not be considered as part of the capacity analysis.

For developments in which truck trip generation and their effects on the study area have been identified in the Scope of Work, heavy/commercial vehicles shall be considered as part of the capacity analysis and the following information shall be included as part of the TIA:

- Existing conditions related to truck traffic (percentage, number of collisions).
- Relationship between land use and truck traffic (cargo, service hours, routing).
- Physical requirements (dedicated access, dedicated lanes).

The Town will accept the use of modelling/simulation software for intersection & roundabout capacity, operational analysis, and geometric delay analysis.



Any traffic improvements or operational concerns that cannot be adequately mitigated to the Town's standards shall be identified.

## **5.2 Timing and Signal Justification**

The need for traffic signals and/or underground traffic signal utility provisions shall be reviewed at all locations affected by the proposed development and for each proposed development stage. Determination of whether traffic signals or provisions for signals are warranted shall be made according to the process described in OTM Book 12. Intersection timing and traffic signal improvements required due to development or redevelopment shall be considered as improvements in the TIA.

For any locations that are being considered for a potential new traffic signal, a roundabout analysis shall be considered upon discussions with the Town as part of the pre-submission meeting.

The Town may also determine that as part of the TIA, a roundabout analysis must be completed for an existing signalized intersection with existing or projected poor safety or operational performance.

## **5.3 Other Transportation Methods**

### **5.3.1 Active Transportation**

For all developments, the following information shall be included as part of the TIA:

- Existing and proposed pedestrian and cyclist facilities – including proposed if applicable.
- Measures to maintain and/or improve existing conditions, including interconnection of existing facilities.
- Any possible effects in existing or proposed facilities generated by the proposed development.

### **5.3.2 Transit**

Existing transit services should be evaluated in terms of available capacity and need for increased service.



Potential transit impacts and mitigation measures to be considered as part of the TIA will be determined as part of the pre-submission discussion with the Town. The analysis may include, among others, the following elements:

- Pedestrian access to transit services from the proposed development shall be evaluated and desirable improvements to the site plan to facilitate access should be noted and/or recommended.
- Any impacts on transit operations caused by site-generated traffic shall be identified and suitable remedial measures noted and recommended.
- Any required relocation of transit facilities, such as bus stops, shall be identified and alternative locations determined and evaluated regarding their effect on traffic and transit operations.

#### **5.4 Site Access & Access Management**

Site access location and design shall be determined based on the results of the traffic impact analysis. In general, any new access should be designed to restrict the inbound and outbound left turns if they conflict with an expected queue on the main road. All designs for proposed site accesses shall give consideration to cycling and pedestrian infrastructure abutting the access.

#### **5.5 Geometric Improvements**

The need for geometric improvements shall be reviewed at all locations in the study area and for each proposed development stage. The TIA shall clearly identify transportation impacts by movement, the transportation system improvements that are needed to mitigate these impacts, and the timing of any recommended improvements. Cyclist and pedestrian infrastructure shall be considered in all proposed geometric improvements.

A schematic representation of all geometric improvements shall be included as part of the TIA, identifying lane arrangements and intersection improvements for each horizon year.

#### **5.6 Cost sharing**

The Developer shall be responsible for all road improvements required to provide safe and efficient access and egress to the development, including but not limited to; costs for turning lanes, tapers, traffic control measures, connectivity to existing





active transportation infrastructure, addition of pedestrian and/or cycling infrastructure, and improvements to nearby intersections based on an approved TIA.

If the proposed development triggers the need for a planned municipal project to be completed sooner than originally anticipated OR includes additional work that will benefit the Town, there may be cost sharing opportunities with the Town of Amherstburg for the works.

In situations where a proposed road is identified as a major future road in Official Plan and creates an improvement in the existing road network, the Town may consider alternative cost sharing measures on a case by case basis.

A cost sharing agreement is necessary in these cases in order to establish the Town's obligations to reimburse the developer's costs in financing the construction and to establish the developer's obligation for construction. Council approval of the construction and the reimbursement must be obtained prior to the commencement of construction.

## **5.7 Safety Impact**

Safety of all road users shall be taken into consideration as part of the preparation of the TIA. The TIA shall identify and make recommendations regarding any geometric or operational elements that may impact safety, such as:

- Weaving maneuver
- Merging conflicts
- Transit operational conflicts
- Corner clearances
- Sight distances
- Vehicle-pedestrian and vehicle-cyclist conflicts
- Traffic infiltration
- Access conflicts
- Cyclist movements
- Heavy truck volumes and consideration (e.g., turning paths) and size of the trucks
- Speeding

For developments in which significant and/or specific concerns over the development's effect on road safety can be expected, the need for a more detailed



traffic safety analysis shall be discussed. The safety impact analysis should include but is not limited to:

- A road safety review of existing conditions including operational characteristics, collision data, geometric and roadside characteristics, and any remedial measures to address unusual known collision patterns. A field review may be required.
- Detailed analysis and countermeasure recommendations (identification and selection of suitable countermeasures that may address the site's needs, estimation of the benefits associated with the selected countermeasures in terms of collision reduction, and estimation of the costs associated with the selected countermeasures)

The TIA shall include consideration of the safety of vulnerable users, including the identification of pedestrian desire lines and areas of potential conflicts between motorized vehicles and cyclists, motorized vehicles and pedestrians, and cyclists and pedestrians, as well as the need for pedestrian and/or cycling controlled crossings.

## **5.8 Conclusions & Recommendations**

A summary of the key findings with respect to the transportation impact of the proposed development shall be presented along with a summary of the recommended improvements if necessary as well as a high-level cost estimate of the recommended improvements.

## **6.0 Documentation**

AT A MINIMUM, a traffic impact assessment report should include at least the following information:

- Professional details
  - Name(s) of the report author(s)
  - Name, seal and signature of the person(s) taking professional responsibility for the report contents
- Development characteristics
  - Precise location identification (municipal address if available, or lot & concession)
  - Proposed land use type(s)
  - Existing Official Plan and zoning by-law designations for the site (and proposed designations, if an OP or zoning amendment is proposed for the development)



- Development size for each land use type/building/etc. (site area, gross floor area, gross leasable area, number of employees/dwelling units, etc. as appropriate)
    - Anticipated date of construction completion
    - Anticipated hours of operation (if applicable)
    - Location and type of accesses, clearly distinguishing between existing and proposed accesses and noting the movements permitted
    - Development phasing (including the above details for each phase)
  - A site plan for the proposed development, showing the full right-of-way width of all adjacent roads and streets, including any existing entrances opposite the proposed development, pedestrian facilities, and any transit stops on adjacent roads
  - General study details
    - Horizon years
    - Time periods analyzed
    - Study area map
  - Trip generation, distribution and assignment assumptions
  - Volume diagrams showing all peak hours analysed:
    - Existing traffic
    - For each horizon year:
      - Future background traffic
      - New site trips
      - Pass-by trips (if the development will experience pass-by traffic)
      - Future total trips
  - Analysis Details
    - For each scenario:
      - Lane configurations at all intersections analysed
      - Level of service, volume to capacity ratio, and delay for all movements (except free-flow movements at unsignalized intersections) at all intersections analysed
      - Identification of all critical movements along with proposed mitigation measures (if applicable)
    - Non-auto modes discussion
    - Traffic calming discussion (if applicable)
    - Summary of the sight distance review (if applicable)
    - Collision review (if applicable)
    - Pedestrian and cycling facility discussion (if applicable)
  - Conclusions
    - An overall statement of whether the transportation network can or cannot accommodate the development, along with:
-



- Details of the mitigation measures and network improvements required to accommodate the development;
  - Details of any special restrictions on the development (e.g. limits on types of tenant or hours of operation) required for the network to be able to accommodate the development.
  - Confirmation that the report is consistent with the current Provincial Policy Statement.
- Appendices
  - Traffic count data
  - Operational analysis reports
  - Warrant worksheets (if applicable)



## **APPENDIX D**

### **SAMPLE FORMS**



## MANDREL TESTING

MANDREL TESTING
*INSERT DEVELOPMENT NAME HERE*

INSPECTOR INFORMATION	
Inspector Name:	
Place of Employment:	
Date/Time of Inspection:	
Site Location:	
Reason for Inspection:	Start of Maintenance      Routine Other:
Pass or Fail?	
INSPECTION INFORMATION	
Contractor completing the Mandrel Testing	
SUMMARY/ INSPECTION COMMENTS	
FOLLOW-UP/ MAINTENANCE REQUIREMENTS AS A RESULT OF THE INSPECTION	

All mandrel testing was completed in accordance with OPSS.MUNI 438 and witnessed by a representative of the Consulting Engineer.

\_\_\_\_\_ Initial

\_\_\_\_\_  
Consulting Engineer Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



## SKETCH OF THE DEVELOPMENT WITH MANHOLES LABELED

START MH	FINISH MH	RUN LENGTH	PIPE SIZE	MANDREL SIZE

All mandrel testing was completed in accordance with OPSS.MUNI 438 and witnessed by a representative of the Consulting Engineer.

\_\_\_\_\_ Initial

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## SWM FACILITY INSPECTION FORM

### INSPECTION LOCATION

\*INSERT DEVELOPMENT NAME HERE\*

### INSPECTOR INFORMATION

Inspector Name:		Signature:
Place of Employment:		
Date/Time of Inspection:		
Site Location:		
Reason for Inspection:	Routine      Post-Storm      Other: _____	

### INSPECTION INFORMATION

Inspection Items	Inspected?	Maintenance Required?	Comments/Concerns

### SUMMARY/ INSPECTION COMMENTS

--

### FOLLOW-UP/ MAINTENANCE REQUIREMENTS AS A RESULT OF THE INSPECTION

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## MAINTENANCE/ REPAIR FORM

### MAINTENANCE AND REPAIR LOCATION

\*INSERT DEVELOPMENT NAME HERE\*

### MAINTENANCE/REPAIR PERSON INFORMATION

Inspector Name:		Signature:
Place of Employment:		
Date/Time of Maintenance/Repairs:		
Site Location:		

### MAINTENANCE/ REPAIR INFORMATION

Work Items	Corrective or Preventative?	Date Completed	Comments/Concerns

### MAINTENANCE/REPAIR SUMARRY

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## COMMUNITY COMPLAINT FORM

### COMMUNITY COMPLAINT LOCATION

\*INSERT DEVELOPMENT NAME HERE\*

### RESPONDENT INFORMATION

Name:		Signature:
Place of Employment:		
Date/Time of Complaint:		
Nature of Complaint:	Odour    Trash/Debris    Standing Water    Visual    Spill Other: _____	
Date/ Time Town was Notified:		

### COMPLAINENT INFORMATION

Name	Address	Phone Number

### DESCRIPTION OF COMPLAINT

--

### ACTION TAKEN IN RESPONSE

--

### WAS THE SOURCE OF THE COMPLAINT IDENTIFIED? IF YES, PLEASE DESCRIBE BELOW:

--



## REQUEST FOR DEVIATION FROM INFRASTRUCTURE STANDARDS MANUAL FORM

DEVELOPMENT NAME

APPLICANT INFORMATION	
Developer Name:	
Development Address:	
Consulting Firm representing the Developer:	
Consulting Engineer's Name:	
REQUEST INFORMATION	
Manual Revision Date:	
Section from the Manual:	
Standard that requires deviation:	
Justification:	
Attachments to this request?	YES NO
Date & Applicant Signature:	

FOR OFFICE USE ONLY:	
Result of Review:	APPROVED DENIED
Justification:	
Date & Director Signature:	



## **APPENDIX E**

### PEO GUIDELINES

GUIDELINE

# **Engineering Services to Municipalities**

1986

Published by  
Association of Professional Engineers of Ontario

Revised 12/11/98

Phases of Service .....4

Phase 1–Special Services ..... 5

Phase 2–Preliminary Design and Reports ..... 5

Phase 3–Detailed Design, Final Drawings & Specifications ..... 6

Phase 4–General Review During Construction ..... 8

Phase 5–Resident Staff Services During Construction .....9

Phase 6–Post-Construction Services .....9

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## PHASES OF SERVICE

Normally four phases of services are required from engineers during the design and construction of municipal services, as noted in phases 2-5 below. A fifth phase (advisory and special services) and a sixth phase (post-construction services) may be required.

Engineers having a regulatory capacity should also ensure that the services set out below for each phase of the work have been completed as appropriate.

The six phases are:

- Phase 1—Special Services
- Phase 2—Preliminary Design and Reports
- Phase 3—Detailed Design, Final Drawings and Specifications
- Phase 4—General Review During Construction
- Phase 5—Resident Staff Services During Construction
- Phase 6—Post-Construction Services

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### PHASE 1 - SPECIAL SERVICES

Most designs require feasibility or predesign investigations to determine which of several alternatives best meets the objectives. The following are examples of additional or special services, some of which may precede the preliminary design and detailed design services described in Phase 2 and Phase 3:

- ◆ Advisory services, including special consultations and advice, preparation of rate structures, research and soil investigations.
- ◆ Preparation of feasibility studies comparing alternative routes for services and alternative methods of construction or materials, which may be appropriate and advantageous in terms of capital cost, land requirements, operating efficiency, or for environmental or energy conservation reasons.
- ◆ Public hearings before the Environmental Assessment Board, the Ontario Municipal Board or other public authorities regarding the environmental impact of the project, the financial capability of the municipality, the method of charging for the works and property evaluation for easements and purchases.
- ◆ Appearance in litigation, arbitration proceedings and attendance at hearings on behalf of the municipality.
- ◆ Topographic plans or the obtaining of photogrammetric mapping.
- ◆ Negotiations for easements and purchases.
- ◆ Preparation of local improvement assessment sheets, attendance at the Court of Revision and similar services under The Municipal Act, The Public Utilities Act or The Drainage Act.
- ◆ The allocation of costs between the municipality and other municipalities, authorities or private interests, including the administration of extended financial arrangements, computation of principal and interest, and preparation of accounts.
- ◆ Additional services required by reason of contractor's insolvency.
- ◆ Changes in design made necessary or desirable by factors beyond the control of the engineer.
- ◆ Preparation of special progress certificates and final certificates for subsidy payments, grants or rebates.
- ◆ Carrying out prolonged negotiations with public authorities on behalf of the municipality.

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## PHASE 2- PRELIMINARY DESIGN AND REPORTS

### 2.1 Outline of Services

The engineer should prepare preliminary plans or reports in the form of drawings and text outlining the nature of the project, a summary of the principal design standards, an outline cost estimate and the extent of services and recommendations. This work is sometimes identified as the preliminary “Engineering Report” but is not to be confused with predesign and feasibility studies, which are included in Phase 1 -Special Services.

### 2.2 Services to be Provided

The engineer should provide the following preliminary services in connection with the functions shown:

#### 2.2.1 Attend Meetings

Meet with the appropriate representatives of the municipality, including the municipal engineer, planning director, works committee or council, to:

- ◆ obtain full information on existing and proposed municipal services, roads and other facilities;
- ◆ determine the municipality’s standard criteria for design;
- ◆ determine the extent of engineering services to be provided and the manner of presentation, and
- ◆ determine the municipality’s practice for the sharing of costs with other public authorities, private developers and the public.

#### 2.2.2 Familiarization

Conduct a physical reconnaissance and review topographical maps of the project area to ascertain the location, topography, drainage and existing municipal services.

#### 2.2.3 Planning

Study existing plans and reports define zoning and land use and predict the rate and direction of probable community and traffic growth, and apply these factors to the design, as may be required.

#### 2.2.4 Preliminary Design

##### a) Sewers and Watermains

Carry out preliminary design of sanitary sewers and water distribution systems in accordance with accepted engineering practice and, where applicable, with standards established by the local municipality and other regulatory authorities. In the design of each of these systems, take into consideration the present and future land use, the areas to be serviced, the pipe location, size, depth, material and bedding, suitable inlets and outlets, the design and location of catch-basins, maintenance holes, hydrants, building connections and other appurtenances.

##### b) Plants and Associated Works

Incorporate sound functional design into all structures, including equipment forming parts of pumping stations, water purification and pollution control plants. When required to design plants will be used for process operations, engineers should avail themselves of special processes may be used, including the nature of, and factors governing, the process.

They should evaluate the various processes, types of instrumentation, automation, etc., and should recommend the adoption of a specific process and type of control, while remaining aware of the required results, the economy of construction, operation and maintenance. Due consideration should be given to the planning and preliminary design of all energy consuming facilities to minimize the impact on future energy demands. This consideration should include energy conservation and utilization practices in the selection of machinery, the location and orientation of structures, and the insulation of buildings.

The engineer, where directed, should produce suitable procedures and documents for the pre-selection of machinery and equipment. A diagrammatic flow-sheet and hydraulic flowsheet should be pro-



vided for treatment plants. An original process design is not a part of this preliminary design service, but is considered to be a special service.

#### **c) Road and Street Construction**

Establish the design criteria essential for a proper design consistent with the municipality's long-range land-use and traffic plans. Traffic and land-use studies will assist in providing design criteria to establish the type of street, traffic density, design speed, sight distance, grade and curvature. A further study of the adjacent land use and proposed environmental considerations should provide design criteria for the best dimensional arrangement of the pavement, median, shoulders, right-of-way, intersecting roads, bus bay entrances and other cross section elements. The subsequent engineering design of the subgrade, pavement, sidewalks, curbs and gutters, drainage, utility relocations, minor structures and railway crossings should then be carried out in accordance with accepted practice. Due consideration should be given to such ancillary features as illumination, signs, signals, fences, landscaping and zone painting.

#### **2.2.5 Environmental**

Environmental parameters, which have been defined during the predesign studies, should be highlighted and identified, and included in the preliminary design process.

#### **2.2.6 Soils**

Existing soils data should be assembled and evaluated. On the basis of this evaluation, a preliminary soils investigation program shall be carried out to obtain sufficient data to permit appropriate decisions to be made during the preliminary design stage. This soils investigation program is part of Special Services.

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## **PHASE 3 - DETAILED DESIGN, FINAL DRAWINGS & SPECIFICATIONS**

### **3.1 General**

The engineer should design all structures and facilities to serve the best interests of the public, with due regard for environmental concerns, capital cost and operating efficiency in accordance with current engineering practice and acceptable standards established by the municipality and regulatory authorities.

### **3.2 Services to be Provided**

#### **3.2.1 Surveys**

The engineer should obtain detailed profiles and cross sections for the detailed design and computation of tender quantities, as necessary.

#### **3.2.2 Soils**

The engineer should prepare a soils investigation program that will subsequently provide all of the subsurface data required for the detailed design. Such a program should include location of boreholes, laboratory work and recommendations in respect to loads, and any special conditions that must be satisfied during construction of the work. The soils investigation is normally carried out as part of Special Services.

#### **3.2.3 Drawings**

Engineers should endeavour to standardize plan sizes and scales in the best interests of their clients. The drawings for municipal projects will be of two basic types: a) those relating to work within road allowances, either for roads or for services therein, and b) those relating to treatment plants, pumping stations, bridges and other structures:

#### **a) Works within Road Allowances**

These drawings should generally show plan and profile, augmented with cross sections and detailed drawings as required.

Plans and profiles should normally be drawn to a horizontal 1:500 scale and a vertical scale of 1: 100, subject to the requirements of the municipality. The north point should be shown on each plan, together with the names of the streets, lot numbers, property lines and frontage dimensions obtained from existing municipal plans.

Design details of standard units of construction, such as road sections, maintenance holes, catch-basins, valve chambers, hydrants, street light standards, guiderails and pipe bedding, should be presented on standard drawings at appropriate scales. Plans should show the location of all known existing utilities both underground and on the surface, all existing topographic features, including embankments, buildings, mature trees, entrances, signs, fences, etc., within the road allowance or in proximity to the work.

Profiles shall show the existing surface profile, the approximate location and elevation of known existing utilities that will be intersected by the new work, and any available soils information.

For roadwork, the profile should indicate the finished road surface, giving the length and grade of each tangent section of vertical curve.

For sewers and watermains, the profile should show an invert and obvert profile of the pipe. For sewers, invert and basement elevations should be shown and, for watermains, centreline elevation of depth of cover. For each section, the length, grade and class of pipe, and type of bedding or encasement for each section should be indicated.

#### **b) Treatment Plants, Pumping Stations, Bridges and Other Structures**

Design of pumping stations and plants shall be such that competitive bidding should be encouraged for the supply of equipment and structures, unless special conditions require the supply of specific equipment or structures.

These drawings should be grouped according to the type of work to which they relate and, where applicable, should comply with PEO guidelines in the structural, mechanical and electrical fields.

A general plan should show a summary of all proposed facilities and services at an appropriate scale. For large projects, a location plan at a convenient scale should be provided, showing the geographic location of the project in the municipality.

The manner of presentation of the work in the plan form, the rendering of detail in line diagrams, the dimensioning and lettering and all other drafting work should be carried out in a professional and skilled manner, to ensure that the work is presented in an orderly fashion, the facilities and structures are shown in a recognizable manner, and that the wording on the plans is simple, concise, grammatically correct and completely legible.

### **3.2.4 Specifications**

The specifications should be for all works shown on the drawings or for which the engineer is responsible. They should be complete, clear and concise, with a statement setting forth the general scope of work, followed by an adequate description of the various classes of work, segregated by trade and under proper sections and headings. The quality of materials and standard of work required of the contractor should be described in detail. Each section and heading should be identified for easy reference. Where applicable, standard specifications related to the type of work to be carried out should be used, and the nomenclature should be the same as that used on the plans.

### **3.2.5 Other Contract Documents**

As well as plans and specifications, the design function should include the provision of forms of bonds, a form of tender, schedule of quantities, articles of agreement, general conditions of the contract and special conditions that may be required by the client or other public agency.

### 3.2.6 Final Cost Estimate

The engineer should provide the client with a cost estimate based on the final design.

### 3.2.7 Approvals

Engineers should become familiar with all authorities having jurisdiction over any component of the works. They should submit plans, specifications, schedules, and applications for approval to clients and appropriate authorities, as required. They should attend meetings at the offices of these public authorities to discuss designs and provide explanations, for the purpose of furthering the applications towards approval.

In addition, engineers may be required to prepare special applications or reports, to assist the municipality in obtaining subsidy payments, grants or special financing from senior levels of government.

### 3.2.8 Tender Call

The engineer should provide advice to the client during tender call, including tender evaluations and recommendation for award.

---

## PHASE 4 - GENERAL REVIEW DURING CONSTRUCTION

### 4.1 General Outline of Services

When, in the opinion of the engineer, a resident engineer and staff are required, the engineer should so advise the client. This service may be provided by an authorized representative of the engineer, or by a sub-consultant reporting to the engineer, or by a representative retained directly by the client.

These services are provided by the engineer to determine that materials used and results achieved by the contractor are in general conformity with the design. Contractors are responsible for discharging their obligations under the terms and conditions of the construction contract. The engineer, on behalf of the client, should carry out a review of the work during its execution.

Contractors are responsible for discharging their obligations under the terms and conditions of the construction contract. The performance of the contract is not the engineer's responsibility, nor are review services rendered for the contractor's benefit. The contractor is responsible for the quality of the work.

It is to be understood that only work that has actually been seen during examination of representative samples can be said to have been appraised, and comments on the balance of the work are assumptions based upon extrapolation.

The extent of the engineer's duties for general review during construction should be clearly defined in the engineer's agreement with the client.

### 4.2 Services to be Provided

The office and field services to be provided by the engineer during this phase are as follows:

- ◆ advise the contractor on the interpretation of the drawings and specifications and issue supplementary details and instructions during the construction period as required;
- ◆ review for approval the construction schedule proposed by the contractor and comment on the procedures, methods and sequence of work;
- ◆ review submitted shop drawings to the degree necessary to determine if the contractor's work is in general compliance with the design requirements;
- ◆ consider and advise on alternative methods, equipment and materials proposed by the contractor;
- ◆ advise on the validity of charges for additions or deletions and advise on the issue of change orders;
- ◆ process contractor's progress and final requisitions and issue progress certificates for the client's acceptance;
- ◆ maintain adequate records related to the contracts;

- ◆ make periodic visits to the site during construction, to ascertain that the work is being executed in reasonable conformity with plans and specifications;
- ◆ arrange for the testing and inspection of materials and work by an authorized inspection and testing company, where the construction calls for such testing;
- ◆ attend job meetings as deemed necessary, and
- ◆ report progress and deficiencies to the client.

---

## **PHASE 5 - RESIDENT STAFF SERVICES DURING CONSTRUCTION**

Normally the resident staff services will be provided by the engineer on a full- or part-time basis. This service may be provided by an authorized representative of the engineer, or by a sub-consultant reporting to the engineer, or by a representative retained directly by the client.

Such services should include:

- ◆ provide reference line and elevation to the contractor and, where necessary, check the contractor's line and grade;
- ◆ determine if the contractor is carrying out the work in accordance with the contract documents and communicate with the contractor, the engineer's authorized representatives, and the client regarding deficiencies in the work, and other matters of direct interest or concern;
- ◆ arrange for, or carry out, all necessary field testing and inspection of materials and equipment installed;
- ◆ investigate, report and advise on unusual circumstances which may arise during construction;
- ◆ carry out final inspection at the conclusion of the construction contract, as part of the acceptance program of the client;
- ◆ obtain and record field information of construction details for the modification of contract drawings to show the work "as-built";
- ◆ maintain sufficient data to determine periodic progress of the work, and
- ◆ prepare recommendations to the client regarding payments to the contractor, taking into account progress of work, materials and equipment delivered to site, and contractual and statutory holdbacks.

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## **PHASE 6 - POST-CONSTRUCTION SERVICES**

The services in this category vary in scope and detail according to the needs of the client and should be described in the scope of the assignment.

They include but are not limited to:

1. Commissioning and start-up assistance.
2. Preparation of maintenance and operating manuals.
3. Preparation of "as-built" drawings.
4. Determination of deficiencies during the guarantee period and final acceptance documentation at its expiry.



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## Preparing As-Built and Record Documents

• March 2020 •

### CONTRIBUTORS

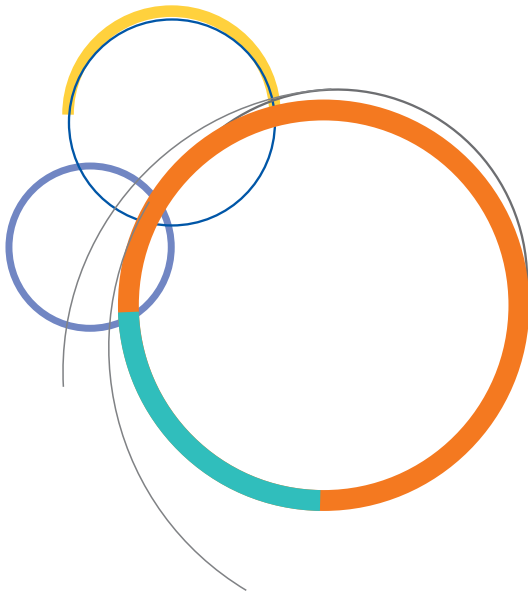
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# Preparing As-Built and Record Documents Guideline

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**Notice:** The Professional Standards Committee has a policy of reviewing guidelines every five years to determine if they are still viable and adequate. However, practice bulletins may be issued from time to time to clarify statements made herein or to add information useful to those professional engineers engaged in this area of practice. Users of this guideline who have questions, comments or suggestions for future amendments and revisions are invited to submit these to PEO using the "Guideline Amendment and Revision" form available at: <https://www.peo.on.ca/sites/default/files/2020-01/Guideline%20Amendment%20and%20Revision%20Form%20%28FINAL%29.pdf>

## PURPOSE OF PEO GUIDELINES

Professional Engineers Ontario (PEO) produces guidelines to educate licensees and the public on best practices.

For more information on PEO's guideline and development process, including PEO's standard form for proposing revisions to guidelines, please see the "Guideline Development and Maintenance Processes" document available at: <https://www.peo.on.ca/sites/default/files/2020-03/guideline-dev-maintenance-process.pdf>

For a complete list of PEO's guidelines, visit: <https://www.peo.on.ca/knowledge-centre/practice-advice-resources-and-guidelines>

NOTE: References in this guideline to practitioners apply equally to temporary licence holders, provisional licence holders, limited licence holders or certificate of authorization holders.

## ABSTRACT

As-built documents should not be sealed.  
Information on record documents should be thoroughly reviewed prior to bearing the seal.

PEO produces guidelines to meet the following objectives, which were used to develop the content of this document:

1. Guidelines are intended to aid engineers in performing their engineering role in accordance with the *Professional Engineers Act* and Regulation 941.

## PREFACE

This guideline is to offer practitioners guidance on the professionally acceptable manner for preparing record documents.

The recommendations provided in this guideline are considered by PEO to be commensurate with the professional responsibilities of practitioners. This guideline should be used in conjunction (as appropriate) with the *Use of the Professional Engineer's Seal* guideline as that guideline focuses on the proper use of the seal, while this guideline focuses on providing information and best practices regarding record documents, and by inference, as-built documents of completed works.

As-built documents should not be sealed. Information on record documents should be thoroughly reviewed prior to bearing the seal.

This guideline provides some details on the considerations that practitioners need to make to meet the requirements of their clients at reasonable levels of risk to the practitioners. Practitioners are to make adaptations to suit.

For this document, reference will be made to record documents and as-built documents as per the definition in the Appendix<sup>1</sup>.



## PURPOSE AND SCOPE OF THIS GUIDELINE

The purpose of this guideline is to provide guidance for the preparation of record drawings or documents (collectively called record documents in this guideline) and, by inference, to provide guidance for the preparation of as-built drawings or documents (collectively called as-built documents in this guideline).

Clients or regulatory authorities often call upon practitioners to provide records of recently completed works. In many cases, a client may call for an inspection of a particular infrastructure asset.

Inspection consists of visual observation of construction and the equipment and materials used therein to permit the practitioner to prepare the record documents.

Given the inherent limitations of such inspections, the practitioner needs to exercise care in what is included in record documents that shall be sealed, and by inference, what is included in as-built documents.

Sealing a record document is a message to the public that a qualified and experienced person(s) prepared same documents and the information can be relied on. Section 53 of O. Reg. 941 provides that, when affixed to a final engineering document, the seal represents that the practice of professional engineering reflected in the document can be relied on for the document's intended purpose and that the practitioner whose seal is affixed to the document accepts professional liability for the document's engineering content.

Record documents are engineering documents and must be sealed. However, the purpose of record documents is often not well defined and, as such, needs to be carefully considered by the sealing practitioner to ensure that its purpose is clear.

The best time to gather information for either record documents or as-built documents is during construction, manufacturing or product development. Once the work has been covered up or included in assemblies, or product fabricated, it becomes more difficult and, in some cases, impossible to verify the existing conditions.

If the need to provide record documents is known prior to the start of construction/manufacturing and the level of detail (and associated accuracy) is not established in the engineering services

contract, then a typical industry level of accuracy shall be used, unless a level of detail is mutually agreed upon between the owner and the practitioner.

The level of accuracy and scope of inspection required for producing record documents must be documented in writing and agreed to by the practitioner and the owner.

Record documents are prepared based on information that was observed by a practitioner or by someone under the practitioner's supervision. After a practitioner has reviewed the record documents and is satisfied that they are accurate, the practitioner must seal the documents. Normally the record documents are updates to, and contain a similar level of detail to, the design (or fabrication) documents. If a client requires the record documents to contain additional detail, then this should be agreed with the practitioner prior to the construction (or fabrication) work, to allow the practitioner to collect the required information.

It should be noted that the practitioner who seals the record documents may not be the practitioner who sealed the design documents or the practitioner who observed the construction or fabrication. It therefore follows that the practitioner who seals the record documents is only verifying that the record documents are an accurate reflection of what has been constructed or fabricated. Their seal does not mean or imply that they have verified the design or that they have observed the construction or fabrication work for conformance with the design. That responsibility remains with the practitioners who sealed the design documents and who reviewed the construction or fabrication work. To avoid confusion over these responsibilities, "Record Document" or "Record Drawing" should be marked clearly in the revision block or other prominent location before the record document is sealed by the practitioner.

As-built documents are prepared based on information gathered during construction or fabrication by someone other than a practitioner or someone under their supervision. Often, the information is provided by the contractor in the form of red-line mark-ups of the design drawings. If a practitioner then proceeds to revise the design documents to incorporate the red-line mark-ups, these documents should be clearly marked as "As-Built Documents" and not sealed.

<sup>1</sup> The use of the terms "record drawings/record documents" and "as-built drawings/as-built documents" in this guideline is consistent with other PEO guidelines. Other professions, most notably architecture, use the same (and additional) terms, however, they may not have the same meaning as used in this guideline.

## INSPECTION

The following are some considerations provided to determine a level of effort for the inspection process to be undertaken by the practitioner:

- 4.1 Purpose of the Inspection
- 4.2 Scope of the Inspection Required
- 4.3 Limitations of the Inspection
- 4.4 Timing of the Inspection
- 4.5 Accuracy Levels Required for the Inspection

### 4.1 Purpose of the Inspection

For this guideline, inspection is limited to the purpose of preparing record documents and not used as a basis of assessment of a particular item or issue. The purpose of the inspection has a significant bearing on the scope of the work required (see section 4.2 Scope of the Inspection Required). If no known purpose for the use of the data to be collected is available, then it is important to determine with the client exactly which quantitative and/or qualitative data will be collected in the inspection process.

Limitations of the inspection are to be discussed and confirmed to ensure that the parties fully understand the feasibility of obtaining information that fits the purpose of the inspection process. Refer to example disclaimers in the Appendix.

Users of record documents may assume that all the information depicts the as-constructed details of the project. However, there may be pre-existing information incorporated in the record documents. Hence, there should be a clear distinction between pre-existing and recently constructed/fabricated information contained in the record documents.

### 4.2 Scope of the Inspection Required

Record documents of completed works are not to be confused with assessment documents or condition surveys prepared at some time after the work has been constructed. For general guidance regarding assessments refer to the PEO's *Structural Condition Assessments of Existing Buildings and Designated Structures Guideline*.

The scope of inspection required for record documents depends on the level of detail to be included in the record documents. Normally the level of detail required on the record documents would be the same as the level of detail shown on the design drawings. However, if a client requests more detail to be shown on the record documents, this may require an enhanced level of inspection. The level of detail required (and the level of effort that this will involve) should ideally be determined prior to finalization of engineering services contracts.

During construction, manufacturing or product development, observation, and inspection of design or construction work will be helpful

prior to items being concealed. If known prior to the contract being awarded/signed, appropriate inspection hold-points can be specified in the (construction, manufacturing or product development) contract. A pre-determined plan for providing record documents allows practitioners the time, resources and access required throughout manufacturing or construction to compare construction, manufacturing or product development documents with as-constructed, as-manufactured or as-produced conditions, with a level of confidence that comes from the opportunity to effectively inspect/observe the constructing, manufacturing or production process.

The inspection contemplated under this guideline is to satisfy the practitioner that the information presented on the record documents accurately represents the project for which record documents are prepared.

The following should be taken into consideration by the practitioner completing the inspection in preparation for record documents:

- The extent of works to be inspected;
- The level of detail required;
- The required timelines; and
- Other contractual requirements.

### 4.3 Limitations of the Inspection

Inspection of as-constructed conditions is highly dependent upon visual observations and best completed during construction. Inspection post-construction of as-built details may be difficult [or impossible] even with invasive methods. For example, concealed items behind walls and above ceilings or buried or encased items are not visible and even with invasive methods may not be reliably inspected. In some cases, it is not feasible to inspect without destructing the item/material to be inspected. Samples may be taken to assist in the inspection but may be limited by an acceptable level of destruction/damage.

Photos and/or videos (visual media) may be used to support field observations, however excessive reliance on visual media is not recommended or even acceptable for the purposes of inspection.

Some examples of limitations of inspection are:

- Details are hidden within building envelopes;
- Confirmation of material requiring laboratory testing;
- Strength of material compositions;
- Condition of material or item or equipment or systems; and
- Any particular item, equipment or system that was built as an integral unit would be verified as a package, and not in its separate or individual components.

### 4.4 Timing of the Inspection

The timing and limitations of inspection of completed works has a direct bearing on the level of effort by the practitioner. Required field visits, construction and document review or revision, etc., should ideally be determined prior to finalization of engineering services contracts.

#### 4.4.1 Inspection During Manufacturing or Construction

During construction, inspection will be helpful prior to items being concealed. Appropriate inspection hold-points should be specified. A pre-determined plan for providing record documents allows practitioners the time, resources and access required throughout manufacturing or construction to inspect existing conditions with a level of confidence that comes with the opportunity to effectively observe the manufacturing or construction process. The plan, therefore allows the practitioner to identify possible changes from the design documents or intent. Having work concealed before required records are made may indicate a failure of planning or execution.

#### 4.4.2 Inspection Post-Manufacturing or Construction

After the manufacturing or construction has been completed and items have been assembled or concealed, inspection required for record documents will have limitations. For example, certain assemblies cannot be disassembled without destruction, or certain details are difficult or impossible to be inspected, such as under-floor plumbing or electrical conduit locations and depths that have been concealed by concrete. Where the information required cannot be obtained by using non-destructive methods, the limitations will need to be identified on the record documents.

#### 4.5 Accuracy Levels Required for the Inspection

The accuracy levels required are dependent upon the intended use of the record documents for which the inspection is to be completed. In establishing the accuracy level and required amount of detail with the client, it is prudent that the practitioner considers available standards to confirm the existence of suggested or standardized accuracy levels and the required amount of detail. For example, for underground infrastructure, the applicable CSA standard specifies the positional accuracy of records of the installed utilities in four accuracy levels. If no standards are available, accuracy levels should be discussed at the project outset and confirmed in writing. It should be kept in mind that higher accuracy levels in positioning or dimensioning may require more accurate measuring techniques and/or higher quality devices. It would be prudent to add to the record documents, the accuracy levels used.

Material tests may be required to determine certain characteristics. These should be carefully evaluated prior to the start of construction/manufacturing to ensure that they deliver the required results.

5.

### SUMMARY

This guideline provides practitioners guidance on the acceptable manner for preparing record documents and, by inference, as-built documents of completed works. The level of effort needed to produce record documents varies upon the purpose, scope,

limitations, timing and accuracy of inspection. It is not acceptable best practice for practitioners to seal record documents where the information provided on these documents has not been inspected by the practitioner, to the associated level of effort, for the purpose or intended use of these documents. The materials in the appendices are to provide further clarity and are for information only.

6.

## APPENDIX

### 6.1 Definitions

**As-built drawing/document:** A document created by or based solely on information provided by a third party that reflects the installed, constructed, or commissioned conditions of a device, machine, equipment, apparatus, structure, system, or other outcome of an engineering project. Since the engineer has not reviewed and verified that the information is complete or accurate, as-built drawings must not be sealed.

**Assessment:** A review of an existing building, structure or fabrication sometime after it has been built, constructed or fabricated for a purpose other than to create an accurate record drawing such as, for example, to assess compliance with the Ontario Building Code or applicable CSA standards. “Assess” has a corresponding meaning.

**Industry best practices:** Activities or operating procedures considered as an established custom or habit which results in the maximum positive effect for the benefit of all concerned parties.

**Infrastructure:** Consists of the large-scale public systems, services and facilities that are necessary for economic activity, including power and water supplies, transportation, telecommunications, roads, schools, etc. It is often interpreted to mean the most basic level of organizational structure in a complex body or system that serves as a foundation for the rest.

**Inspection:** Shall consist of visual observation of construction and the equipment and materials used therein to permit the practitioner to render their professional opinion as to the contractor's conformance with the design professional's recommendations, plans or specifications. Given the inherent limitations of such inspections, they shall not be relied upon by any party as acceptance of the work, nor shall they relieve any party from fulfillment of customary and contractual responsibilities and obligations and Inspect has a corresponding meaning.

**Observation:** May be made by the professional or someone acting under the professional's direct or indirect supervision and observe has a corresponding meaning.

**Practitioner:** A holder of a licence, a temporary licence, a provisional licence, a limited licence or a certificate of authorization, as the case requires.

**Red-line drawings/documents:** Refers to Issued for Construction (IFC) documents that have been marked up during the course of construction (usually by the contractor) to reflect changes made during construction.

**Record drawings/documents:** Documents created to accurately reflect as-constructed, as-built or as-fabricated conditions and that have been sealed by a professional engineer after verifying that the documents are accurate.

**Review:** Examination of a record document prepared by a third party to determine whether its content accurately reflects the as-built, as-constructed or as-fabricated conditions.

**Verification:** The record document has been examined for correctness against as-built, as-constructed or as-fabricated conditions. “Verify” has a corresponding meaning.

## 6.2 Example Disclaimers and Scope of Limitation Statements

Documents often rely on information provided to the practitioner by others. In these cases, it would be prudent to identify the fact that some information has been provided by others and provide a disclaimer on the documents.

Some owners may note that a third-party disclaimer will not be acceptable. An example of a client contractual statement is as follows:

*“Record drawings must be sealed and signed by the practitioner. A “Third Party Disclaimer” will not be accepted, i.e. the data shall be collected by the practitioner who is preparing the record drawings.”*

Practitioners should be aware of such [contractual] statements and the liability that they may confer on the practitioner. It is worth mentioning that this requirement does not rule out including a statement within record documents, in which the practitioner confirms that they are relying, without independent verification, on information provided by the owner or one or more third parties.

Following are some examples of disclaimers or scope of limitation statements that may be used.

### 6.2.1 Record Document Example Disclaimers or Scope of Limitation Statements (seal to be applied)

Some of these disclaimers have their origin in very specific circumstances and should be adapted by the practitioner to suit the circumstances and the record documentation being completed.

1. *“The issuance of this record document is a representation by the practitioner that this document is a reflection of the completed work to the level of accuracy and purpose set out in the [Engineering Services Agreement or Technical Reference Standard (as*

*applicable)]. It is not a representation that the completed work is in conformity with the design, even if such information is represented on this document.”*

The following is an option where changes or variations may occur immediately after issuance of record documents. This type of change occurs subtly in process related designs.

2. *These record documents have been prepared for the purposes of documenting the completed [or existing] works of [description of works constructed, fabricated, installed, etc.] between [start date] and [completion date]. [Company or Practitioner] assumes no responsibility for any changes made after the date of these record documents or for any items denoted on these documents that were not accessible to be inspected at the time these record documents were prepared. Those relying on these record documents are advised to confirm that these record documents are a current reflection of the existing work prior to use of this information.*

### 6.2.2 As-Built Document Example Scope of Limitation Statements (no seal to be applied):

Some of these scope of limitation statements have their origin in very specific circumstances and should be adapted by the practitioner to suit the circumstances and the as-built documentation being completed.

1. *This as-built document has been prepared based on information provided by others. The practitioner has not inspected the accuracy and/or the completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result.*
2. *This as-built document has been prepared, in part, based upon information furnished by others. While this information is believed to be reliable, the practitioner assumes no responsibility for the accuracy of this as-built document or for any errors or omissions that may have been incorporated into it as a result of incorrect information provided to the practitioner. Those relying on these as-built documents are advised to confirm that these as-built documents are a current reflection of the existing work prior to use of this information.*

## 6.3 Frequently Asked Questions

The following questions from professional engineers and answers from PEO are intended to demonstrate how the principles outlined in this guideline can be applied to specific situations.

- Q1:** Should the original design engineer’s seal be removed from the design documents when preparing record documents?
- A1:** For record documents, the original design practitioner’s seal should be removed. Practitioners preparing record documents must apply their seal.
- Q2:** Should the original design engineer’s seal be removed from the design documents when preparing as-built documents?
- A2:** As-built documents shall not be sealed. The original design engineer’s seal must be removed when preparing as-built documents.

- Q3:** Can a record document rely on material provided by others (e.g. surveyor)?
- A3:** A record document can incorporate limited information provided by others; this means not provided by the practitioner or their direct supervised staff. It would be up to the practitioner to determine what amount of information provided by others is acceptable. However, this information should be clearly identified as such (e.g. in a disclaimer), and it is imperative not to accept ownership of the data provided by others.
- Q4:** What disclaimers should record drawings have?
- A4:** Please refer to the Example Disclaimers or Scope of Limitation Statements in section 6.2.1 in this guideline.
- Q5:** Can an engineer seal a record drawing without going on-site for inspection?
- A5:** Record documents are those prepared by a practitioner after inspecting in detail the actual conditions of the completed project. For some projects, this inspection may require frequent or continuous presence on site. However, based on the practitioner's experience and the detail of the inspection required, a competent individual supervised by the practitioner can provide partial inspection on the practitioner's behalf.
- Q6:** If an engineer cannot seal as-built drawings, is there another stamp or disclaimer that should be used?
- A6:** Yes, the practitioner could use a disclaimer to describe the scope of work. Please refer to Example Scope of Limitation Statements in section 6.2.2 in this guideline.
- Q7:** Can a practitioner seal a multi-discipline record document?
- A7:** Yes, for a project covering work within several engineering disciplines, a record document could be sealed by a practitioner who is taking responsibility for the record document. Likewise, multiple practitioners representing individual disciplines may jointly seal a record document.
- Q8:** What is the expectation on the amount or detail of inspection/review for an engineer to be able to seal a record document?
- A8:** The amount or detail of inspection will depend on the practitioner's professional judgment, based on their experience and knowledge.
- Q9:** Can a client require all drawings to be record drawings [documents]? Are there limitations to what is considered practical?
- A9:** Principally, the practitioner and client should determine what is an acceptable level of effort for the agreed upon information to be gathered and compiled in record documents. It is up to the practitioner to negotiate with the client what is reasonable to provide as a record document and advise the client to what extent their services would be required to perform satisfactory inspection for preparation of such record documents.
- Q10:** In sealing a record document, may the professional rely on site mark-up drawings, quality/test reports and other site work from competent site staff?
- A10:** If the competent site staff are practitioners, they should seal the record documents. If not, then the practitioner responsible for the direct supervision should seal the record documents. The supervising practitioner is to determine the level of supervision. For more information, refer to the Assuming Responsibility and Supervising Engineering Work practice guideline.
- Q11:** In some cases, the responsible engineer has never met the site staff. How does the engineer ensure that the delegate has the necessary level of confidence/competence?
- A11:** The responsible practitioner should be familiar with the site staff, their capabilities, and determine the level of supervision required.
- Q12:** For work pursuits, some request for proposals stipulate delivery of record drawings at project completion, but do not allow for an allotted time during construction for discipline practitioners to inspect as-built conditions. What minimum level of effort should be included in a bid by all parties that will continue to present a fair and competitive bid?
- A12:** For a fair and competitive bidding process, the practitioner should submit a Request for Information to the entity requesting the proposal to inquire and clarify regarding this matter. It is up to the practitioner to determine and negotiate during the bid process what is the reasonable level of effort to perform satisfactory inspection for preparation of such record documents.
- Q13:** Construction or installation work is near completion when the project manager realizes delivery of record drawings are a contract requirement. The project manager requests for sealed as-built drawings to be inspected based on photographs, data provided by others, and one (1) site visit at near completion phase. Should the practitioner seal these drawings?
- A13:** Only record documents must be sealed. Refer to section 4 of this guideline for general inspection requirements that would allow for sealing record documents.
- Q14:** Given the amount of total engineering work that is related to construction under the Ontario Building Code, is this guideline used in relation to the Professional Engineers Providing General Review of Construction as Required by the Ontario Building Code guideline?
- A14:** No, the obligations of engineers to prepare as-built and record documents is independent of the obligations that are outlined in the Professional Engineers Providing General Review of Construction as Required by the Ontario Building Code guideline.

NOTE: A practitioner who is not engaged to provide general review services should advise their client that they are not in a position to prepare record drawings since they will not be aware of all changes during construction.



**Q15:** There is often a need to determine the preexisting conditions of previously completed works. For example, it may be required to determine the locations and sizing of existing infrastructure in a municipal right-of-way to allow for the construction of additional infrastructure. The ASCE has published a guideline, ASCE 38-02: Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data. In many cases, practitioners that collect information using this guideline will seal the final drawings compiled using this process. When preparing drawings based on such an industry accepted standard or guideline, should the practitioner seal such drawings?

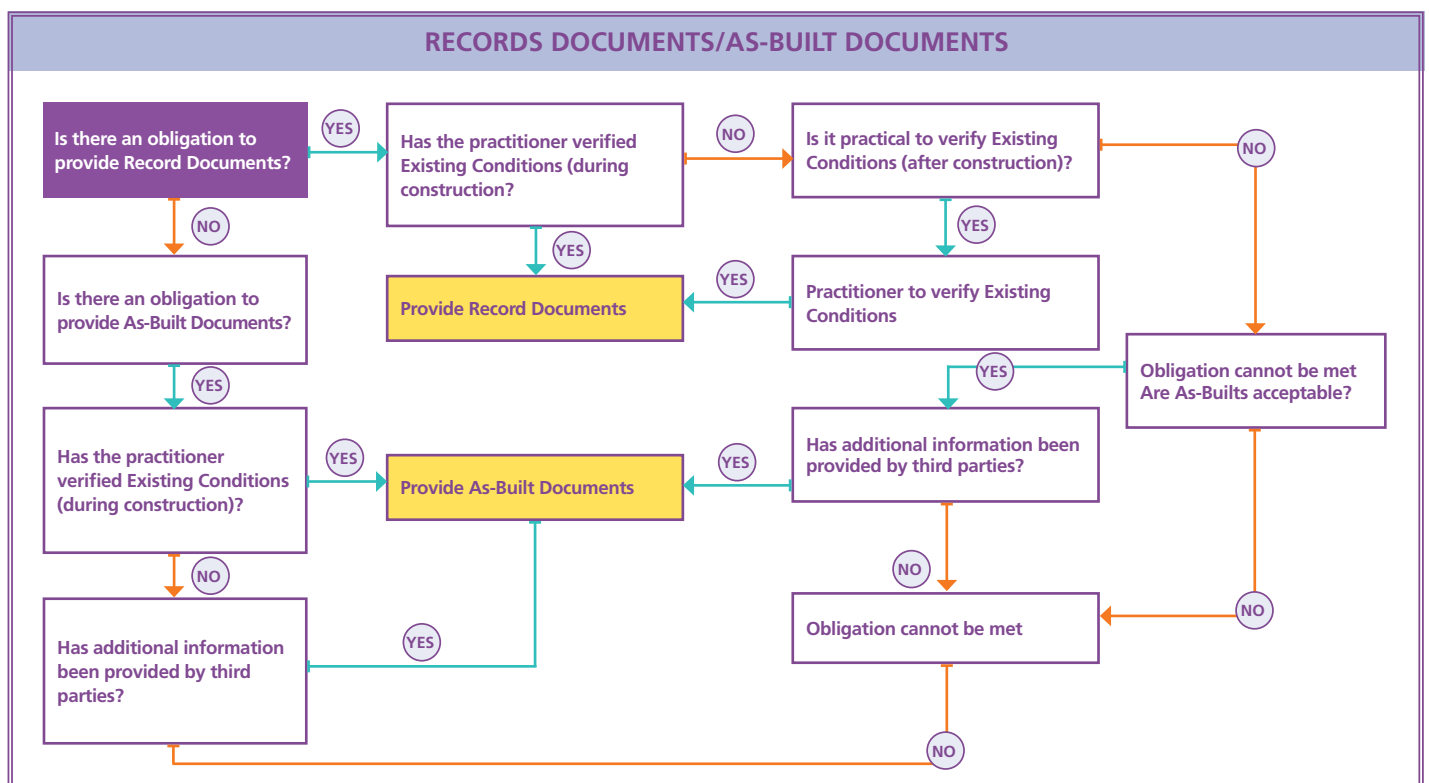
**A15:** Yes, in such cases the seal indicates that the guideline or industry accepted standard was followed to a level expected from a practitioner. In this context, the processes that were followed will determine the accuracy.

**Q16:** Sometimes architects and clients use different or not well-defined terminology for documentation pertaining to as-built and/or record documents. How should requirements for these documents be determined? What is the appropriate process that should be followed in this scenario?

**A16:** It is the responsibility of the practitioner to clarify which definitions from this guideline will be used.

## 6.4 Flow Chart

### 6.4.1 Preparing Record/As-Built Documents



### 6.4.2 Steps to Prepare Record Documents

One or more steps, except for verification, maybe omitted depending on the circumstances of the project.





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## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Jesse Daudlin	Report Date: April 2, 2025
Author's Phone: 519 736-3663 ext. 2319	Date to Council: April 29, 2025
Author's E-mail: <a href="mailto:jdaudlin@amherstburg.ca">jdaudlin@amherstburg.ca</a>	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Replacement of Culvert 25 and 68 – RFP Results and Award**

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#### **1. RECOMMENDATION:**

It is recommended that:

1. The Chief Administrative Officer and Clerk, or designates, **BE AUTHORIZED** to execute an agreement with HRYCAY Consulting Engineering Inc. in the amount of \$129,973 plus HST, to complete the engineering services for the replacement of Culvert 25 and 68, subject to approval of technical content by the Director of Infrastructure Services and to financial content by the Director of Corporate Services/Chief Financial Officer, or designates.

#### **2. BACKGROUND:**

The Town advertised a Request for Proposals (RFP) #2024-039 online to provide Engineering Services for the replacement of Culvert 25 (Seventh Concession South over McGuire Branch) and Culvert 68 (Sixth Concession North over Imeson-Meloche Drain) on November 14th, 2024 via Bids and Tenders and on the Town's website.

The work requested includes all engineering services (including contract administration and construction inspection) required to complete tasks related to the replacement of Culverts 25 and 68.

### **3. DISCUSSION:**

Proposals closed for this project at 2:00 p.m. on December 12<sup>th</sup>, 2024. The Town received seven (7) submissions that were processed electronically via the Bids and Tenders system.

The 7 proposals were reviewed by the Proposal Evaluation Committee. The committee consisted of the Manager of Engineering, the Engineering Technologist and the Development Engineering Coordinator. Each individual ranked the proposals separately based on established criteria, then the committee met with the Procurement Specialist to determine a combined group score based on comparing the individual scores.

Based on these scores the committee identified that Hrycay Consulting Engineers Inc. provided the best proposal.

The proponents were ranked as shown below:

<b>Proponent</b>	<b>Ranking</b>
Hrycay Consulting Engineers Inc.	Highest
RC Spencer & Associates	Second
R. Dobbin Engineering	Third
ConceptDash Inc.	Fourth
Haddad Morgan & Associates	Fifth
Flexcell Engineering	Sixth
Pinpoint Engineering	Seventh

### **4. RISK ANALYSIS:**

Not awarding this engineering would delay the improvements to infrastructure and could expose the Town to increased liability with respect to the condition of the culverts.

### **5. FINANCIAL MATTERS:**

The cost for the engineering and design work for the project is \$129,973.50, which including non-recoverable HST is a total cost of \$132,261.03.

Funding for the replacement of Culverts 25 and 68 has been approved as follows:

	<b>Funding Type</b>	<b>Amount</b>	<b>Balance</b>
<b>Approved Funding</b>			
2024 Capital Budget (ENG-003-23)	General (0400)	\$75,000	\$75,000
2025 Capital Budget (ENG-003-23)	OCIF (0625) General (0400)	\$480,000 \$420,000	\$975,000
<b>Expenditures</b>			

Engineering (inclusive of non-recoverable HST)		\$132,261	\$842,739
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It should be noted that the cost of the engineering work required for this project exceeded the original estimate of \$75,000 but no additional funding is required as the total project budget is sufficient.

## 6. CONSULTATIONS:

Proposal Evaluation Committee  
Procurement Specialist

## 7. CORPORATE STRATEGIC ALIGNMENT:

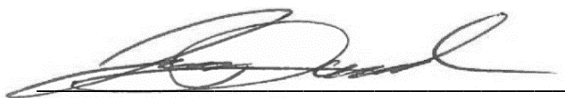
*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>			
<b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b>		<b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b>	
<input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures. <input checked="" type="checkbox"/> Deliver transparent and efficient financial management. <input type="checkbox"/> Increase effective communication and engagement with residents. <input type="checkbox"/> Develop our staff team, resources, and workplace culture. <input checked="" type="checkbox"/> Continue to deliver strong core municipal services. <input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.		<input type="checkbox"/> Encourage development of commercial and industrial lands. <input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation. <input type="checkbox"/> Continue to facilitate downtown development for residents and visitors. <input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.	
<b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b>		<b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b>	
<input checked="" type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities. <input type="checkbox"/> Increase access to recreation opportunities for all ages.		<input type="checkbox"/> Define and communicate a vision for the Town's future and identity. <input type="checkbox"/> Promote and plan for green and "climate change ready" development.	

<input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue) <input type="checkbox"/> Create public access to water and waterfront <input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.	<input type="checkbox"/> Review and implement policies that promote greater access to diverse housing. <input type="checkbox"/> Protect the Town's historic sites and heritage. <input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.
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## 8. **CONCLUSION:**

Infrastructure Services recommends that the Engineering Services for the replacement of Culvert 25 and Culvert 68 be awarded to Hrycay Consulting Engineers Inc.



Jesse Daudlin  
**Engineering Technologist**

## Report Approval Details

Document Title:	Replacement of Culvert 25 and 68 - RFP Results.docx
Attachments:	
Final Approval Date:	Apr 16, 2025

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



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Sarah French	Report Date: April 11, 2025
Author's Phone: 519 736-5408 ext. 2145	Date to Council: April 29, 2025
Author's E-mail: sfrench@amherstburg.ca	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Zoning By-law Amendment ZBA-06-25 for V/L Victoria Street S.**

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#### **1. RECOMMENDATION:**

It is recommended that:

- 1. By-law 2025-021** being a by-law to amend Zoning By-law No. 1999- 52, to amend the zoning for the subject lands located at V/L Victoria Street S., be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

#### **2. BACKGROUND:**

The Town is in receipt of an application for a Zoning By-law Amendment to By-law 1999- 52, as amended, from 2713271 Ontario Inc. c/o Akbar Bapoo and associated agents, Imperium Builds c/o Antonio Neves and Dillon Consulting Limited c/o Melanie Muir. The subject lands are located on the east side of Victoria Street S., north of 320 Richmond Street, and are municipally known as V/L Victoria Street S.

A Statutory Public Meeting under the Planning Act was held March 24, 2025, at which comments and questions were received from members of Council that are addressed in the Discussion portion of this report.

In preparing this report to Council, administration has reviewed the submission and the following documents:

- Planning Act, R.S.O. 1990
- Provincial Planning Statement 2024

- County of Essex Official Plan (2014)
- Locally Adopted County of Essex Official Plan (2024)
- Town of Amherstburg Official Plan
- Town of Amherstburg Zoning By-law 1999-52
- Written and Oral comments received

### 3. **DISCUSSION:**

This rezoning, if approved, change the zoning of the subject lands noted above from the **“Residential First Density (R1) Zone”** to **“Special Provision Residential Third Density (R3-4) Zone”**.

The effect of the amendment will be to allow additional residential uses on the subject lands, specifically semi-detached dwellings, and all other residential uses as permitted by the Residential Third Density (R3) zone, with a special provision to allow a minimum lot frontage of 16.75 m for a semi-detached dwelling and a minimum lot frontage of 8 m for a semi-detached dwelling unit.

The current R1 zoning does not permit a semi-detached dwelling, therefore the rezoning will facilitate the development of two semi-detached dwellings on the subject lands for a total of four (4) dwelling units, where two (2) single detached dwelling units are currently permitted. All other requirements of the Residential Third Density (R3) Zone provisions will be maintained.

#### ***Statutory Public Meeting Follow-up***

Administration has addressed the questions and concerns raised at the Statutory Public Meeting through a table located below.

**Table 1:** Comments from the Statutory Public Meeting regarding the Zoning By-law Amendment proposed for VL Victoria St. S.

<b>Comments and Concerns Received</b>	<b>Administrative Response</b>
What is the general density of housing in the area? Are there other semi-detached dwellings?	There are multiple uses along or abutting Victoria Street S., in the general area of the proposed development. Multiple residential dwelling units exist at 286 Victoria Street S. and 184 Victoria Street S. North Star High School is located at 330 Simcoe, the Town’s hub community center is located at 320 Richmond and a wide variety of other uses exist in the area. The property is also located in close proximity to the apartment building on the corner of Brock Street and Richmond Street. The surrounding area of the subject site has a wide variety of uses. The uses to the north of the subject site are predominately single detached dwellings. The proposed development provides a transition between the higher density uses located to the south of the

	subject site and the lower density uses to the north. Additionally, semi-detached dwellings are considered a low density residential use in the Town's Official Plan.
Are the existing lots wide enough to accommodate a semi-detached dwelling?	The requested relief is to reduce the lot frontage for the semi-detached dwelling from 18 m to 16.75 m, a 1.25 m reduction in required lot frontage. Additionally, the requested relief will reduce the frontage of the individual units from 8.5 m to 8 m, a reduction of 0.5 m. The existing lots on the subject land are fairly deep (approximately 58 m), meaning that the lots are larger than the minimum lot size required by the R3 Zone for a semi-detached dwelling. Each lot is approximately 970 sq.m. The R3 zone requires a minimum lot size of 650 sq.m. for a semi-detached dwelling and 280 sq.m. for the semi-detached dwelling unit. Additionally, the applicants were able to design the dwellings to comply with all other provisions of the zoning by-law, including lot coverage, minimum landscaped open space and setbacks. Therefore, it was determined that the lots were the appropriate size to accommodate the proposed semi-detached dwellings.
How many parking spots are being proposed?	The dwelling units are being designed to allow for three parking spots on the driveway in front of the dwelling and one parking space within the garage. The Zoning By-law requires two parking spaces per semi-detached dwelling unit. Therefore, the proposal will provide the required parking as per the Zoning By-law plus additional parking spots.
Is there enough landscaped open space on the property? It appears that a large amount of the front yard is paved.	The proposal provides for a maximum driveway width of 50% of the lot frontage from the front property line to the required front yard setback (6 m) where it is then permitted to flare out behind the 50% maximum. Each unit will have a portion of the front yard as landscaped open space and the rear yard maintained as landscaped open space. The future home owners will be required to maintain a minimum of 30% of the property as landscaped open space.

## **PLANNING ANALYSIS**

### ***Planning Act (R.S.O. 1990)***

The purposes of the Planning Act are;



“(a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;  
(b) to provide for a land use planning system led by provincial policy;  
(c) to integrate matters of provincial interest in provincial and municipal planning decisions;  
(d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;  
(e) to encourage co-operation and co-ordination among various interests;  
(f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s. 3-50”

The proposal is consistent with Section 2 of the Planning Act which requires that the Council have regard to matters of provincial interest including (the following are excerpts from Section 2 of the Planning Act that apply to this development):

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems
- the orderly development of safe and healthy communities
- the adequate provision of a full range of housing, including affordable housing
- the appropriate location of growth and development

The development is located within the settlement area with full municipal services. The proposed rezoning is providing for intensification of the land within the existing serviced area. There is adequate municipal water and municipal sanitary and storm sewer capacity to service the development. The amendment provides for additional housing in an alternative form to the predominately single detached dwelling found throughout much of the Town.

### ***Provincial Planning Statement (2024)***

The Provincial Planning Statement 2024 is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The Provincial Planning Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Planning Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following policy excerpts from the Provincial Planning Statement are particularly applicable to the subject application:

In Chapter 1, the Introduction summarizes the vision for the province and includes the following statement, “Ontario’s land use planning framework, and the decisions that are made, shape how our communities grow and prosper. Prioritizing compact and *transit-supportive* design, where locally appropriate, and optimizing investments in *infrastructure*

and *public service facilities* will support convenient access to housing, quality employment, services and recreation for all Ontarians.”

Chapter 2 discusses housing and is entitled, Building Homes, Sustaining Strong and Competitive Communities.

## **2.2 Housing**

*1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

*a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*

*b) permitting and facilitating:*

*1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*

*2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

*c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*

*d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

### **2.3.1 General Policies for Settlement Areas**

*1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

*2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

*a) efficiently use land and resources;*

*b) optimize existing and planned infrastructure and public service facilities;*

*c) support active transportation;*

*d) are transit-supportive, as appropriate; and*

*e) are freight-supportive.*

*3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

*4. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

*5. Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas.*

*6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.*

The proposed zoning by-law amendment is consistent with the Provincial Planning Statement as it facilitates greater residential intensification within a settlement area. The lots will be serviced with municipal water, municipal storm sewers and municipal sanitary sewers. The application is consistent with the Provincial Planning Statement which speaks to managing and directing land use to achieve efficient development and land use patterns. The Provincial Planning Statement encourages compact built form and intensification in areas with full municipal services. The proposal encourages efficient use of land and higher density than what was previously permitted on the subject lands.

The above sections of the Provincial Planning Statement, 2024 have been reviewed and taken into consideration in the formulation of the professional planning recommendations in Section 1 of this report.

### ***County of Essex Official Plan 2014***

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Zoning By-law Amendment include:

*Section 1.5 Goals for a Healthy County outline the following:*

- 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 encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and transportation systems that create more sustainable, efficient, healthy, and liveable communities.*
- To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.*

- *To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.*
- *To prohibit urban forms of development outside of designated “Settlement Areas” and discourage urban development in areas with partial municipal services.*

*Section 2.2 Growth Management notes the following:*

*The health of the County requires that long-range land use planning and infrastructure investment are properly managed in a way that will:*

- *Direct non-resource related growth and development to settlements where it can be serviced, with a particular emphasis on Primary Settlement Areas.*
- *It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing infrastructure.*

*Section 3.2.4.1 Primary Settlement Areas Policies outline the following:*

*The following policies apply to Primary Settlement Areas:*

- 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).*
- Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan.*
- 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.*
- Expansions of the boundaries of a Primary Settlement Area shall only occur in accordance with the Local Comprehensive Review policies in Section 3.2.3.1 of this Plan. An amendment to this Plan and the local Plan shall be required to alter the boundary of any “Settlement Area”.*
- 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.*
- The County encourages the redevelopment of brownfield properties.*
- All types of land use are permitted within the “Settlement Areas” designation subject to the specific land use policies of the local Official Plans.*
- 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 universal physical access and encourages the building industry to incorporate such features into new structures.*

The proposed Zoning By-law Amendment is in conformity with the 2014 County of Essex Official Plan as it provides for intensification of residential development on full services within the existing primary settlement area.

### **County of Essex Official Plan 2024**

The County of Essex adopted a new Official Plan on November 6, 2024. The Official Plan is awaiting final adoption by the Ministry of Municipal Affairs and Housing.

All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Zoning By-law Amendment include:

#### *Principle 2: Housing Supply, Housing Choice and Housing Affordability*

*A wide range of housing options will be provided to meet the needs of the growing and increasingly diverse population in the County. Increasing housing supply and housing choices is important to support the growing economy, aging population, and to create housing that is affordable and equitable to County residents, to support Essex residents in staying in Essex and its communities throughout their lives, and to support the growing population.*

#### *4.0 Growth and Settlement Areas*

*The County of Essex has a strong foundation for growth for housing and jobs. Growth is identified for every municipality in the County, providing opportunities for a range of housing, broader choices in employment, access to services and public spaces – supporting complete communities in every municipality.*

*The County's growth strategy is focused on Settlement Areas. Primary Settlement Areas are those communities in the County where the majority of growth will be concentrated. These areas include places for housing, schools, parks, commercial areas, industrial areas, trails, and more. Primary Settlement Areas are the communities where most of the County's residents live, work, play, and shop. Primary Settlement Areas provide municipal sewer and water services, and support greater access to parks, schools, and multimodal transportation, including active transportation options.*

- a) Ensuring the efficient use of land and optimizing the supply of land in settlement areas, and minimizing the use and conversion of agricultural land for urban purposes;*
- b) Planning for intensification with efficient use of existing land, infrastructure and services that supports the creation of: more affordable rental and ownership Housing; walkable, bikeable, and transit-ready main streets, districts and corridors; and mixed income neighbourhoods;*
- c) Planning for densities and housing types that achieve a broader range of housing options for all household sizes, including affordable and market-based housing; and,*

- d) *Ensuring that growth takes place in a sustainable manner that contributes to the long-term financial, social and environmental well-being of the County of Essex and its constituent Local Municipalities.*

#### *4.A.2 – Primary Settlement Areas*

*4.A.2.1 Primary Settlement Areas are the largest communities and are the traditional centres of settlement and commerce in the County. It a priority for the County to focus growth and investment in Primary Settlement Areas. The locations and boundaries of Primary Settlement Areas within the County have been identified on Schedule “A-2”. Primary Settlement Areas are Strategic Growth Areas.*

*4.A.2.2 Primary Settlement Areas are characterized by the following:*

- a) *Largest in geographic area and generally the largest settlement areas in terms of population;*
- b) *Full municipal servicing is provided/expected;*
- c) *A broad mix and the highest concentration of commercial uses and services intended to meet the daily needs of residents is provided. This should include a commercial core or downtown;*
- d) *Employment lands are included in the Primary Settlement Area;*
- e) *Institutional uses such as schools, hospital/health care, day care and government services are located in Primary Settlement Areas; and,*
- f) *The broadest mix of housing is located in Primary Settlement Areas, including areas of intensification for housing.*

*4.A.2.3 Primary Settlement Areas shall provide full municipal sewage services, municipal water services, stormwater management services, and a wide range of land uses and densities with a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups. Primary Settlement Areas shall be designed to be walkable communities with densities, land uses, road patterns and built forms that can support active transportation and public transit.*

*4.A.2.4 Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan for Primary Settlement Areas to achieve complete communities.*

*4.A.2.5 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 municipal Official Plan that are in effect at the time of approval of this Plan.*

*4.A.2.7 Downtown/Uptown areas should maintain and/or enhance their existing character. Mixed-use development and an accessible pedestrian-oriented streetscape are supported through the identification of Mixed-Use Corridors in Primary Settlement Areas. The preparation of Community Improvement Plans are also encouraged.*

*4.A.2.10 Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are supported and shall be the preferred*

*form of development county-wide. Land use patterns which may be detrimental to the environment, to agricultural lands, and to the conservation of cultural heritage resources or public health and safety shall be avoided.*

*4.A.2.11 The County supports universal accessibility in the built environment and encourages the building industry to incorporate such features into new structures that support potential for all residents to equitably participate in the community.*

*4.A.2.12 Development in Primary Settlement Areas will integrate land use planning, fiscal planning, and infrastructure planning to responsibly manage forecasted growth and to support:*

- a) A diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market bases and affordable housing needs.*
- b) Opportunities for the integration of gentle density, and a mix and range of housing options that considers the evolving character of residential neighbourhoods.*
- c) Implementation of Infrastructure Master Plans for planned growth, including a financial strategy to implement the Infrastructure Master Plans.*
- d) Asset Management Plans.*

#### *4.A.5 – Intensification*

*4.A.5.1 The County and the Local Municipalities shall plan for a residential intensification target of 30% of new housing units to be achieved. Intensification shall consider the density targets in Policy 4.A.6.2 as a minimum.*

*4.A.5.2 Residential intensification shall be provided in every Primary Settlement Area. Residential intensification is to be provided in Secondary Settlement Areas where full servicing is available.*

*4.A.5.5 Local Municipalities shall identify where the “missing middle” can be accommodated to provide more affordable medium density options for Essex County, and should pre-zone such lands to expedite and streamline the approval of this important housing built form.*

The proposed Zoning By-law Amendment is in conformity with the 2024 County of Essex Official Plan as it provides for intensification of residential development on full services within the existing primary settlement area.

### ***Town of Amherstburg Official Plan***

The subject lands are designated Low Density Residential in the Town of Amherstburg’s Official plan. The applicable excerpts from the Official Plan are as follows:

#### ***4.3.1 Low Density Residential Areas***

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

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

**(1) Maximum Density**

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

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

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

*<sup>1</sup>For the purposes of this Plan, a 'gross hectare of land' means residential building land plus the required landscaping, off-street parking, road allowances, and required amenities.*

The proposed use of semi-detached dwellings and the proposed density of 15 units per gross hectare (approximately 21 units per net hectare) of the subject lands conforms to the Low Density Residential designation of the property. The increased density promotes a more efficient use of land.

**Zoning By-law 1999-52, as amended**

The subject lands are currently zoned Residential First Density (R1) Zone. The proposed Zoning By-law Amendment is proposing to change the zoning of the subject lands to Special Provision Residential Third Density (R3-4) Zone. The special provisions will provide for:

- A decreased minimum lot frontage for a semi-detached dwelling from 18 m to 16.75 m; and,
- A decreased minimum lot frontage for a semi-detached dwelling unit from 8.5 m to 8 m.

All other requirements of the R3 zone will be maintained.

The proposed special provisions are appropriate for the subject site due to the large size and depth of the lots. The applicants have shown that they can design the semi-detached dwellings to meet all other requirements of the Zoning By-law including lot coverage, landscaped open space and setbacks. The proposed reduced frontage will not result in a lot that is unbuildable or requires multiple variances from the by-law. The proposed amendment appears to maintain the intent of the Zoning By-law.



#### 4. RISK ANALYSIS:

There is a risk that a decision on a zoning matter is appealed to the Ontario Land Tribunal. The risks noted below provides further clarity on this depending on the recommendation and Council decision on the matter.

<b>Administration's Recommendation</b>	<b>Decision of Council</b>	<b>Who can appeal the decision to OLT.*</b>	<b>Costs to the Town if Appealed</b>
Recommend approval	Approve the Recommendation	The Applicant who requested the zoning amendment and the Minister.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to deny the application	Approve the Recommendation	The Applicant who requested the zoning amendment and the Minister.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend approval	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment and the Minister.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend to deny the application	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment and the Minister.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to approve (or deny)	Request to defer decision on the grounds of requiring additional information.	The Applicant who requested the zoning amendment and the Minister.	In this scenario it allows for the applicant to consider if the additional information requested by Council, rather than an OLT hearing is preferred. As OLT hearings are costly and time consuming the applicant may elect to provide the additional information. If that is the direction the Town may need to

			refund the application fee, noting the refund is also less costly for the Town than an OLT hearing.
--	--	--	---

## 5. FINANCIAL MATTERS:

All costs associated with the application are the responsibility of the Applicant. Should Council's decision be appealed to the Ontario Land Tribunal, the Town will incur costs, as noted above. OLT appeals of any nature can be costly with estimated costs of a hearing at \$6,000/day, noting that those daily costs will likely be higher if Town Administration is required to be before OLT as both witnesses for an Applicant and defense of a decision.

## 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 as Appendix H for information.

## 7. CORPORATE STRATEGIC ALIGNMENT:

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li>✓ Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>

<p style="text-align: center;"><b>PILLAR 2</b>  <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b>  <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li>✓ <input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>

## 8. CONCLUSION:

It is the opinion of administration that the Zoning By-law Amendment allows for the appropriate development of the subject lands, is consistent with the provisions of the Planning Act, is consistent with the policies of the Provincial Planning Statement 2024, conforms with the policies of the County of Essex Official Plan and the Town of Amherstburg Official Plan and maintains the intent of the Town of Amherstburg Zoning By-law.

Administration recommends that Zoning By-law 2025-021 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.




---

Sarah French  
**Planner**

**SF**

## Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-06-25 for VL Victoria Street S.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - Zoning Bylaw Amendment Application 2025 - Victoria St_Redacted-RM.pdf</li><li>- Appendix B - ZBA-06-25 Aerials-RM.pdf</li><li>- Appendix C - Victoria Street Site Plan-RM.pdf</li><li>- Appendix D - survey 12R29344-RM.pdf</li><li>- Appendix E - 0 Victoria - Planning Justification Report - February 2025_Optimized-RM.pdf</li><li>- Appendix F - Grading and Servicing Plan VL Victoria St S-RM.pdf</li><li>- Appendix G - Site Photos-RM.pdf</li><li>- Appendix H- Council Circulation List-RM.pdf</li><li>- Appendix I - Summary of Correspondence Received on ZBA-06-25-RM (1).pdf</li><li>- Appendix J - 2025-021-ZBA-VL Victoria St S DRAFT-RM.pdf</li></ul>
Final Approval Date:	Apr 16, 2025

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", with a long horizontal line extending from the end of the signature.

Kevin Fox

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

Application No. ZBA/06/25

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

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality February 4, 2025
3. Date application deemed complete by municipality February 11, 2025
4. Name of registered owner 2713271 Ontario Inc. c/o Akbar Bapoo  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]  
Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited c/o Melanie Muir  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]  
Please specify to whom all communications should be sent:  
☒ registered owner    ☐ solicitor    ☐ agent
5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:  
N/A
6. Location and description of subject land:  
Concession No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_  
Registered Plan No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_  
Reference Plan No. 12R-29344 Part(s) No. 1 and 2  
Street Address 0 Victoria St South Assessment Roll No. 210 00107 & 00108
7. Size of subject parcel:  
Frontage 33.53m Depth 57.5m Area 0.35 ha
8. Access to subject parcel:  
☒ Municipal Road    ☐ County Road    ☐ Provincial Highway  
☐ Private Road    ☐ Water  
If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road  
\_\_\_\_\_

9. (a) Current Official Plan Land Use designation of subject land Low Density Residential
- (b) Explanation of how application conforms to the Official Plan The lands are designated Low Density Residential (OPA #22) which permit the proposed semi-detached dwellings. Please see Planning Justification Report, dated October 2024, for more information
- (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:
- N/A
- 
10. Current Zoning of subject land Residential First Density (R1)
11. Nature and extent of rezoning requested To rezone the entire subject site as residential third density (R3) with site specific provisions for reduced lot frontage minimum of 16 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.
12. Reasons why rezoning is requested To permit the development of two (2) semi-detached dwellings (4 units) on subject site
13. Current use of subject land Vacant
14. Length of time current use of subject land has continued N/A
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 There is a maximum permitted density of 22 units per hectare (UPH) and a maximum height of 8.5m
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:
- No buildings or structures currently exist on the subject site
- 
17. Date of construction of existing buildings and structures on the subject land:
- N/A
- 
18. Date subject land acquired by current registered owner +/- 1year
19. Proposed use of subject land 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:

Two (2) semi-detached dwellings for a total of four (4)

dwelling units. Please refer to the conceptual development plan and planning justification report

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:

Yes

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

N/A

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

☐ Yes

☒ No



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

N/A

---

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?

N/A

---

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2020 Provincial Policy Statement)?

☒ Yes ☐ No

Comments Please see planning justification report, dated October 2024

---

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

32. Is the land within 600 m of property that is designated as Extractive Industrial?

☐ Yes ☒ No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

**NOTE:** A deposit of \$1,000 and a flat fee of \$5,627, along with an ERCA development review fee of \$400 for major ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$7027 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,815, along with an ERCA development review fee of \$275 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$4,090 for minor ZBA applications.

Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1,171 plus an ERCA review fee of \$275, totalling \$1,446, must accompany your completed application for a Holding (h) Removal zone change, zone change from A to A-36, or zone change which is a condition of consent.

Engineering review fees are applicable in accordance with the Amherstburg User Fee By-law, which may include an additional review fees each time an application is resubmitted and rereviewed.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

A.N

---

Initial confirming this page  
has been read and understood

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 Please see Planning Justification Report, dated October 2024.

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.

Dated at the TOWN of LEAMINGTON this 2nd day of NOV, 2024.

(signature of applicant, solicitor or authorized agent)

2713271 Ontario Inc.

I, c/o Akbar Bapoo of the TOWN OF LEAMINGTON

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 LEAMINGTON in the MUNICIPALITY of ESSEX this 2nd day of NOV, 2024

Applicant, Solicitor or Authorized Agent

AKBAR BAPOO

A Commissioner, etc.  
MELANIE ANNE MUIR,  
a Commissioner, etc., Province of Ontario,  
for Dillon Consulting Limited.  
Expires May 3, 2025.

## AUTHORIZATION

(Please see note below)

To: Clerk  
Town of Amherstburg

Description and Location of Subject Land:

Part 1 and Part 2, 12R-29344 (0 Victoria Street South)

I/We, the undersigned, being the registered owner(s) of the above lands hereby  
authorize Dillon Consulting Limited & Imperium Builds Ltd of the City of Windsor and  
Municipality of Leamington to:

- (1) make an application on my/our behalf to the Council for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town Council relevant to the application.

Dated at the TOWN of LEAMINGTON in the  
Municipality of ESSEX, this 2nd day of NOV, 2024.

Ann Jain  
Signature of Witness  
Ann Jain

AKBARR  
Signature of Owner  
AKBARR BAHOO

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

\* Note: This form is only to be used for applications which are to be signed by someone other than the owner.





122

126

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VICTORIA ST S

123

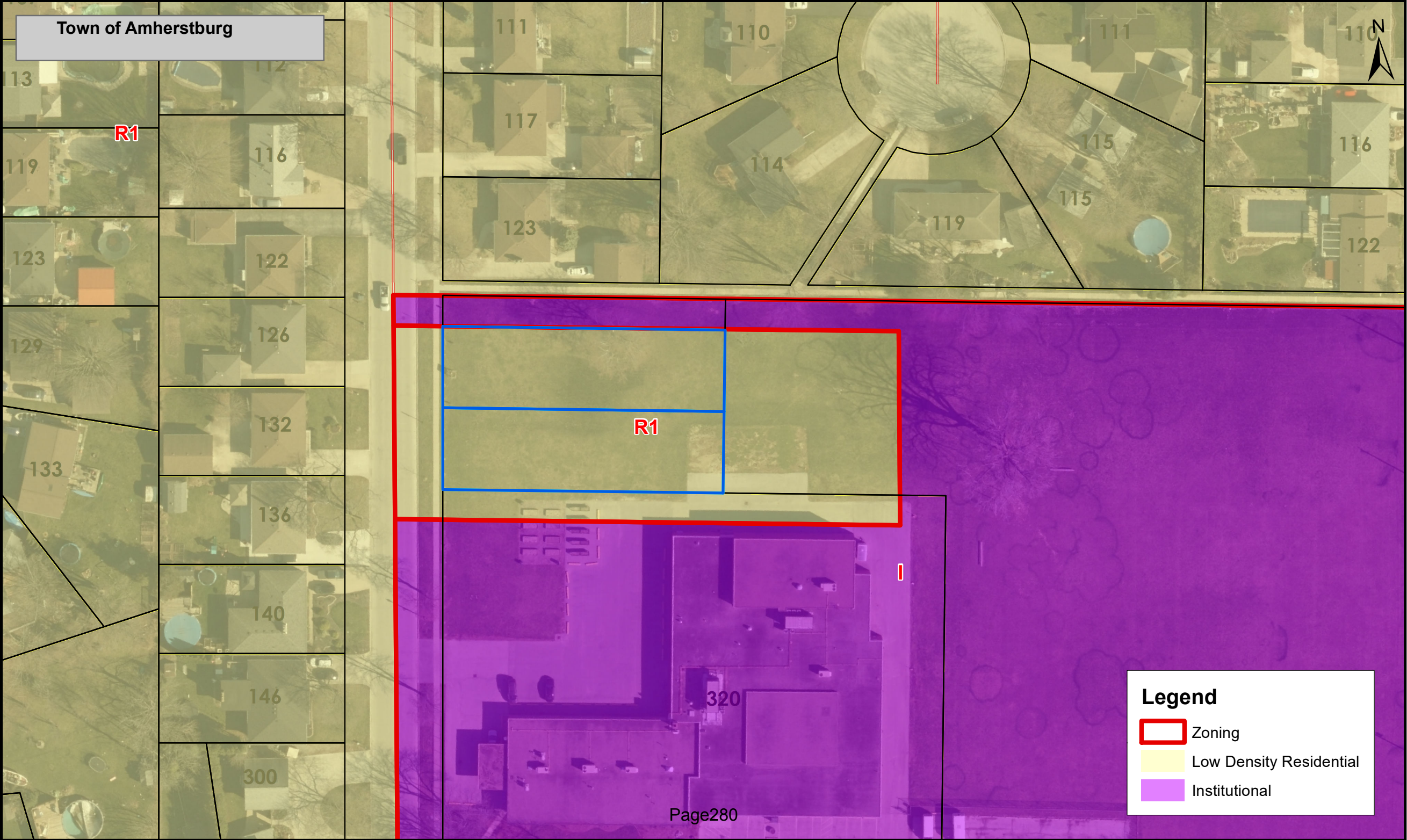
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

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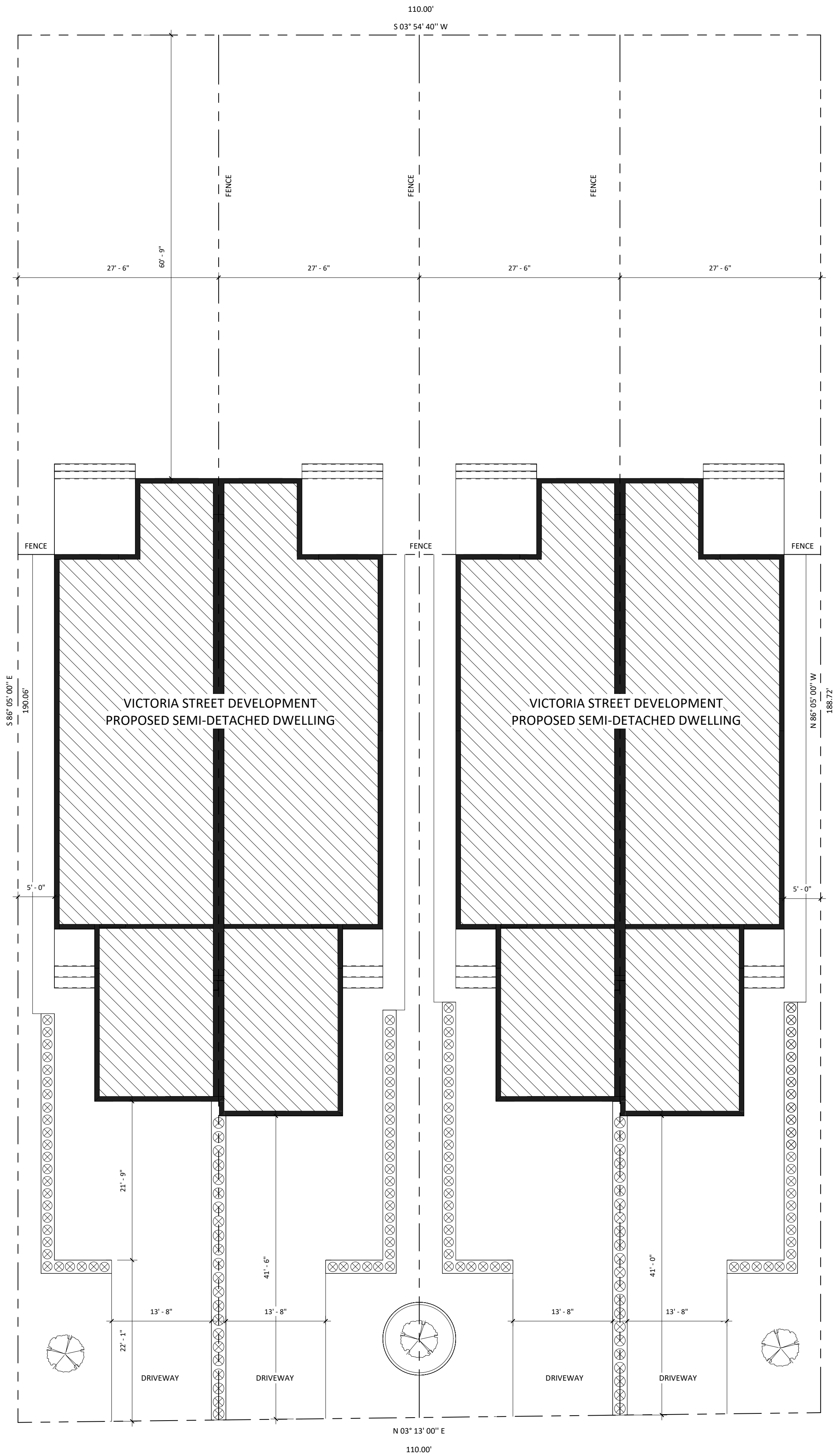
Town of Amherstburg



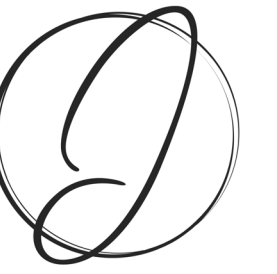
**Legend**

-  Zoning
-  Low Density Residential
-  Institutional





1 Site Plan  
1" = 10'-0"



**Imperium**  
DESIGN + BUILD

20 Fraser Rd.  
Leamington, ON N8H 4E5  
info@imperiumbuilds.ca  
(519) 398-9304

Project:	Victoria Street Development
Client:	Akbar Bapoo
Project Address:	Victoria Street
Sheet Title:	Site Plan
Revision no.:	
Scale:	As indicated
Drawn by:	AN/MH
BCIN #:	Project Status
Date:	Feb 27, 2025
Project no.:	0050
Sheet no.:	

Imperium ○ Design + Build

A1.0

2025-02-27 8:03:36 PM

PLAN 12R-29344

Received and deposited

April 6<sup>th</sup>, 2023

Mary Beth Ouellette

Representative for the  
Land Registrar for the  
Land Titles Division of  
Essex (No.12)

PARTS SCHEDULE

PART	LOT	CON/PLAN	P.I.N.
1	PART OF BLOCK 'A'	REGISTERED PLAN 1066	ALL OF 70559-0638
2			
3	PART OF BLOCK 'A'		
4	PART OF BLOCK 'B'		
5	PART OF BLOCK 'A'		

PLAN OF SURVEY

OF  
BLOCK 'A' AND  
PART OF BLOCK 'B'  
REGISTERED PLAN 1066

IN THE  
TOWN OF AMHERSTBURG  
COUNTY OF ESSEX, ONTARIO  
VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LIMITED

SCALE : 1"=40'



THE INTENDED PLOT SIZE OF THIS PLAN IS 36" IN WIDTH BY 24" IN HEIGHT  
WHEN PLOTTED AT A SCALE OF 1"=40'

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE  
IN FEET AND CAN BE CONVERTED TO METRES BY  
MULTIPLYING BY 0.3048

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B'  
BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17  
(81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999947.

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN  
AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH  
SECTION 11 (4) OF O.REG. 525/91.

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WIT	DENOTES	WITNESS
M	DENOTES	MEASURED
S	DENOTES	SET
⊥	DENOTES	PERPENDICULAR
D	DENOTES	DEED
OU	DENOTES	ORIGIN UNKNOWN
ORP	DENOTES	OBSERVED REFERENCE POINT
(P)	DENOTES	PLAN 12R-27695
(P1)	DENOTES	PLAN OF SURVEY PER SOS, Dated August 22, 2022.
(JDB)	DENOTES	J.D. BARNES LIMITED
(1744)	DENOTES	VERHAEGEN LAND SURVEYORS
(891)	DENOTES	HOWARD B. HEAD, O.L.S.
(SOS)	DENOTES	SURVEYORS ON SITE INC., O.L.S.

SURVEYOR'S CERTIFICATE

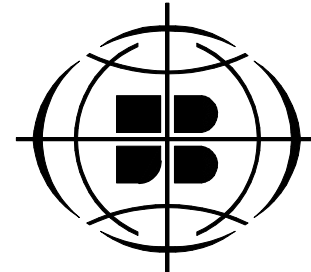
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT,  
THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 3rd DAY OF APRIL, 2023

DATE APRIL 4, 2023

ROY A. SIMONE  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2204934.

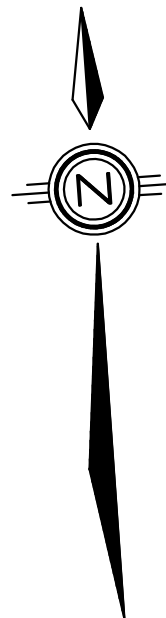


VERHAEGEN  
LAND SURVEYORS

A DIVISION OF J.D. BARNES LTD.

944 OTTAWA STREET, WINDSOR, ON, N8X 2E1  
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: NMG	CHECKED BY: KH/RAS	REFERENCE NO.: 23-47-031-00
CAD File: 23-47-031-00A.dwg	E-1066-BLK 'A'	CAD Date: April 4, 2023 1:12 PM

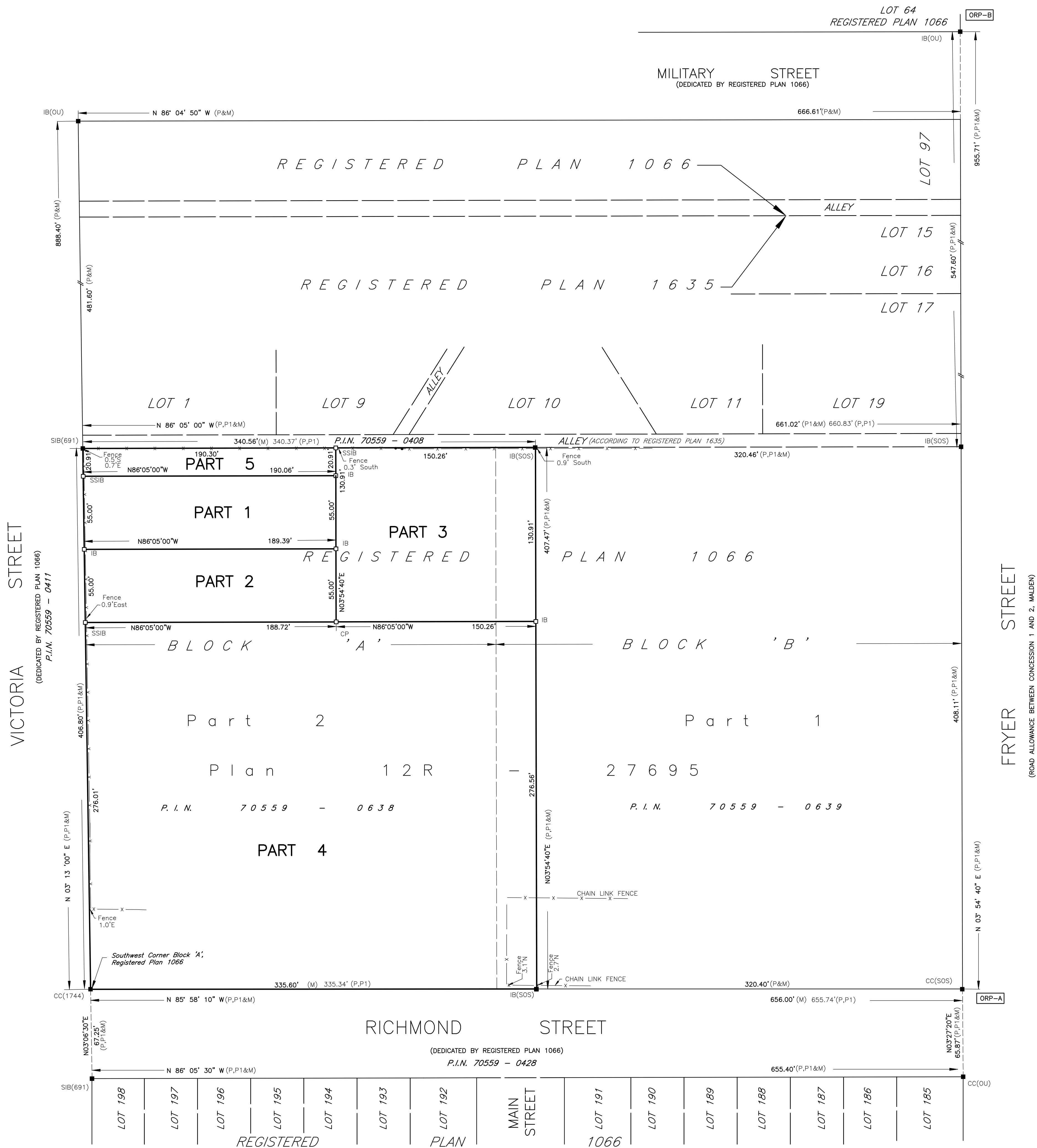


INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET  
NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE)  
NAD83 (CSRS) (2010.0).  
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH  
SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	N15300440.80	E1071245.69
ORP-B	N15301394.23	E1071310.86

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





IMPERIUM BUILDS LTD.

# PLANNING JUSTIFICATION REPORT

0 Victoria Street South, Amherstburg ON

Zoning By-Law Amendment

FEBRUARY 2025 – 24-8862

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# 1.0 INTRODUCTION

## 1.1 PURPOSE

Dillon Consulting Limited (Dillon) has been retained by Imperium Builds Ltd., herein referred to as the 'Applicant', to assist in obtaining the necessary planning approvals associated with a proposed residential development, which fronts on Victoria Street South north of Richmond Street. This area will be referred to as the "Subject Site." It is municipally known as 0 Victoria Street South, as illustrated on Figure 1.

Figure 1 - Location Map



Source: County of Essex Online Mapping (2023), Prepared by Counterpoint Land Development by Dillon Consulting.

The Subject Site is 0.19 ha (0.48 ac) with a total frontage on Victoria Street South measuring 33.53 m (110.00 ft), subdivided into two (2) 16.75m (55 ft.) lots. The proposed residential development of the Subject Site is for two (2) semi-detached dwellings, one per lot, for a total of four (4) dwelling units. The following report has been prepared to support the required site specific Zoning By-law Amendment application.

The Subject Site is designated Primary Settlement Area on Schedule "A2" of the County of Essex Official Plan, as indicated in Figure 2.

Figure 2 - County of Essex Settlement Structure Plan

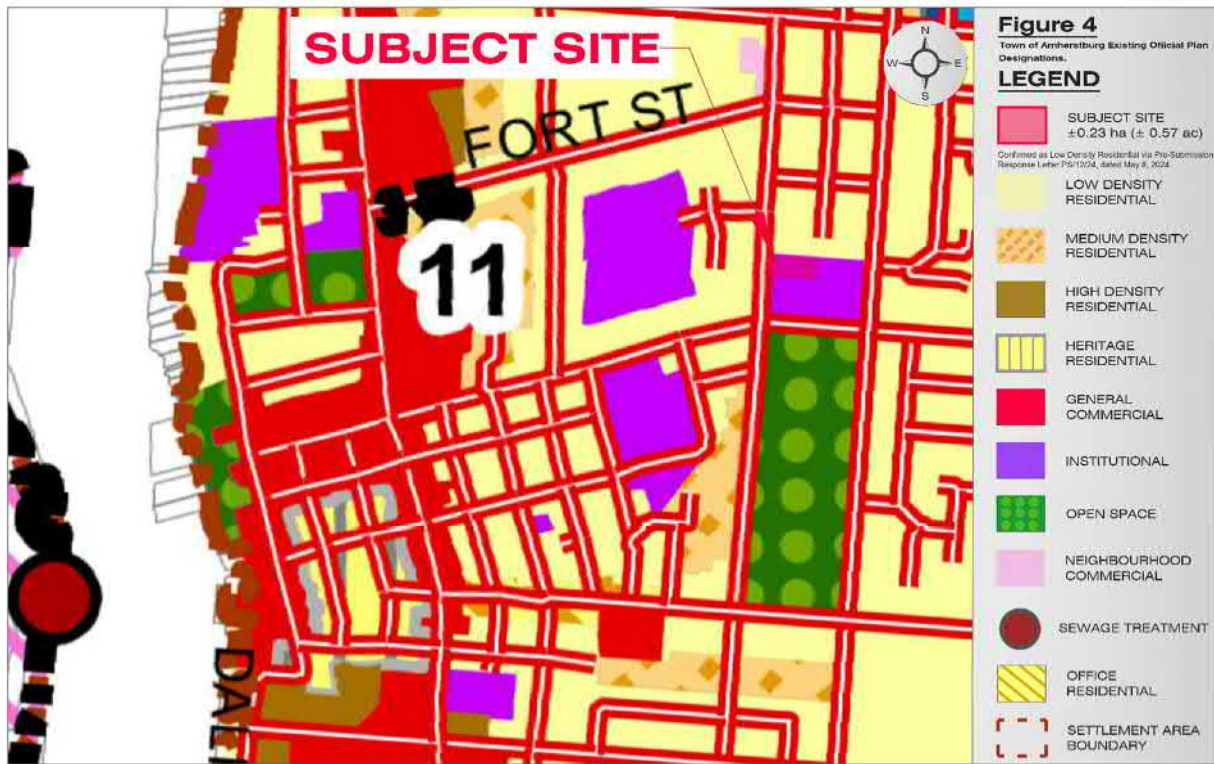


Source: County of Essex Official Plan, Schedule "A2" Settlement Structure Plan, Prepared by Counterpoint Land Development by Dillon Consulting.

Within the Pre-Submission Response Letter PS/12/24, dated May 8, 2024, the Town has confirmed the Subject Site is designated within the Low Density Residential land use designation on Schedule "A" of the Town of Amherstburg Official Plan, as shown in Figure 3.



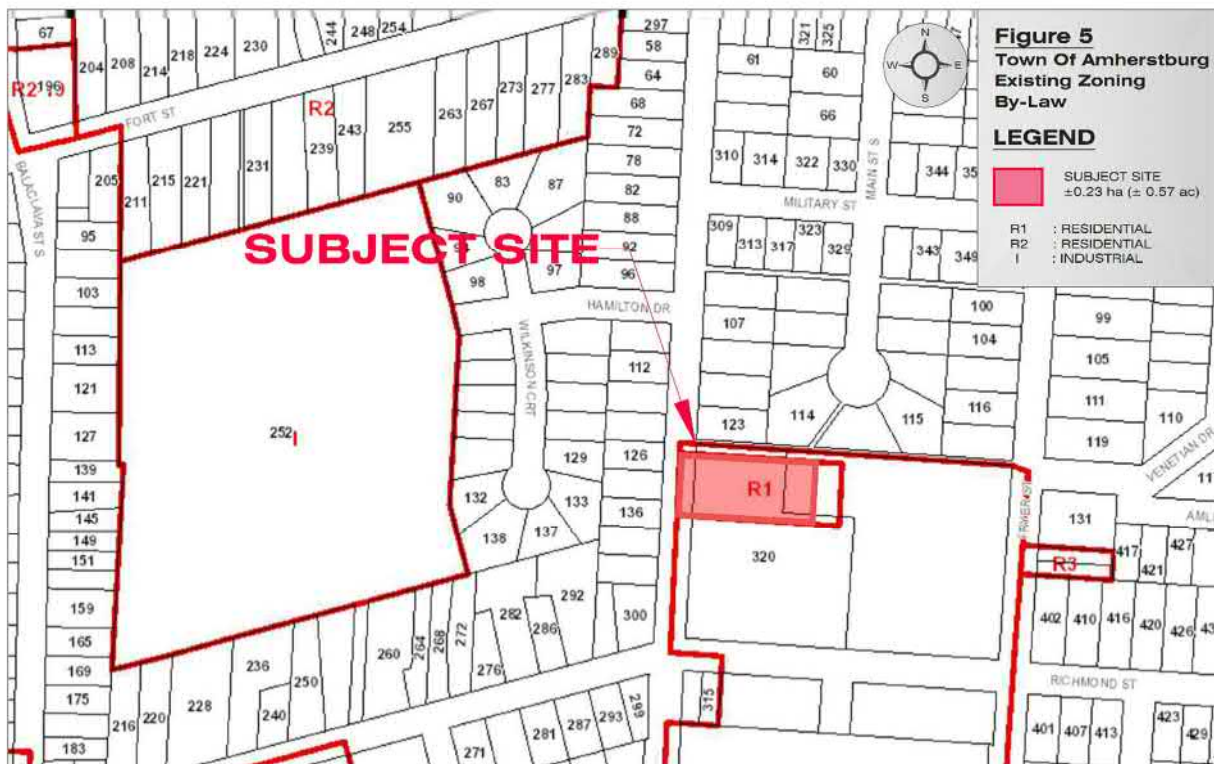
Figure 3 – Town of Amherstburg Existing Official Plan Designation



Source: Town of Amherstburg Official Plan, Schedule "A" Land Use Plan, Prepared by Counterpoint Land Development by Dillon Consulting.

The Subject Site is zoned Residential First Density (R1) in the Town of Amherstburg Zoning By-law No. 1999-52, as illustrated in Figure 4.

Figure 4 – Town of Amherstburg Existing Zoning



Source: Town of Amherstburg Zoning By-law No. 1999-52, Prepared by Counterpoint Land Development by Dillon Consulting.

To facilitate the proposed development, a site-specific Zoning By-law Amendment is required for the Subject Site. A site-specific Zoning By-law Amendment is required to rezone the Subject Site to Residential Third Density (R3) zone with the following site specific provisions:

- Permit minimum lot frontage for a semi-detached dwelling to 16.75 metres; and
- Reduction of the minimum lot frontage for a semi-detached unit to 8 metres.

The Applicant is requesting that Council approve this Zoning By-law Amendment to the Town of Amherstburg Zoning By-law No. 1999-52 in order to permit the proposed development (Refer to [Appendix A – Development Applications](#)).

## 1.2 DESCRIPTION OF SITE

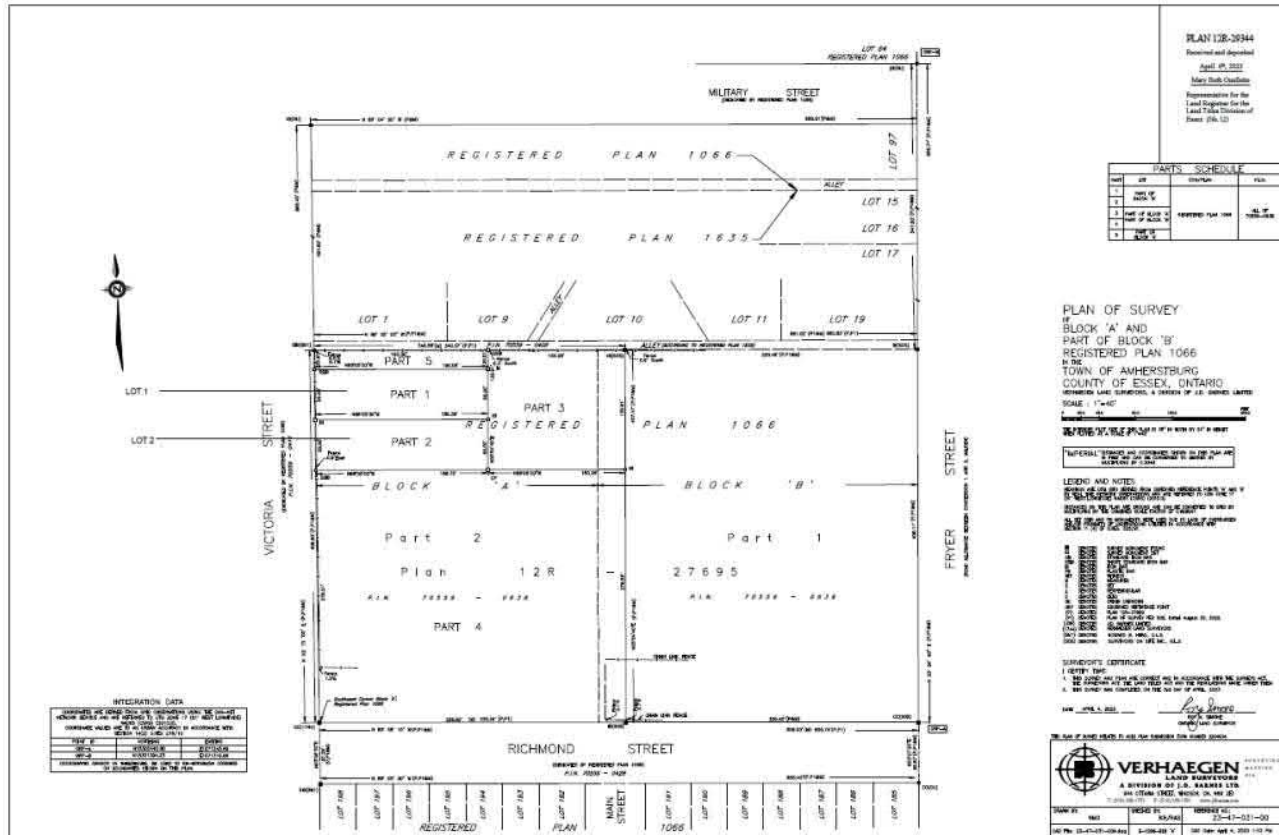
The Subject Site is municipally known as 0 Victoria Street South. It is located on the east side of Victoria Street South, between Richmond Street and Hamilton Drive (refer to [Figure 1 – Location Map](#)).

These lands are legally described as:

- Parts 1 and 2 on 12R-29344, as shown in Figure 5.

The total area of the Subject Site is approximately 0.19 ha (0.47 ac) with 33.53 m (110.00 ft) of total frontage total on Victoria Street South, with each of the parts having frontage of 16.75 metres (55 feet).

Figure 5 – Legal Plan



Prepared by Verhaegen Land Surveyors, dated April 6<sup>th</sup> 2023

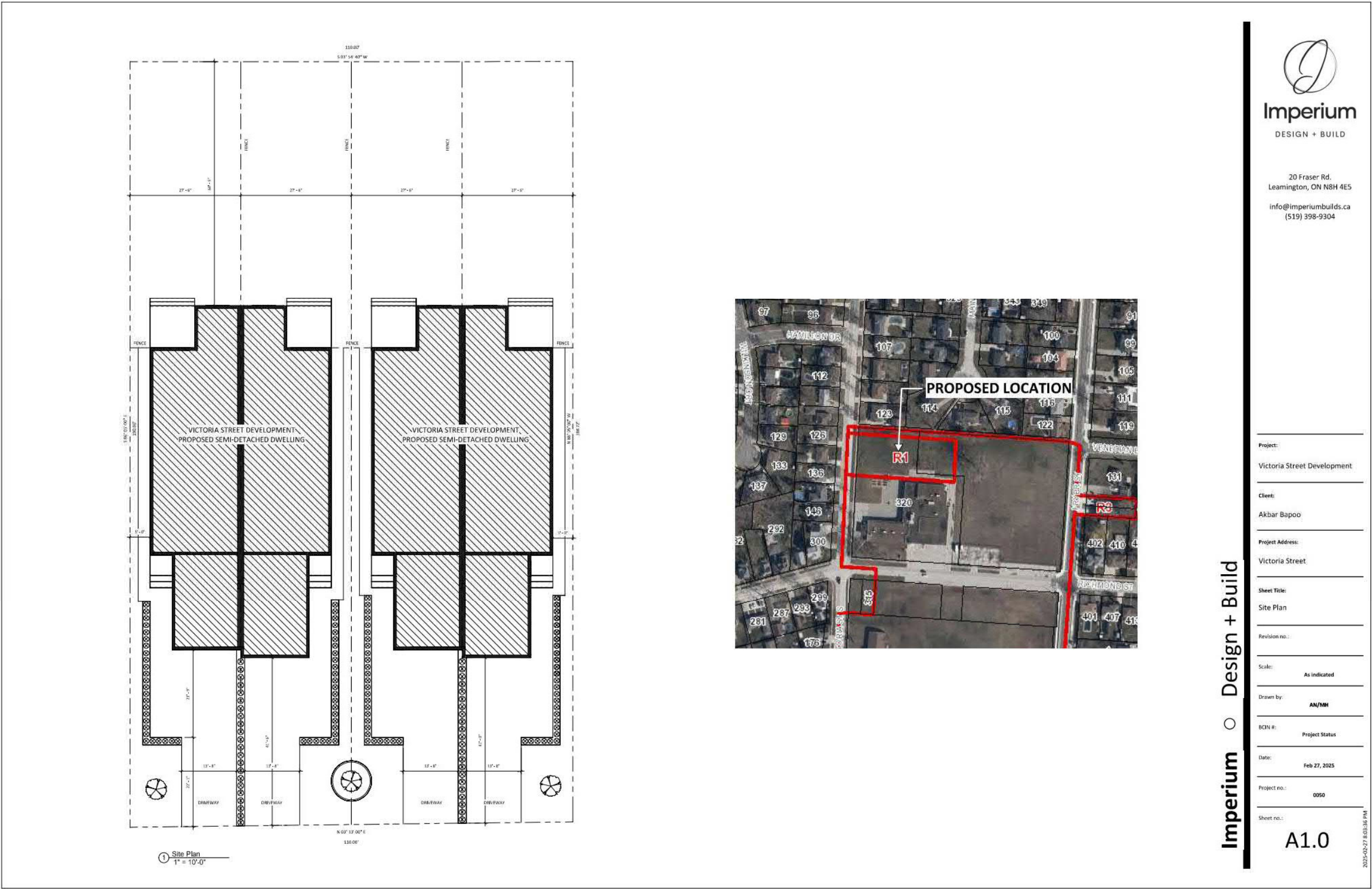
## 1.3 PROPOSED DEVELOPMENT

The proposed development is for two (2) semi-detached dwellings, for a total of four (4) residential dwelling units over the subject lands. The lands are currently subdivided into two parts or lots and will not be changed. The Conceptual Development Plan illustrates the existing layout of the Subject Site, which is shown in Figure 6.

The proposed dwellings will be positioned on the lot a minimum of 12.5m in order to accommodate parking for a minimum of three (3) cars within the driveway in addition to the garage, in front of the units. Each unit will have a driveway, 4.12m in width at the property line, which will widen out to 5.5m beyond the 6m required front yard setback. The intent is to provide three (3) parking spaces within the driveway, in order to accommodate up to one (1) additional dwelling unit (ADU) should future owner's desire.



Figure 6 - Conceptual Development Plan



## 2.0 EXISTING LAND USE

### 2.1 SUBJECT SITE

The physical attributes of the Subject Site are as follows:

- A total site area of 0.19 ha (0.47 ac);
- Total frontage of 33.53 m (110 ft) on Victoria Street South;
- Two (2) existing lots with 16.75m of frontage;
- Rectangular shape, with approximately 57.52 m (188.72 ft) of depth;
- No significant environmental areas or hazards; and
- Access to existing municipal services.

### 2.2 SURROUNDING LAND USE

The surrounding land uses are as shown in [Figure 7](#) and are described as follows:

#### North

- **Existing Uses:** Low density residential uses (single detached dwellings);
- **Official Plan Designation(s):** Low Density Residential; and
- **Zone(s):** Residential First Density (R1).

#### East

- **Existing Uses:** Parkland (Community Park), low density residential uses (single detached dwellings, semi-detached dwelling) and Fryer Street;
- **Official Plan Designation(s):** Institutional and Low Density Residential; and
- **Zone(s):** Institutional (I), Residential First Density (R1) and Residential Third Density (R3).

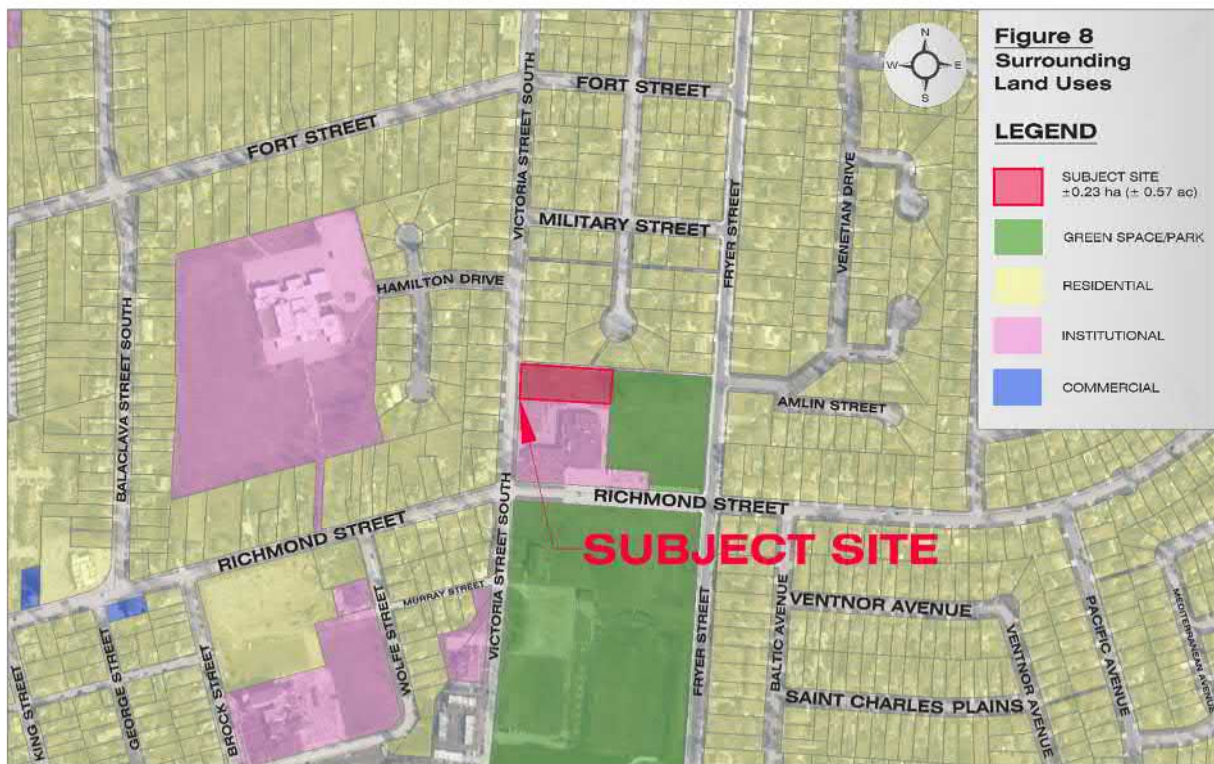
#### South

- **Existing Uses:** Institutional (Amherstburg Community Services, North Star Secondary School), Parkland (Community Park, Centennial Park) and Richmond Street;
- **Official Plan Designation(s):** Institutional and Open Space; and
- **Zone(s):** Institutional (I).

#### West

- **Existing Uses:** Low density residential uses, institutional, and Victoria Street South;
- **Official Plan Designation(s):** Low Density Residential (single detached dwellings) and Institutional (Amherstburg Public School); and
- **Zone(s):** Residential First Density (R1) and Institutional (I).

Figure 7 – Surrounding Land Uses



Source: County of Essex Online Mapping (2023), Prepared by Counterpoint Land Development by Dillon Consulting.



## 3.0 PLANNING EVALUATION

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Planning Statement 2024;
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-Law No. 1999-52 regulations; and
- Visual inspections of the site and surrounding lands.

Recognizing that overlaps exist between the various policies and criteria in the Official Plan, the approach used attempts to consolidate the relevant policies and criteria and identify and evaluate the potential planning and land use related issues associated with the proposed recreational use.

A review of the relevant policies and regulations can be found in [Appendix B – Provincial/County/Amherstburg Policies](#) and [Appendix C – Town of Amherstburg Zoning By-law No. 1999-52](#).

### 3.1 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement provides direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments. The PPS is issued under section 3 of the Planning Act and came into effect in April 30, 2014. The province subsequently undertook a compressive review of the PPS and as of October 1, 2024, all decisions affecting planning matters shall be consistent with the revised Provincial Planning Statement (refer to [Appendix B – Provincial/County/Amherstburg Policies](#)).

### 3.2 COUNTY OF ESSEX OFFICIAL PLAN

The County of Essex Official Plan (County OP) contains a holistic set of goals, objectives and policies to manage and direct the growth of Settlement Areas. The primary goals of the County OP include the following:

- Directing the majority of growth and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas;
- Providing a range of land uses and densities through a mixture of housing types;
- Designing walkable communities with public transit options (or long-term plans for the same);
- Creating and maintaining an improved balance between residential and employment growth in each of the Primary Settlement Areas; and

- Encouraging greenhouse gas emissions and energy consumption reduction by promoting built forms and transportation systems that create more sustainable, efficient, health and liveable communities.

The Subject Site is currently designated as Primary Settlement Area in the County of Essex Official Plan, which provides for a broad range of land uses. The Official Plan policies state that settlement areas are directed to be the focus of growth and development in lower tier municipalities (refer to [Appendix B – Provincial/County/ Amherstburg Policies](#)).

### 3.3 TOWN OF AMHERSTBURG OFFICIAL PLAN

The local policy context is provided in the Town of Amherstburg Official Plan (OP) which contains a holistic set of goals, objectives, and policies to manage and direct growth in the municipality.

The purpose of the Town of Amherstburg OP includes:

- Guiding future economic, social, environmental, and land use changes within the municipality to the year 2025;
- Providing a policy framework which encourages growth and prosperity in the municipality and strengthens the Town's role as a desirable place to work, live, and visit by maintaining and enhancing the Town's physical and cultural resources which are the basis of the community's desirability and economic wellbeing; and
- Interpreting and applying the intent of Provincial legislation, regulations and policies to the Town of Amherstburg in a manner which reflects the regional interests.

The Subject Site is currently designated as Low Density Residential in the Official Plan (OPA #22), as confirmed by Town staff through the Pre-Submission Response Letter PS/12/24, dated May 8, 2024. The proposed development is in conformance with the land use policies outlined in the OP (refer to [Appendix B – Provincial/County/Amherstburg Policies](#)).

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

Under the Town of Amherstburg Zoning By-law No. 1999-52, the Subject Site is zoned under the Residential First Density (R1) zone. A site specific Zoning By-law Amendment is proposed to rezone the entire Subject Site to Residential Third Density (R3) zone with site specific provisions for reduced minimum lot frontage of 16.75 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.

The details of the proposed developments are outlined in [Table 1](#) below:

Table 1 - Proposed Site-Specific Residential Third Density (R3) Zoning Provisions

PROVISION	REQUIRED	PROVIDED
Semi-detached dwelling	650 m <sup>2</sup>	964 m <sup>2</sup>
Semi-detached dwelling unit	280 m <sup>2</sup>	482 m <sup>2</sup>
Semi-detached dwelling	18 m	16.75 m
Semi-detached dwelling unit	8.5 m	8 m
Front Yard Depth (Minimum)	6 m	12.5 m
Interior Side Yard Width (Minimum)	1.5 m	1.5 m
Exterior Side Yard Width (Minimum)	6 m	N/A
Rear Yard Depth (Minimum)	7.5 m	7.5 m
Lot Coverage (Maximum)	35%	23%
Landscaped Open Space (Minimum)	30%	Over 30%
Semi-detached and duplex unit	65 m <sup>2</sup>	108 m <sup>2</sup>
Height (Maximum)	8.5 m	8.5 m
Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.	N/A	N/A

### 3.4.1 Driveway Requirements

As per Zoning By-law 1999-52, access to parking areas shall be provided by means of one or more unobstructed driveways for at least 3 metres and nor more than 50% of the lot frontage (By-law 1999-52). Each lot has 16.75 m of frontage. The development will be keeping with the maximum 8.375 m driveway width permitted through one shared driveway per semi-detached structure within the 6m front yard setback. The driveway proposes to fan out to a maximum of 18 m, which will accommodate three (3) parking spaces per dwelling unit beyond the required setback. The building has been set back 12.5 m from the Victoria Street South right-of-way, beyond the 6 m required frontage, which allows the site to accommodate the irregularly-shaped driveway. This would promote good urban design practice, providing precedent for publicly-viewable landscaping. Excerpts from Zoning By-law 8600 are included in [Appendix C – Town of Amherstburg Zoning By-law No. 1999-52](#).

## 3.5 PLANNING ANALYSIS AND CONSIDERATIONS

The proposed development of the Subject Site is consistent with the Provincial Planning Statement, County of Essex Official Plan and the Town of Amherstburg Official Plan policies by exemplifying residential intensification of an existing site with access to full municipal services and public transportation.

The proposed development will support the future growth of the community and provide a greater diversity of housing options in the area. The proposed development is compatible with the surrounding land uses.

### 3.5.1 Site Suitability

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

- The land area is sufficient in size to accommodate the proposed residential intensification;
- The proposed development makes use of existing municipal water, storm and sewer systems;
- The proposed development fronts onto a public road and can be adequately accommodated by existing public services, utilities, and rights-of-ways;
- Adequate off-street parking facilities are proposed to serve the development through the provision of driveways and garages for each of the units;
- There is direct access to the Town's sidewalk network, enhancing opportunities for walking and supporting active transportation;
- There are no anticipated traffic concerns given the existing linear infrastructure and existing appropriate traffic signalization in the area. The proposed semi-detached dwellings will add minimal traffic to the roads;
- Semi-detached dwelling units, and the opportunity to house secondary dwelling units would add to the mix of housing stock available in the neighbourhood and the Town as a whole;
- Introducing residential intensification within the neighbourhood would enhance the attractiveness of the area through a mix of uses and housing options; and
- The location of the proposed development is appropriate in that it is adjacent to residential uses, institutional uses, and connections with the pedestrian sidewalk network in the surrounding area.

### 3.5.2 Compatibility of Development

The proposed development is in a built-up area and is surrounded by Low Density Residential uses to the north and west with Institutional uses to the south and parkland to the east (refer to [Figure 8](#)). The proposal is considered compatible with the surrounding area in terms of scale, massing, height and setbacks. The proposed reductions in frontage for both the semi-detached dwelling and the semi-detached dwelling units will allow for the parcel to be developed in an appropriate manner and follow the existing lot sizes. The reduction from 18m to 16.75m and from 8.5m to 8m respectively are required to address the existing lot size as established previously by the Town through the previous severance. The reduction in minimal in nature and will not negatively impact the surrounding land uses or the functionality of the lots. The existing right-of-way will provide direct vehicular connections to the development in a safe and efficient manner. Renderings of the proposed development are included in [Appendix D – Development Renderings](#).

#### 3.5.2.1 Driveway

The proposed driveway complies with the permitted maximum 50% of the lot frontage requirement with an 8.3m proposed driveway width as accessed through Victoria Street South. Beyond the 8.3 m wide driveway within the 6m front yard setback, the driveway is proposed to fan out to a width at a maximum 18 m. The irregular driveway width is required to accommodate three (3) parking spaces per dwelling unit, surpassing the required two (2) parking spaces per unit. The additional parking space intends to accommodate future flexibility to permit one (1) secondary dwelling units on the site as needed.

### 3.5.3 Natural Environment Impacts

The proposed development will not have any significant negative natural environmental impacts. The Subject Site is not impacted by natural heritage features, flooding, nor is located within the Regulated Areas mapped in the County of Essex Official Plan or the Town of Amherstburg Official Plan. The Subject Site is identified as an Intake Protection Zone 2 in accordance with Schedule "C3" of the County of Essex Official Plan. The proposed use does not include fuel storage, fuel transportation or an industrial use. As such, the residential development would not be a significant drinking water threat in the location proposed.

### 3.5.4 Municipal Service Impacts

The proposed development will make use of existing municipal services. It is not anticipated that the residential use will require additional servicing capacity than currently available.

### 3.5.5 Social & Economic Considerations

The proposed residential development is compact, making efficient use of land and existing municipal infrastructure. In addition, there is access to existing public services and institutional uses to support future residents. This is economically feasible for the Town as the development does not require an extension to public infrastructure or increase demand for public services that cannot be provided.

Through the proposal, housing options will be added to the mix of unit types available in the Town. The proposed development of semi-detached dwellings would offer new housing options at price points that are affordable for more community members.

### 3.5.6 Good Planning

The proposal represents good planning as it addresses the need for the Town of Amherstburg to promote a healthy, liveable community contributing to the guiding principles of the PPS, County OP and Amherstburg OP. A residential use on the Subject Site represents an efficient development pattern that optimizes the use of land and municipal services. There is access to public transportation (Amherstburg Connection Route 605), which provides connectivity through the Town and to the City of Windsor. Further, the proposal supports various modes of active transportation due to the connectivity with the Town's pedestrian sidewalk network.

The proposed development will blend well with the existing residential uses, while providing intensification of the development within Amherstburg. It contributes to a high quality of life by fostering a "live, work, and play" environment where existing and future residents will experience a strong sense of community and collective pride in their surroundings. The proposed development is consistent with the policies outlined in the PPS, County OP and Amherstburg OP representing good planning.



## 4.0 CONCLUSIONS

The proposed development of two (2) semi-detached dwellings located at 0 Victoria Street South is appropriate, and should be approved by the Town of Amherstburg Council as it:

- Is consistent with the PPS;
- Meets the intent and purpose of the County of Essex Official Plan;
- Meets the intent and purpose of the Amherstburg Official Plan;
- Is a site that is physically suitable;
- Will not negatively impact the surrounding residential and institutional uses or enjoyment of area residents;
- Will not have negative natural environmental impacts;
- Will be integrated into the local multimodal transportation network;
- Will not have negative impacts on municipal services;
- Will not have negative social, environmental or economic impacts; and
- Will have favourable positive impacts for the Town of Amherstburg providing for additional residential units.

For the above reasons, it would be appropriate for the Town of Amherstburg Council to provide support for the site-specific rezoning of the Subject Site to allow for the two (2) semi-detached dwellings on two lots along Victoria Street South. This report demonstrates that the proposal is suitable and compatible with the surrounding land uses, is consistent with the PPS, conforms to the intent and purpose of the County of Essex Official Plan and The Town of Amherstburg Official Plan, and represents good planning.



Melanie Muir, MCIP RPP  
Associate

# APPENDIX A

## Development Applications

Application No. \_\_\_\_\_

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

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality \_\_\_\_\_
3. Date application deemed complete by municipality \_\_\_\_\_
4. Name of registered owner 2713271 Ontario Inc. c/o Akbar Bapoo
- Telephone number 416-850- \_\_\_\_\_
- Address 918 Mersea Road 2, Leamington, Ontario, N8H
- Email akbar.bapoo@gmail.com
- Name of registered owner's solicitor  
or authorized agent (if any) Dillon Consulting Limited c/o Melanie Muir
- Telephone number 519-791- \_\_\_\_\_
- Address 1 Riverside Drive West, Windsor ON, N9A
- Email mmuir@dillon.c

Please specify to whom all communications should be sent:

☒ registered owner      ☐ solicitor      ☒ agent

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

6. Location and description of subject land:
- Concession No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_
- Registered Plan No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_
- Reference Plan No. 12R- \_\_\_\_\_ Part(s) No. 1 and \_\_\_\_\_
- Street Address 0 Victoria Street \_\_\_\_\_ Assessment Roll No. \_\_\_\_\_

7. Size of subject parcel:
- Frontage 33.53 \_\_\_\_\_ Depth ~ 57.5 \_\_\_\_\_ Area 0.35 ha \_\_\_\_\_

8. Access to subject parcel:
- ☒ Municipal Road      ☐ County Road      ☐ Provincial Highway
- ☐ Private Road      ☐ Water

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

\_\_\_\_\_

9. (a) Current Official Plan Land Use designation of subject land Low Density Residen-
- (b) Explanation of how application conforms to the Official Plan \_\_\_\_\_

The lands are designated Low Density Residential (OPA #22) which permit the proposed semi-detached dwellings. Please see Planning Justification Report, dated February 2025, for more information.

- (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:

N/A

10. Current Zoning of subject land Residential First Density
11. Nature and extent of rezoning requested To rezone the entire Subject Site as Residential Third Density (R3) with site specific provisions for reduced lot frontage minimum of 16.75 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.
12. Reasons why rezoning is requested To permit the development of two (2) semi-detached dwellings (4 units) on the Subject Site, one on each lot.
13. Current use of subject land Va-
14. Length of time current use of subject land has continued N/A
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 There is a maximum permitted density of 22 units per hectare (UPH) and a maximum height of 8.5m.
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:
- No buildings or structures currently exist on the Subject
17. Date of construction of existing buildings and structures on the subject land:
- N/A
18. Date subject land acquired by current registered owner +/- 1 year
19. Proposed use of subject land Residen-
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:
- Two (2) semi-detached dwellings for a total of four (4) dwelling units. Please refer to the Conceptual Development Plan and Planning Justification Report

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:

Ye

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

N/A

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

- ☐ Yes ☒ No

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

N/A

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?

N/A

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 Please see Planning Justification Report, dated October 2024.

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.

Dated at the TOWN of LEAMINGTON this 2nd day of NOV, 2024.

(signature of applicant, solicitor or authorized agent)

2713271 Ontario Inc.

I, c/o Akbar Bapoo of the TOWN OF LEAMINGTON

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 LEAMINGTON in the MUNICIPALITY of ESSEX this 2nd day of NOV, 2024

Applicant, Solicitor or Authorized Agent

AKBAR BAPOO

A Commissioner, etc.  
**MELANIE ANNE MUIR,**  
a Commissioner, etc., Province of Ontario,  
for Dillon Consulting Limited.  
Expires May 3, 2025.

**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 fee of \$2,000.00 must accompany your completed application.**

## AUTHORIZATION

(Please see note below)

To: Clerk  
Town of Amherstburg

Description and Location of Subject Land:

Part 1 and Part 2, 12R-29344 (0 Victoria Street South)

I/We, the undersigned, being the registered owner(s) of the above lands hereby  
authorize Dillon Consulting Limited & Imperium Builds Ltd of the City of Windsor and  
Municipality of Leamington to:

- (1) make an application on my/our behalf to the Council for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of LEAMINGTON in the  
Municipality of ESSEX, this 2nd day of NOV, 2024.

Ann Jain  
Signature of Witness  
Ann Jain

Akbar Bapoo  
Signature of Owner  
AKBAR BAPOO

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\* Note: This form is only to be used for applications which are to be signed by someone other than the owner.



# APPENDIX B

## Provincial/County/Amherstburg Policies

# PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement (2024) is a consolidated statement of the government’s policies on land use planning. It gives provincial policy direction on key land use planning issues that affect communities, such as:

- Efficient use and management of land and infrastructure;
- The provision of sufficient housing to meet changing needs, including affordable housing;
- The protection of the environment and resources including farmland, natural resources (for example, wetlands and woodlands) and water;
- Opportunities for economic development and job creation;
- The appropriate transportation, water, sewer and other infrastructure needed to accommodate current and future needs; and
- The protection of people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas.

Essentially, the PPS (2024) supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The following table provides a summary of the key policy considerations of the PPS (2024), as it pertains to the proposed re-use of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

PPS POLICY	POLICY	RESPONSE
2.0 Building Homes, Sustaining Strong and Competitive Communities		
2.1 Planning for People and Homes		
2.1.4	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.</p>	<p>The proposed development adds to the range of housing options in Amherstburg by providing semi-detached dwellings to the mix of residential dwellings available. Additionally, allowing three (3) parking spaces within the driveways, per unit provides a flexible option to support up to one (1) secondary dwelling unit if future demand persists. The Subject Site is designated for residential development and is serviced by existing infrastructure with capacity. This will assist in meeting projected requirements of current and future residents of the regional market area.</p>

PPS POLICY	POLICY	RESPONSE
2.1.6	<p>Planning authorities should support the achievement of complete communities by:</p> <ul style="list-style-type: none"> <li>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;</li> <li>b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and</li> <li>c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.</li> </ul>	<p>The Subject Site is conveniently located within walking distance (&lt;1 km) to northbound and southbound bus stops on the Amherstburg Connection Route 605. This route provides transit connectivity to various institutional, recreational, and employment locations within Amherstburg as well as to the Hotel-Dieu Grace Healthcare Terminal in Windsor.</p> <p>Accessibility for people of all ages and social equity is supported by the proposed development as the housing type (semi-detached dwellings) is attainable for more people and is located with access to a range of land uses. Potential to support secondary dwelling units may provide more affordable housing options in future for the Town.</p>
<b>2.2 Housing</b>		
2.2.1	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <ul style="list-style-type: none"> <li>a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;</li> <li>b) permitting and facilitating: <ul style="list-style-type: none"> <li>1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and</li> <li>2. all types of residential intensification, including the conversion of existing</li> </ul> </li> </ul>	<p>The proposed development represents an opportunity for intensification of the Subject Site and provides a range of housing options within the Town (semi-detached and secondary dwelling unit potential) with access to public transit. The proposed development efficiently uses land that is designated for residential development and is serviced by existing infrastructure. Semi-detached dwellings are more attainable for all income levels, which helps to meet the social, health, economic and well-being requirements of current and future residents. Potential to support secondary dwelling units may provide more affordable housing options in future for the Town.</p>

PPS POLICY	POLICY	RESPONSE
	<p>commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units in accordance with policy 2.3.3;</p> <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.</p>	
<b>2.3 Settlement Areas and Settlement Area Boundary Expansions</b>		
<b>2.3.1 General Policies for Settlement Areas</b>		
2.3.1.1	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Subject Site is within a Primary Settlement Area, as identified by Schedule "A1" and "A2" of the County of Essex Official Plan.
2.3.1.2	<p>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) optimize existing and planned infrastructure and public service facilities;</p> <p>c) support active transportation;</p> <p>d) are transit-supportive, as appropriate; and</p> <p>e) are freight-supportive.</p>	The proposed development efficiently uses land that is serviced by existing public infrastructure and public transit. Active transportation routes are available from the Subject Site with connections throughout the Town. Potential to support secondary dwelling units makes efficient use of the existing land and resources in an area that supports public transportation.
2.3.1.3	Planning authorities should support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary <i>infrastructure</i> and <i>public service facilities</i> .	A complete community is supported by the proposed development as it contemplates intensification of the Subject Site, adding to the mix of housing options available in the Town.

PPS POLICY	POLICY	RESPONSE
2.4 Strategic Growth Areas		
2.4.1 General Policies for Strategic Growth Areas		
2.4.1.2	<p>To support the achievement of <i>complete communities</i>, a range and mix of <i>housing options</i>, <i>intensification</i> and more mixed-use development, <i>strategic growth areas</i> should be planned:</p> <ul style="list-style-type: none"> <li>a) to accommodate significant population and employment growth;</li> <li>b) as focal areas for education, commercial, recreational, and cultural uses;</li> <li>c) to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and</li> <li>d) to support <i>affordable</i>, accessible, and equitable housing.</li> </ul>	<p>The proposed residential development provides for a housing option that is attainable to a larger range of incomes with access to the inter-regional transit network. This supports the achievement of a complete community. Potential to support secondary dwelling units may provide more affordable housing options in future through a more diversified housing mix.</p>
2.9 Energy Conservation, Air Quality and Climate Change		
2.9.1	<p>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the <i>impacts</i> of a <i>changing climate</i> through approaches that:</p> <ul style="list-style-type: none"> <li>a) support the achievement of compact, <i>transit-supportive</i>, and <i>complete communities</i>;</li> <li>b) incorporate climate change considerations in planning for and the development of <i>infrastructure</i>, including stormwater management systems, and <i>public service facilities</i>;</li> <li>c) support energy conservation and efficiency;</li> <li>d) promote <i>green infrastructure</i>, <i>low impact development</i>, and <i>active transportation</i>, protect the environment and improve air quality; and</li> <li>e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the <i>impacts of a changing climate</i>.</li> </ul>	<p>The proposed development represents compact development through the intensification of lands and optimization of existing infrastructure. It is transit-supportive being located close to an existing transit route (Amherstburg Connection Route 605) and promotes active transportation based on the location of the Subject Site in the community.</p>
3.6 Sewage, Water and Stormwater		
3.6.2	<p><i>Municipal sewage services</i> and <i>municipal water services</i> are the preferred form of servicing for <i>settlement areas</i> to support protection of the environment and minimize potential risks to human health and safety. For clarity, <i>municipal sewage services</i> and <i>municipal water services</i></p>	<p>The proposed development will utilize existing municipal sewage services and municipal water services.</p>

PPS POLICY	POLICY	RESPONSE
	include both centralized servicing systems and decentralized servicing systems.	
3.6.8	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;</li> <li>b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;</li> <li>c) minimize erosion and changes in water balance including through the use of <i>green infrastructure</i>;</li> <li>d) mitigate risks to human health, safety, property and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces;</li> <li>f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and <i>low impact development</i>; and align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a <i>watershed scale</i>.</li> </ul>	The proposed development will utilize the existing municipal stormwater management systems, mitigating risks to human health, safety, property and the environment.

# COUNTY OF ESSEX OFFICIAL PLAN (2014)

The County of Essex Official Plan (2014) establishes a policy framework for managing growth, protecting resources and providing direction on land use decisions during the planning period to 2031. The County of Essex Official Plan provides the fundamental policy framework from which more detailed land use planning can be continued by the local municipalities. This policy document:

- Implements the Provincial Planning Statement at the County level;
- Provides a policy framework that will provide guidance and direction to the seven local municipalities in their preparation and future interpretation of updated local Official Plans, Official Plan amendments and Zoning By-laws; and
- Establishes a policy framework for coordination and cooperation between municipalities, both internal and external to the County, on planning, development, resources and inter-municipal servicing issues that cross municipal boundaries.

The following table provides a summary of the key policy considerations of the County of Essex Official Plan (2014), as it pertains to the proposed redevelopment of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

COUNTY OP POLICY	POLICY	RESPONSE
Section 2.0 – Planning Framework & General Policies		
2.1 Planning Context		
2.10	Sewage and Water Systems - The County encourages new development to proceed on the basis of full municipal sewage services and municipal water services and local municipalities are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.	The proposed development makes use of existing municipal services, which demonstrates efficient and environmentally responsible development.
2.13 (a, b, d)	Energy, Air Quality & Green Infrastructure - It is a policy of this Plan to support energy efficiency, improved air quality, and the use of green infrastructure by considering the following during planning and development review functions: <ul style="list-style-type: none"> <li>a) Whether the proposal promotes active transportation as outlined in Section 2.8 of this Plan, and in particular, provides enhanced walking and cycling opportunities.</li> </ul>	The Subject Site adds to the mix of housing types in the community and is located conveniently near bus stops for the Amherstburg Connection Route 605, which provides transit connectivity through the Town. This is an opportunity to reduce vehicle trips with the use of existing public transit infrastructure. In addition, the proposed development has direct access to the Town's sidewalk

COUNTY OP POLICY	POLICY	RESPONSE
	<p>b) Whether the proposal locates land uses in such a manner that reduces the distance and number of vehicle trips.</p> <p>d) Whether the design incorporates compact form, efficiently uses land and where appropriate, a mixture of uses and housing types.</p>	network, enhancing opportunities for walking and supporting modes active transportation.
<b>2.5 Water Resources Management</b>		
2.5.1.1	<p>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. Schedule "C3" maps the three Intake Protection Zones within and surrounding the County.</p> <p>Intake Protection Zone 2 (IPZ-2) is the area of water and land that is outside IPZ-1 and accounts for the influence of nearby watersheds, where runoff may pick up pollutants and affect water quality in the near-shore water at municipal intakes. IPZ2 areas generally encompass areas within a few kilometres of the intakes and are based on a two-hour time of travel for the flow of water along the shores and in the tributary watersheds.</p> <p>Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice, the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.</p>	The proposed use does not include fuel storage, fuel transportation or an industrial use. As such, the residential development would not be a significant threat in the location proposed.
<b>Section 3.0 – Land Use Policies</b>		
<b>3.2 Settlement Areas</b>		
3.2.2	<p>The following goals are established for those lands designated as "Settlement Areas" on Schedule "A1":</p> <p>a) Support and promote public and private re-investment in the Primary Settlement Areas.</p>	<p>The Subject Site is within a Settlement Area, as identified by Schedule "A1" of the County of Essex Official Plan.</p> <p>The proposed residential development is compact, making</p>



COUNTY OP POLICY	POLICY	RESPONSE
	<p>b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.</p> <p>c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.</p> <p>e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.</p> <p>i) Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.</p> <p>j) Promote affordable housing within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.</p>	<p>efficient use of land and municipal infrastructure. The development adds to the range of housing types within the Town at price points that are affordable for more community members.</p>
3.2.4	<p>Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County. The locations and boundaries of the Primary Settlement Areas within the County have been identified on Schedule "A2".</p>	<p>The Subject Site is within a Primary Settlement Area, as identified by Schedule "A2" of the County of Essex Official Plan.</p>
3.2.4.1	<p>The following policies apply to Primary Settlement Areas:</p> <ul style="list-style-type: none"> <li>a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.</li> <li>b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be</li> </ul>	<p>The Subject Site is within a Primary Settlement Area, as identified by Schedule "A2" of the County of Essex Official Plan.</p> <p>The proposed development is located on full municipal sewage, water, and stormwater management services. This will minimize land consumption and reduce servicing costs. The proposed development promotes a healthy mixture of housing types with access</p>

COUNTY OP POLICY	POLICY	RESPONSE
	<p>walkable communities with public transit options (or long-term plans for same).</p> <p>d) All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.</p> <p>f) 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.</p> <p>h) All types of land use are permitted within the "Settlement Areas" designation subject to the specific land use policies of the local Official Plans.</p> <p>i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.</p>	to public transit and active transportation routes.
3.2.6	<p>The following policies apply to all "Settlement Areas" identified on Schedule "A1" of this Plan:</p> <p>b) The County supports residential intensification within Primary Settlement Areas.</p> <p>d) Local Official Plans are encouraged to establish land requirement needs based on densities which meet the following:</p> <p>i) Efficiently use land, resources, infrastructure and public service facilities.</p> <p>ii) Avoid the need for unnecessary and/or uneconomical expansion of infrastructure.</p> <p>iii) Support the use of public transit where available or where it can be provided in future years.</p>	The proposed development supports residential intensification within a Primary Settlement Area. It makes use of existing municipal infrastructure and supports the use of public transit.

COUNTY OP POLICY	POLICY	RESPONSE
	<ul style="list-style-type: none"> <li>iv) Are appropriate to the type of sewage and water systems which are planned or available.</li> <li>e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area as outlined below:               <ul style="list-style-type: none"> <li>i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification, redevelopment and if necessary, lands which are designated and available as defined by Provincial Policy.</li> <li>ii) Maintaining at all times, where new development is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.</li> <li>iii) Permitting and facilitating all forms of housing, including special needs housing, required to meet the social, health and well-being requirements of current and future residents.</li> </ul> </li> <li>f) Local Official Plans are encouraged to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure.</li> <li>g) It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:               <ul style="list-style-type: none"> <li>i) Make provision such that infrastructure and public service facilities will be available to accommodate projected growth.</li> <li>ii) Provide a supply of land to meet long term requirements.</li> <li>iii) Provide for an efficient, cost effective, reliable, multi-modal transportation system that is integrated with adjacent</li> </ul> </li> </ul>	

COUNTY OP POLICY	POLICY	RESPONSE
	<p>systems and those of other jurisdictions and is appropriate to address expected growth.</p> <p>iv) Conserve energy and water by providing for energy and water efficiency.</p>	
3.2.7	<p>The County encourages well-planned intensification development projects in the “Settlement Areas” to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community. The County also specifically encourages residential intensification and redevelopment within Primary Settlement Areas in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities.</p> <p>The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment. Implementation and annual reporting to the County on meeting this target will be the responsibility of the local municipalities.</p>	<p>The residential development represents an opportunity for intensification within a Primary Settlement Area. The proposed development makes efficient use of the land and is located with access to existing municipal infrastructure.</p>

# TOWN OF AMHERSTBURG OFFICIAL PLAN (2010)

The Town of Amherstburg Official Plan (2010) establishes a policy framework to guide development and implementing by-laws for the municipality until the year 2025. The Town of Amherstburg Official Plan provides guidance for the physical development of the Town through the establishment of land use patterns and development policies while having regard to relevant social, economic, and environmental issues. This policy document has the purpose of:

- Identifying and establishing policies for the desired direction and order of all future development within the Town to the year 2025;
- Guiding future economic, social, environmental, and land use changes within the municipality to the year 2025;
- Providing a policy framework which encourages growth and prosperity in the municipality and strengthens the Town's role as a desirable place to work, live, and visit by maintaining and enhancing the Town's physical and cultural resources which are the basis of the community's desirability and economic wellbeing;
- Interpreting and applying the intent of Provincial legislation, regulations and policies to the Town of Amherstburg in a manner which reflects the regional interests;
- Ensuring that good agricultural land is preserved for agricultural use through the protection of the land base by directing land uses that are not related to, or compatible with agriculture, away from the agricultural areas while permitting economic opportunities, on the farm job creation, and the continued presence of existing social and recreational support facilities within the rural portion of the Town;
- Ensuring that the minimum agricultural operation unit size or farm parcel size is sufficient for the typical agricultural operation while also permitting farming operations to adjust to changing economical and technological conditions;
- Developing planning policies and implementing regulations that will respect the natural, cultural, and heritage features of the Town, including minimizing any adverse impacts on the natural environment, wildlife habitat, natural heritage features and areas, protecting significant environmental features and the water quality of the area watershed through the application of good management practices;
- Establishing a land use pattern that ensures sufficient lands have been identified in settlement areas for development to accommodate a variety of housing and employment opportunities to meet current and future needs;
- Developing policies that would prohibit uncontrolled development throughout the municipality, ensure a logical and orderly pattern of development in accordance with the servicing capabilities of the Town and with due regard to the cumulative impacts of development on the natural environment and surrounding land uses;
- Encouraging the provision of affordable housing in a variety of designated locations and a variety of dwelling types;

- Ensuring that all future development occurs at a pace which is within the financial capability of the Town;
- Informing the private sector of the type and standard of development that will be permitted within the Town in the future;
- Guiding Council, various committees, staff and other regulatory agencies in carrying out the goals, objectives and policies of this plan;
- Establishing a framework for public involvement in the implementation, review or amendment of the Plan's goals, policies and land use decisions; and
- Providing a frame of reference for future detailed studies which may be undertaken when considered necessary by Council.

The following table provides a summary of the key policy considerations of the Town of Amherstburg Official Plan (2010), as it pertains to the proposed redevelopment of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

TOWN OP POLICY	POLICY	RESPONSE
Section 2 – Land Use Management Strategy for Development		
2.1	<p>In order to effectively accommodate the current and future inhabitants of the Town of Amherstburg in an orderly and logical manner the following general development policies and principles shall be applied to all land use designations and development within the Town.</p> <p>The Town of Amherstburg will endeavour to ensure that:</p> <p>(4) residential amenities are maintained; and,</p> <p>(6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available without undue additional cost.</p> <p>Council will promote the economic growth by promoting Amherstburg and cooperating with the Federal Government, the Province, and the County to attract industry and commerce to the Town.</p> <p>The Land Use Management Strategy for Development policies of this Plan have been established in order that future development of the Planning Area is controlled in an orderly and systematic basis. New development or</p>	<p>The proposed residential development will add to the residential units available within the Town and will utilize existing municipal infrastructure.</p>

TOWN OP POLICY	POLICY	RESPONSE
	redevelopment in Amherstburg should follow the guidelines outlined below.	
2.2	In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Town or by the developer. As per Section 34(5) of the Planning Act, R.S.O. 1990 c.P.13, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning.	The Subject Site is located with access to adequate public services and will utilize existing municipal services. This development is economically feasible for the Town.
2.3	Prior to the approval of any development or amendment to this Plan or the Zoning By-Law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that: (1) soil and drainage conditions are suitable to permit the proper siting of buildings; (2) the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development; (3) the road system is adequate to accommodate projected increases in traffic; (4) the land fronts on a public road (unless specifically noted as an approved private road) which is of a reasonable standard of construction; (5) lot frontage and area is suitable for the proposed use and conforms to the standard required by the implementing By-Law; and, (6) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing adjacent use or on the natural environmental features and functions.	The Subject Site is suitable for development as the proposed development fronts onto a public road and can be adequately accommodated by existing public services, utilities, and rights-of-ways. The proposed development does not have any adverse impacts on any natural environmental features and the buildings are sited properly on the property, conforming to the standards required by the Zoning By-law.
<b>2.6 – Water Supply and Sewage Disposal</b>		
2.6.1	Public Piped Systems - Urban development or redevelopment in the Town of Amherstburg shall be directed to established Settlement Areas and	The proposed development is located within a Settlement Area, as identified by Schedule “A1” of the

TOWN OP POLICY	POLICY	RESPONSE
	<p>developed on the basis of public piped water and sanitary sewer systems. In certain instances, this may entail extensions and/or improvements to the existing public piped systems in order to service areas of new urban development.</p> <p>Where the servicing of new urban development requires extensions and/or improvements to the existing public piped systems, such servicing will generally be financed, constructed, and maintained by the developer before being turned over to the Town.</p>	County of Essex Official Plan. The Subject Site will utilize the existing public piped water and sanitary sewer systems.
2.6.4	<p>New proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site. Any development on public piped, private communal, private individual on-site or partial services within a Settlement Area must be within the uncommitted reserve sewage system and uncommitted reserve water system capacity. The determination of sufficient reserve sewage system capacity shall include treatment capacity for any hauled sewage from private systems. The availability of uncommitted reserve capacity shall be determined by qualified engineers to the satisfaction of the Town and shall be based on the Ministry of Environment policies and guidelines.</p>	The proposed development has access to existing uncommitted reserve water and sewage treatment capacity that is adequate to support the residential development.
2.7	<p>Stormwater management shall be required to ensure that runoff is controlled such that development does not increase peak flows to any greater extent than pre-development runoff in watercourses that impact on downstream flooding, to institute runoff control to prevent accelerated enrichment of watercourses from pollutants, and to enhance water quality and aquatic habitat.</p> <p>Prior to any development being allowed to proceed, and if required by the Town of Amherstburg and/or the Essex Region Conservation Authority, the developer shall undertake an Engineering Study to determine the effect of increased run-off due to development of the site, and to identify stormwater management measures as necessary to control any increases in flows in</p>	As part of the proposed development, stormwater management is controlled to avoid impact on downstream flooding and control runoff.



TOWN OP POLICY	POLICY	RESPONSE
	<p>downstream watercourses, up to and including the 1:100 year design storm, and to control the quality of the stormwater discharge from the site.</p> <p>It shall be the responsibility of the developer to install the stormwater management measures identified in the study as part of the development of the site, to the satisfaction of the Town and the Essex Region Conservation Authority</p>	
2.11	<p>The proposed development and redevelopment of all land in the Town must generally be compatible with adjacent land uses. Residential areas and other sensitive land uses, such as nursing homes, shall be protected from undesirable air quality and excessive noise and vibration through the policies of this Plan and the use of Site Plan Control.</p> <p>Developers proposing to locate residential or other sensitive land uses near industry, railway lines, and/or arterial roads may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the Ministry of Environment and/or the Town and which meet the Ministry's recommended sound and vibration limits.</p>	The proposed development is compatible with surrounding land uses and is protected from undesirable air quality and excessive noise and vibration.
Section 4 - Settlement Areas – Land Use Policies		
4.2 Residential Uses		
4.2.1	<p>It is the intention of this Plan to ensure that sufficient lands have been placed in various Residential designations to accommodate the anticipated population in a suitable variety of locations, densities, and unit types. This Plan also intends to ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, and incorporates energy efficient aspects in its design.</p> <p>The Plan also intends to encourage the development of economical housing in a suitable environment. Existing housing and existing residential areas shall be preserved and improved.</p>	The proposed development is appropriately located, with access to full municipal services and being compatible with surrounding land uses. Through the proposal, housing options will be provided to the mix of unit types available in the Town.
4.3 Residential Land Use Designations		
4.3.1.1	Areas designated as Low Density Residential shall be limited to single detached, semi-detached,	The proposed development is for four (4) semi-detached dwelling units over two (2) lots with a density

TOWN OF POLICY	POLICY	RESPONSE
	<p>duplex, or converted dwelling units, home occupation uses and public uses.</p> <p>Although the existing densities within areas designated Low Density Residential are in the order of 6 to 12 units per hectare, smart growth encourages a more cost effective development pattern to better utilize services and the land base. In a desire to promote more efficient use of the land, the maximum density for single detached developments shall be 15 units per hectare and the maximum density for semi- detached development and conversions shall be 22 units per hectare. The overall maximum density shall not exceed 19 units per gross hectare.</p>	<p>of 20.74 units/hectare well below the maximum 22 unit/hectare permitted. This proposal is within the permitted maximum density for semi-detached dwellings in the Low Density Residential land use designation.</p>
4.3.1.3	<p>Medium and High-Density Residential Policies for areas Designated Low Density As outlined in Subsection 4.2.3(4) a variety of residential building types and densities are desired to meet the needs of all residents and future residents of the Town.</p> <p>For proposals of Medium Density Residential and High-Density Residential development in areas presently undeveloped and designated on Schedule "B" as Low Density Residential, at least two of the location criteria listed below shall be present before such a site would be considered to have acceptable location characteristics.</p> <ul style="list-style-type: none"> <li>a) Frontage on an arterial street as indicated on Schedule "D" of this Plan;</li> <li>b) Abutting major public parks as indicated on Schedules "A" and "B" of this Plan;</li> <li>c) Abutting a commercial area as indicated on Schedules "A" and "B" of this Plan;</li> <li>d) The vacant parcel is at least 5 hectares in size.</li> </ul> <p>The following additional items will be considered when reviewing the appropriateness of applications to amend the comprehensive Zoning By-Law to permit medium or high- density residential uses in an area designated Low Density Residential:</p>	<p>The proposed residential development abuts open space and is located in close proximity (&lt;0.5km) to a large public park. The proposed development is appropriately located, with access to full municipal services and being compatible with surrounding land uses. The traffic generated by the proposed development is not anticipated to negatively affect the capacity of existing rights-of-ways. Adequate off-street parking is provided for each proposed unit and proposed building setbacks are adequate to protect the privacy of surrounding residential properties.</p>

TOWN OP POLICY	POLICY	RESPONSE
	<p>a) general compatibility with existing uses in close proximity to the proposed development;</p> <p>b) the capacity of the roads affected and their ability to handle the expected increases in traffic;</p> <p>c) the adequacy of services to serve the proposed development;</p> <p>d) the adequacy of off-street parking facilities to serve the proposed development;</p> <p>e) the provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties; and</p> <p>f) the proposal's conformity with the Provincial Planning Statement on Housing.</p>	
Section 6 - Development Policies		
6.6 Housing Policies		
6.6.1	<p>The Town of Amherstburg is concerned about the availability, affordability and appropriateness of the existing and future housing stock of the Town.</p> <p>The existence of serviced and/or serviceable land can influence the supply and therefore the availability of building lots, and because the mix of housing type can influence issues such as the correct fit between available housing stock to family structures and because lot size can affect the price of the finished home; the Town of Amherstburg has deemed it appropriate to try and influence the development industry and assist in directing it towards supplying the most appropriate mix of housing stock to meet the Town's residential needs.</p>	<p>The proposed development is located on lands serviced by existing municipal infrastructure and with access to public transportation. The proposed development of semi-detached dwellings adds to the mix of housing stock available in the Town. The proposed development will help the Town meet the needs for residential units.</p>
6.6.3.3	<p>The Town shall encourage and assist, where possible, in the production of an adequate supply and mix of affordable housing by:</p> <p>a) expediting the development approval process and other administrative requirements;</p>	<p>The proposed residential development is compact, making efficient use of land and municipal infrastructure. The development adds to the range of housing types within the Town at price points that are affordable for more community members.</p>

TOWN OP POLICY	POLICY	RESPONSE
Section 7 - Implementation		
7.2 Zoning By-Law		
7.2.1	<p>It is intended that a comprehensive Zoning By-Law shall be brought into effect in accordance with the provisions of the Planning Act by the Council of the Town of Amherstburg. Such bylaw shall zone land in accordance with the designations and policies contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures. No application may be approved or by-law passed that does not conform to this Plan, save and except a by-law pursuant to Section 24 of the Planning Act, R.S.O. 1990. Lands designated on Schedules "A" and "B" may be zoned to a "Holding" or "Agricultural" Zone pending their appropriate timing for their respective uses in accordance with the designations as shown on the Land Use Plan and policies related thereto, when Council is satisfied that the resulting development is desirable and appropriate.</p>	<p>A Zoning By-law Amendment is required to facilitate the proposed development. The Zoning By-law Amendment conforms with the Town of Amherstburg Official Plan.</p>

# APPENDIX C

## Town of Amherstburg

### Zoning By-law No. 1999-52



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### ZONING BY-LAW

NO. 1999-52

### OFFICE CONSOLIDATION

This publication represents an **Office Consolidation** only of By-law No. 1999-52, as amended up to and including October 25, 2022; and is prepared for purposes of convenience only and is not to be construed as an enactment of the Town Council. The parent By-law and all of its amendments are available in the Town Clerk's Office, 271 Sandwich Street South, Amherstburg, Ontario N9V 2A5.

**MAY, 2023**

## SECTION 9 RESIDENTIAL THIRD DENSITY (R3) ZONE

### (1) SCOPE

The provisions of this Section shall apply in all Residential Third Density (R3) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

### (2) USES PERMITTED

No person shall within any R3 Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R3 uses, namely:

- (i) single detached dwelling;
- (ii) semi-detached dwelling;
- (iii) duplex dwelling;
- (iv) lodging house;
- (v) bed and breakfast establishment;
- (vi) converted dwelling;
- (vii) existing places of worship;
- (viii) home occupation;
- (ix) accessory uses;
- (x) public use.

### (3) ZONE REQUIREMENTS

No person shall within any R3 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

- |                            |  |                          |
|----------------------------|--|--------------------------|
| (a) Lot Area (Minimum)     |  |                          |
| (i)                        | Single detached dwelling unit, converted,<br>lodging house         | 460 m <sup>2</sup>       |
| (ii)                       | Duplex dwelling  | 560 m <sup>2</sup>       |
| (iii)                      | Semi-detached dwelling   | 650 m <sup>2</sup>       |
|                            | Semi-detached unit   | 280 m <sup>2</sup>       |
| (b) Lot Frontage (Minimum) |  |                          |
| (i)                        | Single detached dwelling unit, duplex,<br>converted, lodging house | 12 m<br>(By-law 2006-61) |
| (ii)                       | Semi-detached dwelling   | 18 m                     |
|                            | Semi-detached dwelling unit  | 8.5 m                    |
| (c)                        | Front Yard Depth (Minimum)   | 6 m                      |

- |     |  |                   |
|-----|--|-------------------|
| (d) | Interior Side Yard Width (Minimum)   | 1.5 m             |
|     | Provided that on a lot where there is no attached private garage or attached carport the minimum interior side yard width shall be 2.5 m on one side and 1.5 m on the other side |                   |
| (e) | Exterior Side Yard Width (Minimum)   | 6 m               |
| (f) | Rear Yard Depth (Minimum)  | 7.5 m             |
| (g) | Lot Coverage (Maximum)   | 35%               |
| (h) | Landscaped Open Space (Minimum)  | 30%               |
| (i) | Dwelling Unit Area (Minimum)   |                   |
|     | (i) Single detached unit   | 75 m <sup>2</sup> |
|     | (ii) Semi-detached and duplex unit   | 65 m <sup>2</sup> |
|     | (iii) Converted, lodging house or tourist establishment per unit   | 30 m <sup>2</sup> |
| (j) | Height (Maximum)   | 8.5 m             |
| (k) | Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.  |                   |

(4) SPECIAL PROVISIONS

(a) R3-1 (DETROIT RIVER RESIDENTIAL LOTS)

Notwithstanding any provisions of this By-law to the contrary, within any area designated R3-1 on Schedule "A" hereto, the following special provisions shall apply:

i. Zone Requirements

1. Rear Yard Depth (Minimum)

7.5 m or the established waterfront building line, whichever is the greater. For the purpose of this Section, established waterfront building line shall be calculated by taking the average depth of the existing main building on the two adjacent lots as measured from water's edge to the closest exterior wall of the main building and parallel to the front lot line. Where there is an existing building on only one side of



# APPENDIX D

## Development Renderings













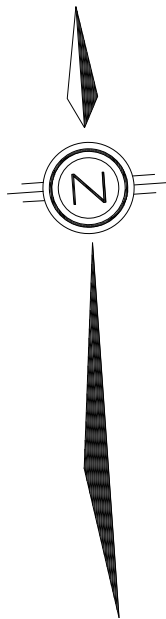




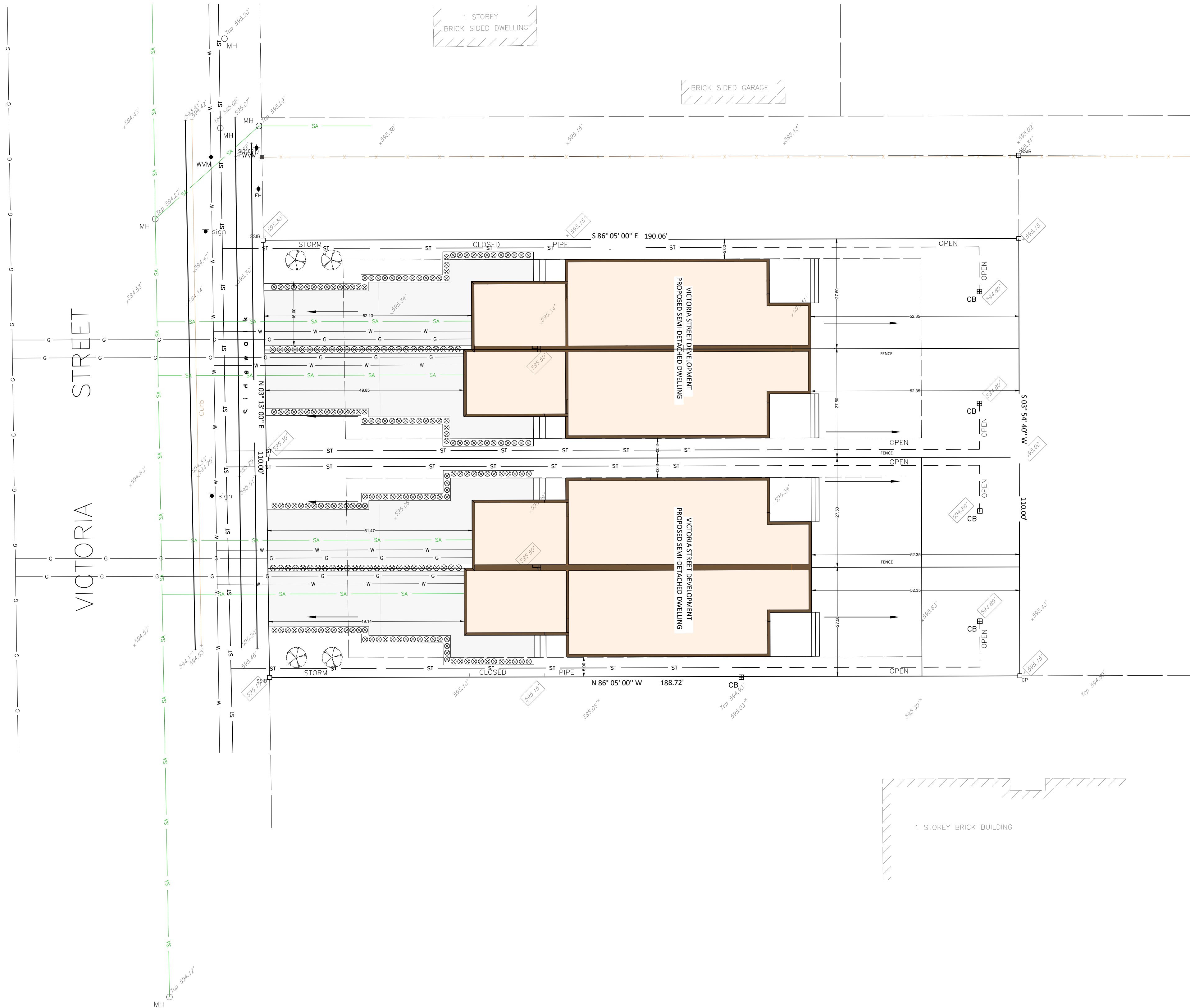








CAUTION  
UNDERGROUND UTILITIES AND SERVICES SHOWN ON THIS PLAN ARE  
APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

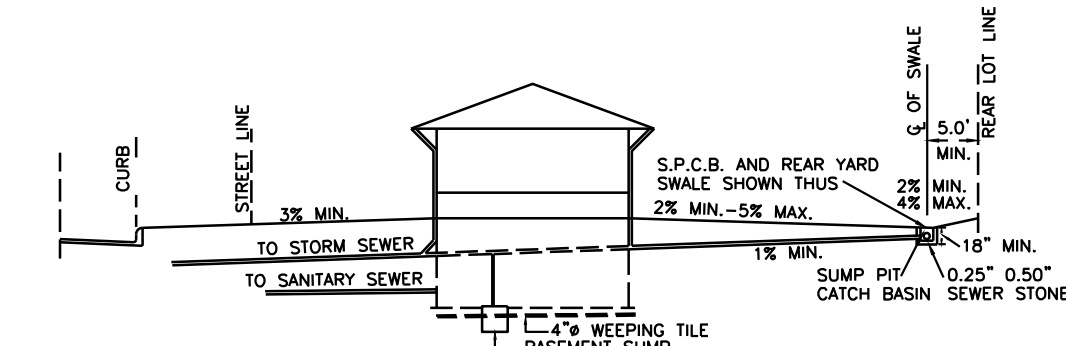


IN FILL LOT GRADING SKETCH  
OF  
PART OF BLOCK 'A'  
REGISTERED PLAN 1066  
IN THE  
TOWN OF AMHERSTBURG  
COUNTY OF ESSEX

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

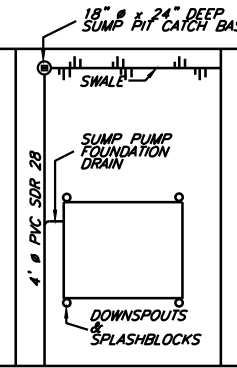
SCALE : 1"=15'  
0 7.5 15.0 30.0 45.0 75.0 FEET

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE  
IN FEET AND CAN BE CONVERTED TO METRES BY  
MULTIPLYING BY 0.3048



TYPICAL LOT DRAINAGE  
NOT TO SCALE

- NOTE
1. STORM CONNECTIONS TO PROVIDE REAR YARD DRAINAGE AND WEEDING TILE FROM BASEMENT SUMP.
  2. SANITARY CONNECTIONS TO CARRY DOMESTIC SEWAGE ONLY.
  3. LOT GRADING TO DIRECT WATER AWAY FROM HOUSE TO EITHER ROAD OR REAR YARD DRAIN.
  4. SOLID STORM DRAIN TO 10 FEET BEYOND HOUSE AS SHOWN.
  5. PERFORATED PIPE FOR REAR YARD DRAINAGE AS SHOWN.
  6. CONNECT 4" WEEDING TILE TO BASEMENT SUMP AND DISCHARGE TO STORM SEWER.
  7. CLEAN-OUTS TO BE LOCATED EVERY 50 FEET MAXIMUM.



PLAN VIEW  
NOT TO SCALE

ENSURE OUTSIDE EXISTING  
TRENCH (BOTH SIDES) ARE  
CLEANED TO ORIGINAL GROUND

STORM SEWER

REMOVE EXISTING STONE BEDDING  
BACKFILL AND REPLACE WITH  
LEAN GROUT/BENTONITE 0.3 m  
BELOW EXISTING BEDDING  
1.0 m IN LENGTH

IMPORTED CLAY (IMPERVIOUS)

IF NATIVE BACKFILL IS NOT CLAY

CLAY BACKFILL

(COMPACTED TO SPECIFICATION)

0.3m GRANULAR BEDDING

MUST BE INSTALLED BETWEEN JOINTS

20 cm SEWER STONE (Min.)

UNDISTURBED SOIL

EXCAVATE 20 cm BELOW PIPE  
BEDDING (FOR EXISTING PIPE ONLY)

SUMP PUMP OVERFLOW DISCHARGE PIPE

595.40' DENOTES EXISTING ELEVATION

595.75' DENOTES PROPOSED ELEVATION

ELEVATIONS

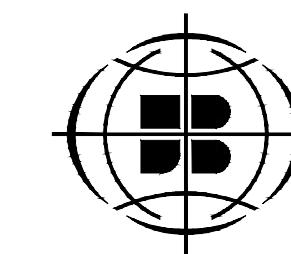
GEODETIC ☒

ASSUMED ☐

Existing Elevations have been derived on the  
following Date : 19th. DECEMBER 2024.

DATE JANUARY 15, 2025.

Alec S. Mantha  
ALEC S. MANTHA  
ONTARIO LAND SURVEYOR

 **VERHAEGEN**  
LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.  
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1  
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

SURVEYING  
MAPPING  
GIS

DRAWN BY: NMG/CMM CHECKED BY: AM REFERENCE NO.: 24-47-642-00

CAD File: 24-47-642-00.dwg  
CAD Date: April 2, 2025 8:55 AM

File: E-1066-BLOCK 'A'

74cm x 0.5 24.0 m<sup>2</sup>  
64cm x 28.0 m<sup>2</sup> (5.0 ft<sup>2</sup>)



V/L Victoria Street S – ZBA-06-25 Site Photos



Image 1: Photo of subject site facing east





Image 2: Photo of subject site facing south-east





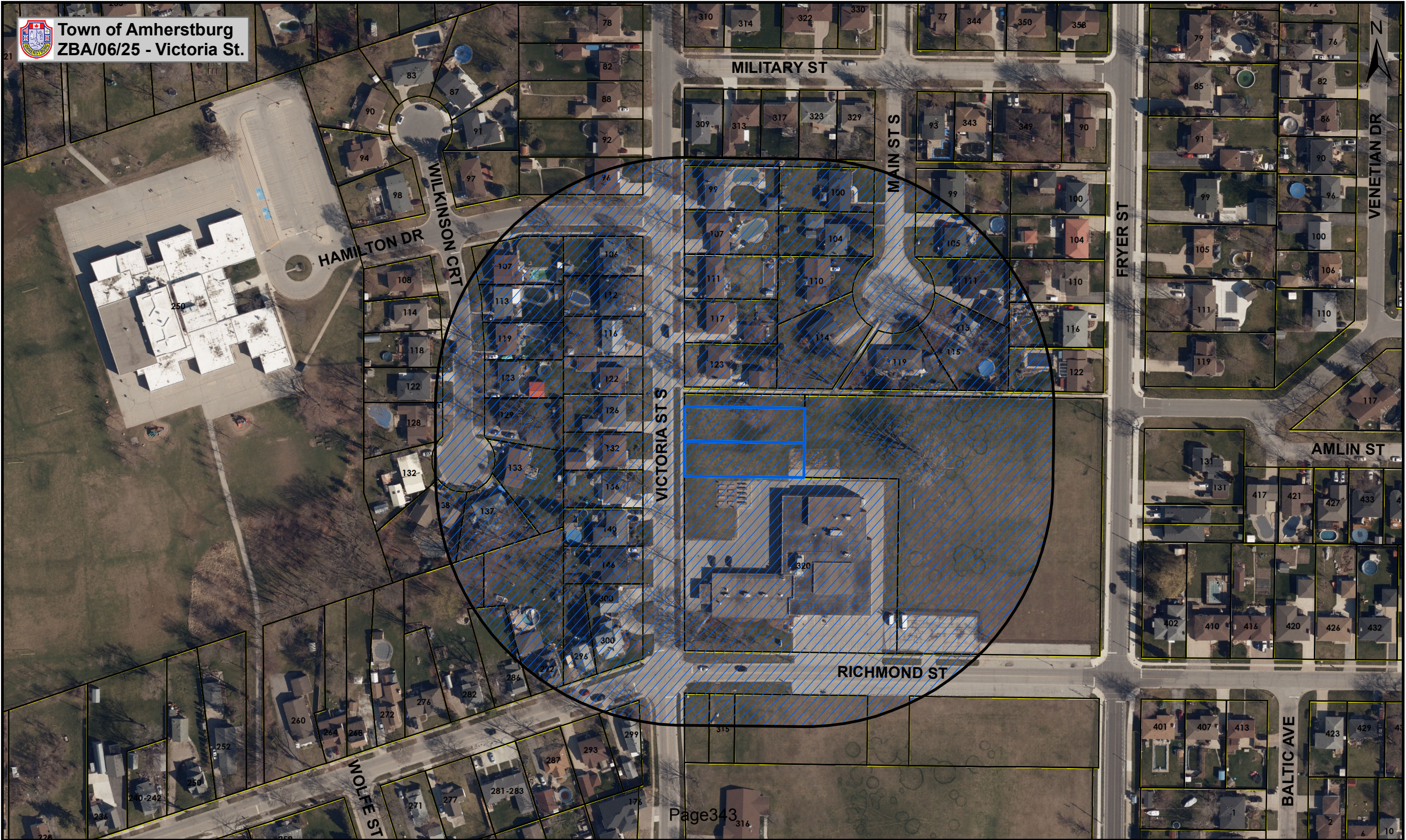
Image 3: Photo of Victoria Street in front of the subject site

# ZBA/06/25 - Victoria St.

ARN	ADD1	STREETNAME
372922000001500	133	WILKINSON CRT
372922000009400	286	RICHMOND ST
372922000009500	292	RICHMOND ST
372922000000700	116	VICTORIA ST S
372922000000500	126	VICTORIA ST S
372922000001600	137	WILKINSON CRT
372922000000400	132	VICTORIA ST S
372922000000600	122	VICTORIA ST S
372922000001800	132	WILKINSON CRT
372922000009700	300	RICHMOND ST
372922000000100	146	VICTORIA ST S
372922000002000	122	WILKINSON CRT
372922000001700	138	WILKINSON CRT
372922000009300	282	RICHMOND ST
372922000001900	128	WILKINSON CRT
372922000001200	119	WILKINSON CRT
372922000000300	136	VICTORIA ST S
372922000001300	123	WILKINSON CRT
372922000000800	112	VICTORIA ST S
372922000003200	96	VICTORIA ST S
372922000001000	107	WILKINSON CRT
372922000002100	118	WILKINSON CRT
372922000001400	129	WILKINSON CRT
372922000001100	113	WILKINSON CRT
372922000000200	140	VICTORIA ST S
372922000000900	106	VICTORIA ST S
372922000009600	296	RICHMOND ST
372914000004800	299	RICHMOND ST
372915000000300	315	RICHMOND ST
372915000000250		RICHMOND ST
372915000000400		RICHMOND ST
372915000000500		RICHMOND ST
372921000000100	320	RICHMOND ST
372921000000109		
372921000000107		
372921000000108		
372921000000102		RICHMOND ST
372921000000800	313	MILITARY ST
372921000004700	323	MILITARY ST
372921000000500	107	VICTORIA ST S
372921000000600	99	VICTORIA ST S
372921000005700	99	MAIN ST S
372921000005300	119	MAIN ST S

372921000000300	117	VICTORIA ST S
372921000004900	100	MAIN ST S
372921000005200	114	MAIN ST S
372921000000700	309	MILITARY ST
372921000005500	111	MAIN ST S
372921000000400	111	VICTORIA ST S
372921000005100	110	MAIN ST S
372921000005000	104	MAIN ST S
372921000000200	123	VICTORIA ST S
372921000005600	105	MAIN ST S
372921000010400	122	FRYER ST
372921000010300	116	FRYER ST
372921000005400	115	MAIN ST S
372921000010200	110	FRYER ST
372921000000900	317	MILITARY ST









## Summary of Correspondence Received on Proposed ZBA for Victoria Street

Below is a summary of the comments received by the Planning Services Division on ZBA/06/25 as of March 6, 2025.

### Essex Region Conservation Authority:

See attached letter

### Essex Powerlines

Developer/customer must reach out to EPL to discuss their power needs. We will provide a meter spot and determine which location the power will come from.

### Infrastructure Services:

See attached letter.

### Fire Department:

No comments

### Windsor Police:

No comments



2025-03-06

File Number: 0445-25

Sarah French

Planner

Town of Amherstburg Libro Centre

Amherstburg, ON

N9V 2Y8

RE: ZBA-06-25 Rezone to permit semi-detached dwellings  
320 RICHMOND ST

The Town of Amherstburg has received Application for Zoning By-Law Amendment ZBA-06-25. This rezoning application will affect approximately 0.19 ha (0.48 ac) ± of land described as Parts 1 and 2 on 12R-29344 municipally known as Vacant Land Victoria Street S. The subject lands are currently zoned Residential First Density (R1) Zone and designated Low Density Residential in the Town's Official Plan.

This rezoning, if approved, change the zoning of the subject lands noted above from the "Residential First Density (R1) Zone" to "Special Provision Residential Third Density (R3-4) Zone".

The effect of the amendment will be to allow additional residential uses on the subject lands, specifically semi-detached dwellings, and all other residential uses as permitted by the Residential Third Density (R3) zone, with a special provision to allow a minimum lot frontage of 16 m for a semi-detached dwelling and a minimum lot frontage of 8 m for a semi-detached dwelling unit. Additionally, the amendment will allow the driveway to be cut at 50% of the lot frontage (13.75 ft) at the Town right-of-way but will flare out to 18 ft within the required front yard. The current R1 zoning does not permit a semi-detached dwelling, therefore the rezoning will facilitate the development of two semi-detached dwellings on the subject lands for a total of four (4) dwelling units, where two (2) single detached dwelling units are currently permitted. All other requirements of the Residential Third Density (R3) Zone provisions will be maintained.

The following comments are provided as a result of our review of ZBA-06-25.

## **NATURAL HAZARDS AND REGULATOR RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21**

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Ontario Regulation 41/24 under the Conservation Authorities Act). As a result, an approval is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act.

## **FINAL RECOMMENDATION**



Our office has no objection to ZBA-06-25.

Sincerely,

*Alicia Good*

Alicia Good  
Watershed Planner





**AMHERSTBURG**

ONTARIO, CANADA

EST. 1796

## MEMO

**To:** Sarah French, Planner

**From:** Sydnee Botham, Development Engineering Coordinator

**Date:** February 28, 2025

**Subject:** ZBA/06/25 – 0 Victoria Street  
Town of Amherstburg

---

The following submission package was reviewed for conformance with Amherstburg's Development Manual and the Windsor-Essex Region Stormwater Manual (WERSM):

- Notice of Statutory Meeting, dated February 26, 2025

Based on the review, we offer the following comments.

### General

1. Engineering review fees per Amherstburg's user fee by-law may be applicable for this development application. The Developer is responsible to borne all costs associated with this review and all subsequent reviews therein.
2. The Applicant shall confirm that each unit have separate sanitary, storm and water connections. If additional services are required to be installed to satisfy this comment, a permit from the Public Works Department must be submitted for review and approval (per property) prior to construction on the newly created lots for the following:
  - a. Water Connection
  - b. Water Meter
  - c. Sanitary Connection
  - d. Storm Connection
  - e. Driveway Entrance/Modification to current driveway entrancePlease contact the undersigned for assistance the Public Works Permit. Fees/deposits outlined in Amherstburg's most recent version of the User Fee by-law are applicable. An overall servicing plan (with driveway layouts/widths) shall be submitted to Infrastructure Services for review and approval prior to commencement of the works.
3. The Applicant will be responsible for the restoration of the roadway and boulevard on Victoria once all sewer connections are completed. The Applicant shall repave the east lane width from the first sewer connection to the last sewer connection. 4 small patch repairs will not be permitted.



**AMHERSTBURG**

ONTARIO, CANADA

EST. 1796

4. All new driveway entrances or modifications to current driveway entrances shall be constructed in compliance with the current Driveway Alteration or Installation Policy.
5. Private Drain Connection (PDC) sheets will be required to be submitted once installation of new services is completed for the newly created lots.
6. There appears to be trees owned by the Town of Amherstburg surrounding the subject properties. The proposed development should be designed to prevent harm or damage to the Town tree and tree root system. The applicant must include a Tree Protection Zone as determined by the Town's Arborist. If any Town-owned tree is impacted, the applicant may be responsible for the cost of removal, cost of planting three (3) trees and the cost of the value of tree as determined by the Town Arborist through a report to the CAO.
7. Traffic Control Plan for the servicing work to be completed on Victoria St shall be submitted to the undersigned prior to the commencement of the work. Infrastructure Services will require 10-day notice prior to any road closures.

If you have any questions, please do not hesitate to contact the undersigned.

---

Sydnee Botham  
Development Engineering Coordinator

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-021**

**By-law to amend Zoning By-law No. 1999-52  
V/L Victoria Street South (Parts 1 and 2, 12R-29344), 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 38 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as “Zone Change from R1 to R3-4” on Schedule “A” attached hereto and forming part of this By-law from “Residential First Density (R1) Zone” to “Special Provision Residential Third Density (R3-4) Zone”.
2. THAT Section 9(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (d) as follows;

“(d) R3-4

Notwithstanding any provisions of this By-law to the contrary, within any area designated R3-4 on Schedule “A” hereto, the zone requirements of Section 9 of this By-law shall apply with the exception of the following special provisions:

- |     |                                |         |
|-----|--------------------------------|---------|
| (i) | Lot Frontage (minimum)         |         |
|     | a. Semi-detached dwelling      | 16.75 m |
|     | b. Semi-detached dwelling unit | 8 m”    |

All other provisions under Subsection 9(3) Zone Regulations shall apply to lands zoned R3-4.

2. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

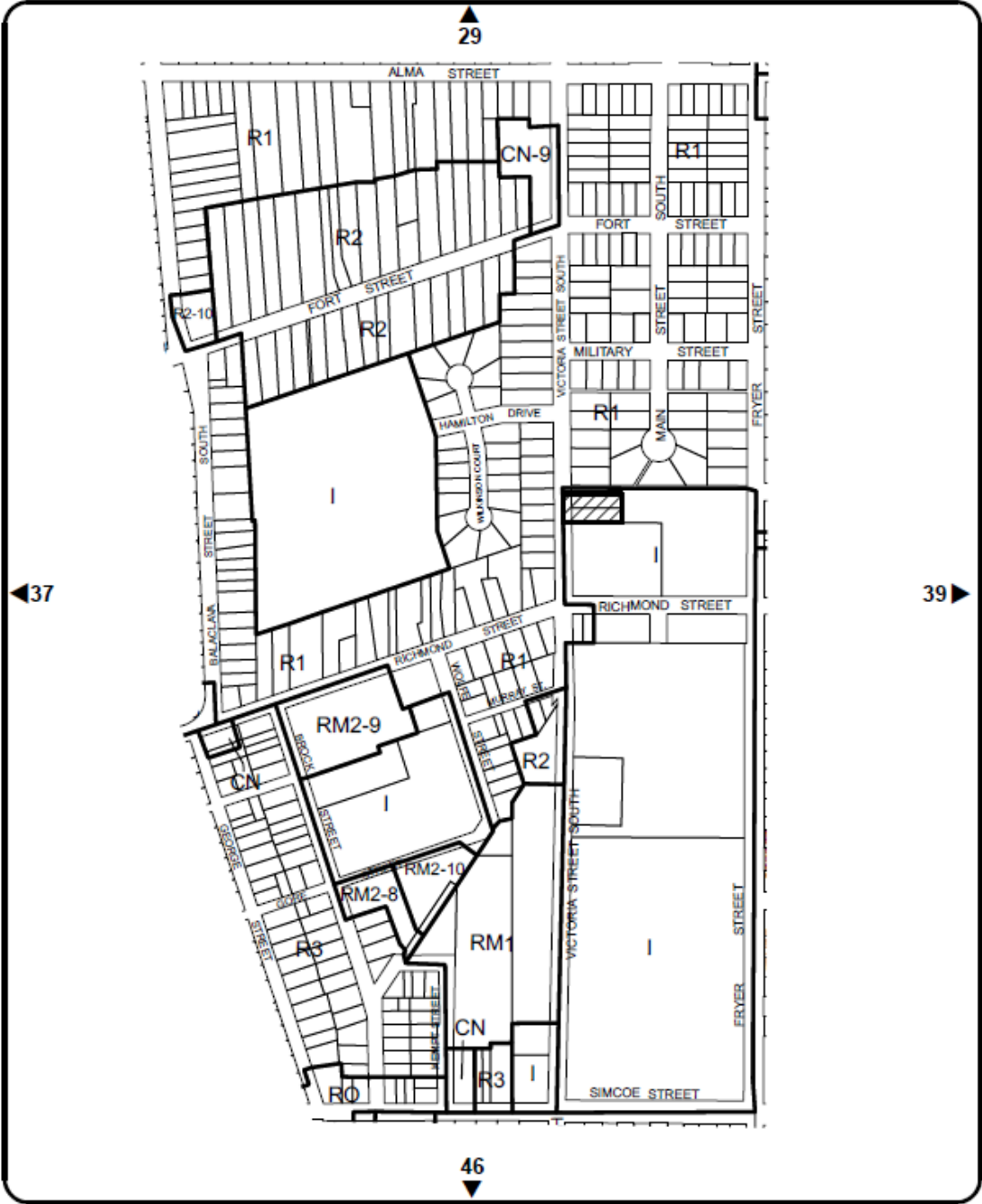
Read a first, second and third time and finally passed this 29<sup>th</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR- MICHAEL PRUE

\_\_\_\_\_  
CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

SCHEDULE “A” TO BY-LAW No. 2025-021  
A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'  
MAP 38

ZONING BY-LAW NO. 1999-52

R1 to R3-4



DRAFT



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Sarah French	Report Date: April 11, 2025
Author's Phone: 519 736-5408 ext. 2145	Date to Council: April 29, 2025
Author's E-mail: sfrench@amherstburg.ca	Resolution #:

**To:** Mayor and Members of Town Council

**Subject:** Zoning By-law Amendment ZBA-04-25 for lands severed from 5010 County Road 18

---

#### 1. RECOMMENDATION:

It is recommended that:

1. **By-law 2025-019** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as the lands severed from 5010 County Road 18 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

#### 2. BACKGROUND:

The lands are the subject of a decision of the Committee of Adjustment for Application B/04/25, which approved a surplus dwelling severance with associated conditions. The rezoning of the subject property to A-49 is a condition of the consent decision. Condition (5) of the decision states:

*5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property. Additionally, that the rezoning restrict livestock within the existing accessory structure, at its current location, on the retained farmland.*

The Town is in receipt of an application for a Zoning By-law Amendment to By-law 1999-52, as amended under Section 34 of the Planning Act, R.S.O. 1990 c.P. 13 from Robert Marc Knight, c/o Amanda Camlis. The subject lands affected by the proposed amendment

are described as Concession 5, Part Lots 44 and 45, municipally known as the retained farmland severed from 5010 County Road 18. The residence and accessory structures which was the subject of the surplus dwelling severance is located at 5010 County Road 18 are not subject to this rezoning. At the conclusion of the severance, the remaining farm parcel subject of the Zoning By-law Amendment will have a total area of 21.05 hectares  $\pm$ .

A Statutory Public Meeting under the Planning Act was held on March 24, 2025, at which no comments were received from members of the community or Council.

In preparing this report to Council, administration has reviewed the submission and the following documents:

- Planning Act, R.S.O. 1990
- Provincial Planning Statement 2024
- County of Essex Official Plan (2014)
- Locally Adopted County of Essex Official Plan (2024)
- Town of Amherstburg Official Plan
- Town of Amherstburg Zoning By-law 1999-52
- Written and Oral comments received

### **3. DISCUSSION:**

The proposed amendment to the Zoning By-law would change the zoning for the subject lands noted above from the “**Agricultural (A) Zone**” to “**Special Provision Agricultural (A-48) Zone**”. The land is designated Agricultural in the Town’s Official Plan. The parcel was the subject of an application for consent (File B/04/25) to sever a dwelling and accessory structures which are surplus to the needs of the farming operation. The rezoning of the subject property to A-48 is a condition of the consent decision.

The effect of the Zoning By-law Amendment will be to allow for general agricultural uses on the subject property and prohibit any new dwelling units on the land. In addition, the Zoning By-law Amendment will restrict the housing of livestock within the accessory structure located on the retained farmland. Due to the proximity of the farm building in relation to the dwellings at 5231 Concession 5 S, 5090 County Road 18 and the proposed surplus dwelling, the building would not be able to meet Minimum Distance Separation requirements for housing livestock. As an accessory building can be converted to house livestock without a building permit, it was recommended that the rezoning include a provision to restrict livestock within the structure at its current location. This will not limit the farmer from building a livestock facility that complies with Minimum Distance Separation, should he want to house livestock on the property in the future.

### ***PLANNING ANALYSIS***

The submitted application is consistent with the Provincial Policy Statement and in conformity with the County of Essex Official Plan and the Town of Amherstburg Official Plan.

The following sections will identify the planning rationale to support the recommendation of this report.



## ***Planning Act (R.S.O. 1990)***

*The purposes of the Planning Act are;*

- “(a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*
- (b) to provide for a land use planning system led by provincial policy;*
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions;*
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;*
- (e) to encourage co-operation and co-ordination among various interests;*
- (f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s”*

*The proposal is consistent with Section 2 of the Planning Act which requires that the Council have regard to matters of provincial interest including (the following are excerpts from Section 2 of the Planning Act that apply to this development):*

- the protection of the agricultural resources of the Province;*
- the adequate provision of a full range of housing, including affordable housing;*
- the appropriate location of growth and development;*

The proposed amendment allows for the protection of the severed farm field by requesting that it be rezoned to restrict any new residential dwellings being built on the property. It also protects neighbouring properties from nuisance factors related to animal farming by ensuring that any structures built for the housing of animals will be required to comply with the Minimum Distance Separation (MDS) setbacks.

## ***Provincial Planning Statement 2024***

The Provincial Planning Statement was issued under section 3 of the Planning Act and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

When reviewing a planning application to determine if the requested Zoning By-law Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Planning Statement (PPS).

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS recognizes that the wise management of development may involve directing, promoting, or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns.

The following policy excerpts from the PPS are particularly applicable to the subject application:

### **4.3 Agriculture**

#### **4.3.1 General Policies for Agriculture**

1. *Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.*
2. *As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.*
3. *Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.*

#### **4.3.2 Permitted Uses**

1. *In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.*

*Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.*

1. *In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*
2. *New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*
3. *A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).*

#### **4.3.3 Lot Creation and Lot Adjustments**

1. *Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:*

- a) *agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;*
- b) *agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;*
- c) *one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:*

1. *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*

*2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and*  
*d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.*

The application is consistent with the Provincial Planning Statement (2024), specifically Section 4.3.3.1(c) which provides for lot creation for a residence surplus to a farming operation as a result of farm consolidation provided that new residential dwellings are prohibited on any vacant remnant parcel created by the severance.

### **County of Essex Official Plan 2014**

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Official Plan Amendment include:

### **3.3 Agricultural**

#### **3.3.2 Goals**

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

- a) To protect prime agricultural areas for agricultural purposes to ensure the continued long-term availability of this resource.*
- b) To promote and protect agricultural uses and normal farm practices on lands within the “Agricultural” designation.*
- c) To allow and encourage farm operators to engage in a wide range of agricultural activities.*
- d) To restrict the type and amount of non-farm development in the “Agricultural” designation by encouraging non-farm uses to locate in the existing “Settlement Areas” identified on Schedule “A1”.*
- e) To only permit the expansions of existing Primary Settlement Areas onto lands designated “Agricultural” where demonstrated need for such an expansion has been justified either through a Local Comprehensive Review or a comprehensive review.*
- f) To discourage lot creation in the “Agricultural” designation and establish a County-wide minimum farm parcel size that protects the agricultural land base from fragmentation. The minimum farm parcel size shall ensure that the size of new agricultural lots are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operation.*
- g) To ensure new farm and non-farm uses comply with the Minimum Distance Separation Formulae, as amended by the Province from time to time.*
- h) To encourage the retention of woodlots as integral components of the farm operation for agroforestry and the other benefits woodlands provide.*

#### **3.3.3.4 Lot Creation**

*The County shall undertake an Agricultural Lot Size Study to determine the minimum parcel size for all types of agricultural lots, including, but not limited to, new lots for agricultural uses, specialty crop areas, and agriculture-related uses. Until such time as this Study is approved by County Council and implemented by amendment to this Plan, existing agricultural lot creation policies at the local level shall remain in effect.*

*However, lot creation in the “Agricultural” designation is discouraged and will only be permitted in accordance with Provincial Policy, local Official Plan policies and the following:*

*a) Lot creation to accommodate an agricultural use shall only be considered where the lots proposed are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. These agricultural lots shall also comply with the Minimum Distance Separation Formulae.*

*b) Lot creation to accommodate an agriculture-related use shall only be considered where the use is compatible with surrounding agricultural operations and the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services. These agriculture-related lots shall also comply with the Minimum Distance Separation Formulae.*

*c) Lot creation to accommodate a habitable residence surplus to a farming operation as a result of farm consolidation is permitted subject to the local Zoning By-law being amended, to prohibit new residential dwellings on the vacant remnant parcel of farmland created by the severance.*

*In order to maintain County-wide consistency in the implementation of this policy, farm consolidation will be interpreted to permit both contiguous and non-contiguous farm parcel consolidations.*

*Local municipalities may establish a minimum lot size for the remnant farm parcel in accordance with this Policy.*

*d) Lot creation to permit new infrastructure uses is permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.*

*e) Lot adjustments for legal or technical reasons, such as for easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot are also permitted.*

*In order to maintain County-wide consistency in the implementation of this policy, lot line adjustments will be interpreted to prohibit the creation of new residential or non-farm parcels.*

*The roadside stand can be considered a secondary use on the property. Secondary uses can include uses such as home occupations. The roadside stand is considered a home occupation and is limited in size, does not hinder surrounding agricultural areas, clearly secondary to the main use on the site (the residence) and does not create a nuisance with regards to traffic due to the parking provided within the driveway on the site. It is the opinion of the author of this report that the proposed amendment is in conformity with the County of Essex Official Plan (2014).*

The proposal is in conformity with the County of Essex Official Plan (2014), specifically section 3.3.3.4(c) which provides for lot creation due to a residence surplus to a farming operation. The rezoning will prohibit new residential dwellings on the vacant remnant parcel of farmland created by the severance.

### ***County of Essex Official Plan 2024***

The County of Essex adopted a new Official Plan on November 6, 2024. The Official Plan is awaiting final adoption by the Ministry of Municipal Affairs and Housing.

All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Zoning By-law Amendment include:

#### ***Principle 3: Agricultural Sustainability***

*Agriculture is an integral component of the economy of the County and is the majority of the land base in the County. The agricultural landscape is a defining feature of the County. Sustaining the agricultural land base and growing the agricultural economy are priorities within the Official Plan. Included in the agricultural economy is ensuring appropriate housing for agricultural workers.*

#### ***5.A.1 – General Agricultural Policies***

*The following general policies are established for those lands shown as “Agricultural” on Schedule “A1”:*

*5.A.1.1 In Agricultural Areas, as shown on Schedule “A1”, agricultural uses and normal farm practices will be promoted and protected.*

*5.A.1.2 The removal of land from the “Agricultural” designation shall only be considered for settlement area expansions, or identification of settlement areas and limited non-agricultural uses, provided that the following conditions are met:*

- a) the land does not comprise a specialty crop area;*
- b) there is a demonstrated need as part of a Local Settlement Area Review within the planning horizon for additional land to be designated to accommodate the proposed use;*
- c) there are no reasonable alternative locations which avoid the “Agricultural” designation;*
- d) there are no reasonable alternative locations in the “Agricultural” designation with a lower priority Canada Land Inventory soils classification; and,*
- e) impacts from any new or expanding non-agricultural use on surrounding agricultural operations and lands should be mitigated to the extent feasible.*

*5.A.1.3 Some of the policies contained within Section 5.B, Aggregates, of this Plan may also pertain to lands designated “Agricultural”.*

*5.A.1.4 Normal farm practices, including but not limited to, agroforestry and spraying, are permitted on all lands designated “Agricultural”. If tree harvesting is to occur it should be based on acceptable forest management practices. Advice from a qualified specialist and the use of woodlot management plans by landowners is required.*

#### ***5.A.4 – Surplus Farm Dwellings***

*5.A.4.1 The severance of a residence surplus to a farming operation may be permitted under the following circumstances:*

- a) *The surplus dwelling is at least 20 years old as of the date of adoption of this Official Plan;*
- b) *The size of any new lot shall be an area of approximately 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by Provincial and County requirements to a maximum of one hectare in lot area;*
- c) *Site constraints, such as, but not limited to, protection of the natural heritage system may be permitted to a maximum of one hectare in lot area;*
- d) *Proposals that exceed one hectare in lot area may be considered subject to an amendment to this Plan;*
- e) *To reduce fragmentation of the agricultural land base where a contiguous farm parcel is owned by the same property owner, the retained lot shall be merged with an abutting parcel. The retained farm parcel shall be zoned to preclude its use for residential purposes;*
- f) *The proposal shall meet the Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time; and*
- g) *In order to maintain County-wide consistency in the implementation of this policy, farm consolidation will be interpreted to permit both contiguous and non-contiguous farm parcel consolidations. Local Municipalities may establish a minimum lot size for the remnant farm parcel in accordance with this Policy.*

The proposed amendment is in conformity with the County of Essex Official Plan (2024) specifically policy 5.A.4 which provides for surplus dwelling severances. The rezoning will prohibit new residential dwellings on the vacant remnant parcel of farmland created by the severance. The rezoning will also ensure that the proposal complies with Minimum Distance Separation (MDS) Formulae by restricted the housing of animals within the existing accessory structure, due to its proximity to existing residential uses. The surplus dwelling property is approximately 0.4 ha (1 acre) in size.

### ***Town of Amherstburg Official Plan***

The Official Plan currently designates the subject lands as Agricultural (refer to Appendix B). There are several applicable policies that can be referenced in discussion regarding the proposed amendment. These include:

### ***Section 3.2 Agricultural***

#### ***3.2.1 Goals***

*The following goals are established for the Agricultural area:*

- (1) To preserve and enhance good agricultural land for agricultural purposes;*
- (2) To allow farm operators sufficient flexibility to engage in a wide range of agricultural activities;*
- (3) To restrict the type and amount of non-farm development in the agricultural area;*
- (4) To encourage the retention and enhancement of existing windrows, hedgerows, and small woodlots in order to protect the high quality of landscape, provide habitat for wildlife, mitigate wind erosion and protect surface and groundwater resources; and*
- (5) To direct non-agricultural development to Settlement Areas and to control the development of agriculturally related commercial and agriculturally related industrial uses.*

#### ***3.2.2 Policies***

*(14) Where a habitable farm house existing as of January 1, 1978 is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation), a consent may be considered to sever the surplus dwelling from the farm unit, provided that, in addition to the general consent policies of this Plan, all of the following conditions are met:*

*a) the lot severed for the surplus dwelling is large enough to accommodate the use and on-site servicing (i.e. subsurface sewage disposal and well) while ensuring that as little acreage as possible is taken out of productive agricultural land and shall generally be less than one (1) hectare in size;*

*b) the Minimum Distance Separation Formulae can be met with the formulae applied as if the property severed for the surplus farm dwelling was zoned or designated as a residential lot; and*

*As a condition of the consent, the remnant parcel shall be rezoned under the Comprehensive Zoning By-law to ensure that no new dwelling units shall be permitted on it and a condition stating that 'no additional dwelling units shall be permitted on the remnant parcel' shall be registered on title. (Modification #27)*

The proposed amendment is in conformity with the Town of Amherstburg Official Plan (2009). The rezoning will prohibit new residential dwellings on the vacant remnant parcel of farmland created by the severance. The rezoning will also ensure that the proposal complies with Minimum Distance Separation (MDS) Formulae by restricted the housing of animals within the existing accessory structure, due to its proximity to existing residential uses. The surplus dwelling property is approximately 0.4 ha (1 acre) in size.

### ***Zoning By-law 1999-52***

The subject lands are zoned Agricultural (A) Zone in the Zoning By-law 1999-52, as amended.

All uses permitted within the Agricultural (A) Zone will continue to be permitted on the subject property with the exception of residential uses. Should the applicant wish to house animals on the farm they will be required to comply with the Minimum Distance Separation (MDS) setbacks as per the Zoning By-law.

### **4. RISK ANALYSIS:**

There is a risk that a decision on a zoning matter is appealed to the Ontario Land Tribunal. The risks noted below provides further clarity on this depending on the recommendation and Council decision on the matter.

<b>Administration's Recommendation</b>	<b>Decision of Council</b>	<b>Who can appeal the decision to OLT.*</b>	<b>Costs to the Town if Appealed</b>
Recommend approval	Approve the Recommendation	The Applicant who requested the zoning amendment and the Minister.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to deny the application	Approve the Recommendation	The Applicant who requested the zoning amendment and the Minister.	Planning and legal consulting services to defend Council's decision and



			legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend approval	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment and the Minister.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend to deny the application	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment and the Minister.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to approve (or deny)	Request to defer decision on the grounds of requiring additional information.	The Applicant who requested the zoning amendment and the Minister.	In this scenario it allows for the applicant to consider if the additional information requested by Council, rather than an OLT hearing is preferred. As OLT hearings are costly and time consuming the applicant may elect to provide the additional information. If that is the direction the Town may need to refund the application fee, noting the refund is also less costly for the Town than an OLT hearing.

## 5. FINANCIAL MATTERS:

All costs associated with the application are the responsibility of the Applicant. Should Council's decision be appealed to the Ontario Land Tribunal, the Town will incur costs, as noted above. OLT appeals of any nature can be costly with estimated costs of a hearing at \$6,000/day, noting that those daily costs will likely be higher if Town Administration is required to be before OLT as both witnesses for an Applicant and defense of a decision.

## 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. Extensive consultations and meetings have occurred with the County of Essex and the Essex Region Conservation Authority. The circulation map and list of properties within the 120m circulation radius are attached as Appendix F for information.

## 7. CORPORATE STRATEGIC ALIGNMENT:

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li><li><input type="checkbox"/> Deliver transparent and efficient financial management.</li><li><input type="checkbox"/> Increase effective communication and engagement with residents.</li><li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li><li>✓ Continue to deliver strong core municipal services.</li><li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li></ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li><li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li><li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li><li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li></ul>
<p><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li><li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li><li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li><li><input type="checkbox"/> Create public access to water and waterfront</li><li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town</li></ul>	<p><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li><li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li><li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li><li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li></ul>

operations and increase Town resilience to climate change.	✓ Preserve the Town's greenspaces, agricultural lands, and natural environment.
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## 8. CONCLUSION:

It is the opinion of administration that the Zoning By-law Amendment is consistent with the provisions of the Planning Act, is consistent with the policies of the Provincial Planning Statement 2024, conforms with the policies of the County of Essex Official Plan and the Town of Amherstburg Official Plan and maintains the intent of the Town of Amherstburg Zoning By-law.

Administration recommends that Zoning By-law 2025-019, be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.




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Sarah French  
**Planner**

## Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-04-25 for 5010 County Road 18.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - ZBA-04-25 Application_Redacted.-RM.pdf</li><li>- Appendix B - ZBA-04-25 Aerials-RM.pdf</li><li>- Appendix C - Sketch of surplus lot-RM.pdf</li><li>- Appendix D - Site photo-RM.pdf</li><li>- Appendix E - B-04-25- Decision-RM.pdf</li><li>- Appendix F - Council Circulation List-RM.pdf</li><li>- Appendix G - Summary of Correspondence Received on ZBA-04-25-RM.pdf</li><li>- Appendix H - 2025-019-ZBA-Farmland Severed from 5010 County Rd 18 DRAFT-RM.pdf</li></ul>
Final Approval Date:	Apr 16, 2025

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", with a long horizontal line extending from the end of the signature.

Kevin Fox



- (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 A

11. Nature and extent of rezoning requested Site specific designation to A30 to

restrict future residential development on the farm property to restrict livestock in existing building

12. Reasons why rezoning is requested In connection with a consent to sever a surplus dwelling

13. Current use of subject land Agricultural

14. Length of time current use of subject land has continued 60+ 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 Maximum 10 m

\_\_\_\_\_

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:

See attached sketch.

\_\_\_\_\_

\_\_\_\_\_

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

60 + years ago.

\_\_\_\_\_

18. Date subject land acquired by current registered owner November 21, 2024

19. Proposed use of subject land N/A

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:

N/A

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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:

B-04-25 approved Feb 5, 2025

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:

NIA

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.

NIA

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?

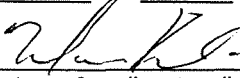
Yes      ☒ No

32. Is the land within 600 m of property that is designated as Extractive Industrial?

Yes      ☒ No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

Dated at the Municipality of Leamington this 12 day of December, 2024.

  
(signature of applicant, solicitor or authorized agent)

I, ROBERT MARC KNIGHT of the Town of Lakeshore  
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 Municipality of Leamington in the County  
of Essex this 12th day of December, 2024.

  
Applicant, Solicitor or Authorized Agent  
ROBERT MARC KNIGHT

  
A Commissioner, etc.

**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 and a flat fee of \$5,522, along with an ERCA development review fee of \$400 for major ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$6,922 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,762, along with an ERCA development review fee of \$275 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$4,037 for minor ZBA applications.

Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1,149 plus an ERCA review fee of \$275, totalling \$1,424, must accompany your completed application for a Holding (h) Removal zone change, zone change from A to A-36, or zone change which is a condition of consent.

Engineering review fees of \$1500.00 + Hst per each time a file is reviewed may be applicable as per Amherstburg's User fee by-law.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

## AUTHORIZATION

(Please see note below)

To: Clerk  
Town of Amherstburg

Description and Location of Subject Land:

5010 Essex County Road 18, Amherstburg, ON

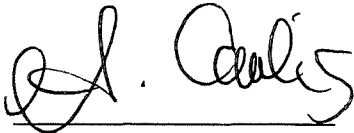
I/We, the undersigned, being the registered owner(s) of the above lands hereby

authorize Pearsall, Marshall, Halliwill & Seaton LLP (Amanda Camlis) of the Municipality

\_\_\_\_\_ of Leamington to:

- (1) make an application on my/our behalf to the Council for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town Council relevant to the application.

Dated at the Municipality of Leamington in the  
County of Essex, this 12 day of December, 2024.



Signature of Witness

  
ROBERT MARC KNIGHT  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\* Note: This form is only to be used for applications which are to be signed by someone other than the owner.





CONCESSION 5 S

ESSEX CTY RD 18





A-36

A


h-RMH-1

A-1

**Legend**

 Zoning

Agricultural

 Modular Home Residential



CONCESSION 5 S

5010

208 ft

208 ft

Surplus dwelling lot  
1 acre

5090

ESSEX CTY RD 18





**B/04/25 & A/03/25 5010 County Rd. 18**



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

(a) Name of approval authority	<b>TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT</b>
(b) Name of Applicant	RE AN APPLICATION BY (b) <b>Robert Marc Knight c/o Amanda Camlis, Agent</b>
(c) Brief Description	LOCATION OF PROPERTY (c) <b>5010 County Road 18 (Roll No. 3729-630-000-04200)</b>
(d) As set out in application	<p>PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 63.4 m ± frontage by 63.4 m ± depth with an area of 0.4035 ha ± which includes a single detached dwelling and two accessory structures which are surplus to the needs of the farming operation. The remaining parcel being an irregular frontage by an irregular depth with an area of 21.05 ha ± is vacant agricultural land with one accessory structure.</p> <p>The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.</p>
(e) Date of decision	<p>CONCUR in the following decision and reasons for decision made on the (e) 5<sup>th</sup> day of February, 2025.</p> <p>DECISION: <b>APPROVED</b></p>
(f) State conditions to be satisfied before granting of consent	<ol style="list-style-type: none"><li>1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.</li><li>2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.</li><li>3. That all property taxes be paid in full.</li><li>4. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.</li><li>5. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property. Additionally, that the rezoning restrict livestock within the existing accessory structure, at its current location, on the retained farmland.</li><li>6. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance, to the satisfaction of the municipality.</li><li>7. That the applicant determine if there are any existing farm drainage tiles/systems extending through the parcel that is to be severed and, if existing farm drainage tiles/systems are found, that the applicant redirect the tiles/systems around the parcel to be severed to the satisfaction of the municipality.</li><li>8. That a grade design demonstrating that the severed parcel will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.</li><li>9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.</li></ol>

(g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Planning Statement.

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

..... Terris Buchanan	..... Anthony Campigotto	..... Debbie Rollier
..... Donald Shaw	..... Josh Mailloux	ORIGINAL DOCUMENT SIGNED

CERTIFICATION  
The Planning Act, R.S.O. 1990

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

(i) Name & address of approval authority Dated this 5<sup>th</sup> day of February, 2025

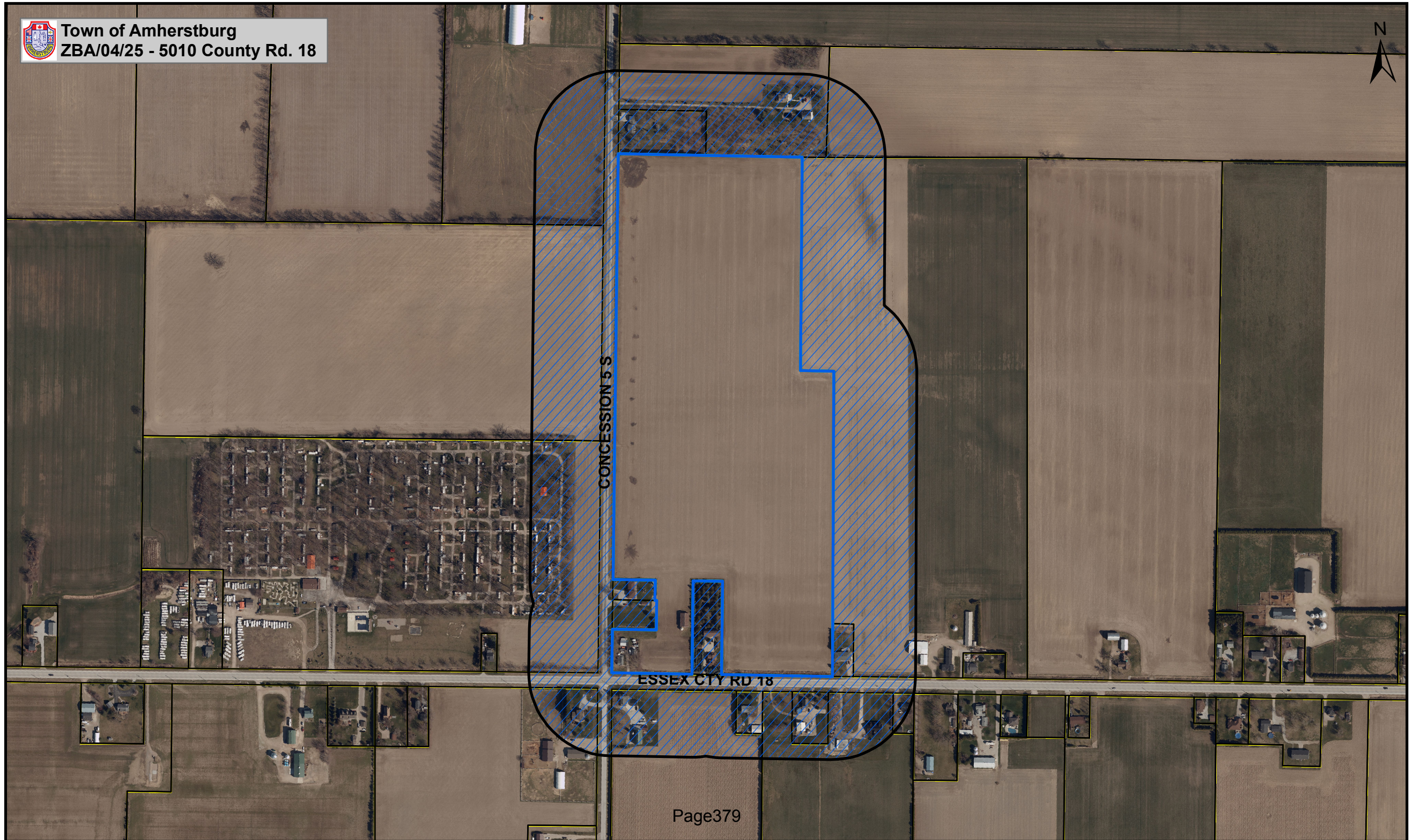
S. French

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

## ZBA/04/25 - 5010 County Rd. 18

ARN	ADD1	STREETNAME
372963000004200	5010	ESSEX COUNTY 1 RD
372963000004250		CONCESSION 5 E/ S
372963000004400	5087	CONCESSION 5 S
372963000002500	5241	COUNTY RD 18
372963000002300	5011	ESSEX CTY RD 18
372963000002700	5271	ESSEX CTY 18 RD
372963000002502	5181	COUNTY RD 18
372963000002301	5121	ESSEX COUNTY RD 1
372963000001601	4841	COUNTY RD 18 S
372963000004300	5231	CONCESSION 5 S
372963000004000	5310	ESSEX COUNTY RD 1
372963000006900		CONCESSION 6 S
372963000004700	5028	CONC 5 S
372963000004500	5075	CONCESSION 5 S
372963000004002	5210	COUNTY RD 18
372963000004100	5090	ESSEX COUNTY RD 1
372963000004750		CONCESSION 5 S
372963000004900	4610	ESSEX CTY RD 18









## Summary of Correspondence Received on Proposed ZBA for 5010 County Rd. 18

Below is a summary of the comments received by the Planning Services Division on ZBA/04/25 since March 7, 2024.

### Essex Region Conservation Authority:

See attached letter.

### Windsor Police:

No Comments

### Essex Powerlines:

No Comments

### Fire Department:

No Comments

### Infrastructure Services:

See attached letter.

### County of Essex:

See attached letter.



2025-03-05

File Number: 0443-25

Sarah French Planner  
Town of Amherstburg Libro Centre  
Amherstburg, ON  
N9V 2Y8

RE: ZBA-04-05 Surplus Farm Dwelling Severance  
ESSEX COUNTY RD 18 (5010 ESSEX COUNTY 18 RD)

The Town of Amherstburg has received Application for Zoning By-law Amendment ZBA-04-25. This rezoning application will affect approximately 21.05 hectares ± of land described as Concession 5, Part Lots 44 and 45, municipally known as the retained farm parcel from a surplus dwelling severance at 5010 County Road 18.

This Zoning Amendment, if approved, will rezone the subject lands from “Agricultural (A) Zone” to “Special Provision Agricultural (A-49) Zone”. The parcel is designated Agricultural in the Town’s Official Plan. The lands described above are subject to an application for consent (File B/04/25) to sever a dwelling which is surplus to the needs of a farming operation.

The purpose of the rezoning will be to allow for general agricultural use on the subject property and prohibit any new dwelling unit on the land. The site-specific zoning will also restrict the use of the existing accessory structure for housing livestock due to its proximity to existing residential dwellings on neighbouring properties. The “Special Provision Agricultural (A-49) Zone” is established as a site-specific zone for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

## **NATURAL HAZARDS AND REGULATOR RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21**

The above noted lands are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Ernest Paquette Drain.

## **FINAL RECOMMENDATION**

Our office has no objection to ZBA-04-05.

Sincerely,

*Alicia Good*

Alicia Good  
Watershed Planner





**AMHERSTBURG**

ONTARIO, CANADA

EST. 1796

## MEMO

**To:** Sarah French, Planner

**From:** Sydnee Botham, Development Engineering Coordinator

**Date:** February 28, 2025

**Subject:** ZBA/04/25 – 5010 County Road 18  
Town of Amherstburg

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The following submission package was reviewed for conformance with Amherstburg's Development Manual and the Windsor-Essex Region Stormwater Manual (WERSM):

- Notice of Statutory Meeting, dated February 26, 2025

Based on the review, we offer the following comments.

### General

1. Engineering review fees per Amherstburg's user fee by-law may be applicable for this development application. The Developer is responsible to borne all costs associated with this review and all subsequent reviews therein.

If you have any questions, please do not hesitate to contact the undersigned.

---

Sydnee Botham  
Development Engineering Coordinator



March 6, 2025

Sarah French  
Town of Amherstburg  
3295 Meloche Rd.  
Amherstburg, ON, N9V 2Y8

Dear Ms. French:

**Re: A ZONING BY-LAW AMENDMENT: ZBA-04-25**

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Please be advised that the County has reviewed the aforementioned applications and the comments provided are engineering-related only. These applications have not been reviewed from a planning perspective. No objection to this application. The subject lands have frontage on County Road No. 18. The Applicant will be required to comply with the following County Road regulations:

***County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.***

***County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.***

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of County Road No. 18. Permits are necessary for any changes to existing entrances and structures, or the construction of new structures.

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

Should you require further information, please contact the undersigned by email at [kbalallo@countyofessex.ca](mailto:kbalallo@countyofessex.ca) or by phone at extension 1564.

Regards,

Kristoffer Balallo  
Engineering Technologist

519-776-6441  
TTY 1-877-624-4832

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

countyofessex.ca

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-019**

**By-law to amend Zoning By-law No. 1999-52  
N/S County Road 18 (Concession 5, Part Lot 45), Amherstburg**

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**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 41 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from A to A-49" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Special Provision Agricultural (A-49) Zone".
2. THAT Section 26(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (oo) as follows:

“(oo) A-49 (N/S County Road 18)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned as A-49 on Schedule "A" hereto, the zone requirements of Section 26 of the By-law shall apply with the addition of the following special provision:

- (i) Uses Permitted
  - a) All uses permitted in Subsection 26(2) of this By-law with the exception of residential uses which are prohibited;
  - b) The agricultural accessory structure, as existing on the day of the passing of this by-law, shall be not be permitted to house livestock.
3. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

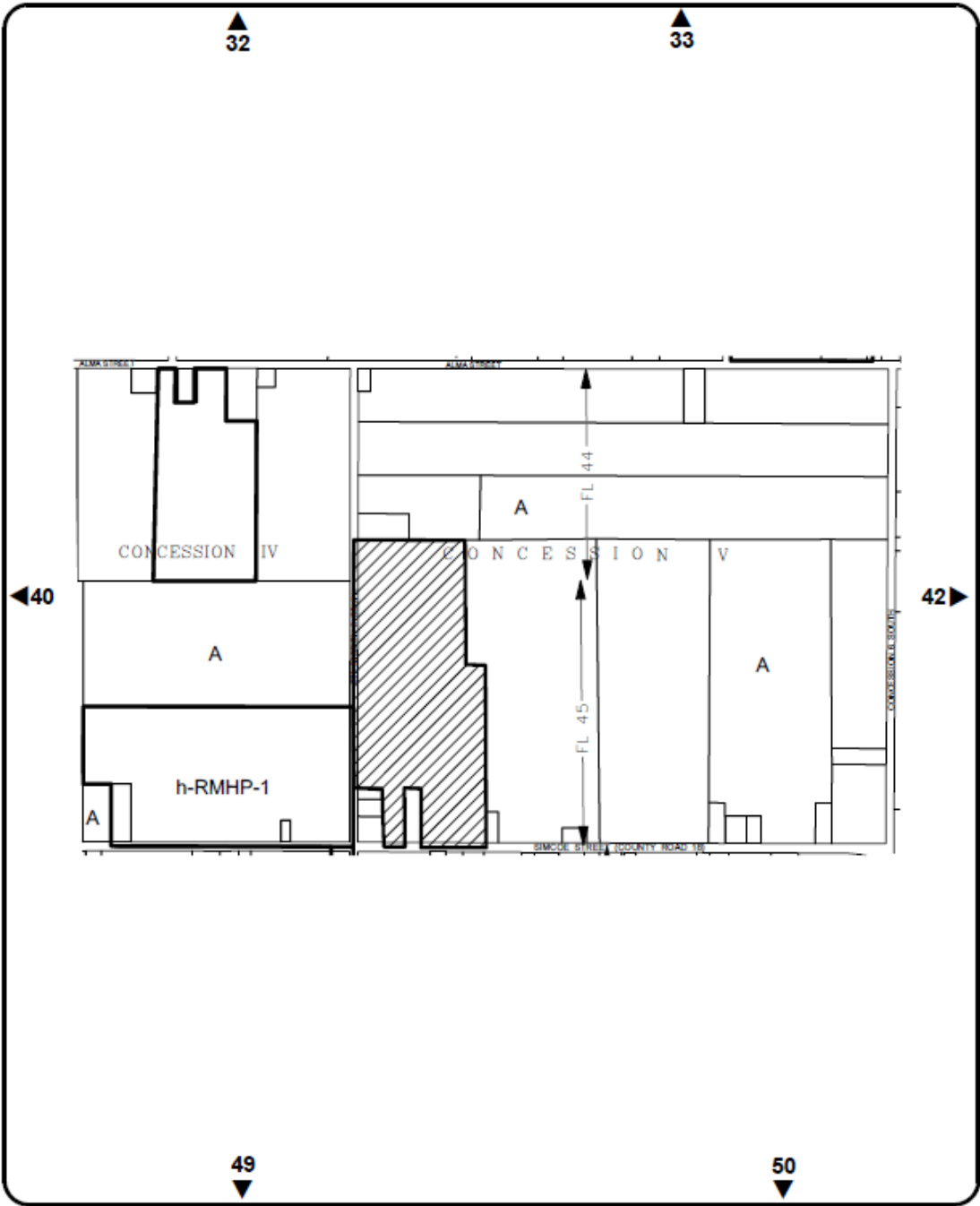
Read a first, second and third time and finally passed this 29<sup>th</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR- MICHAEL PRUE


\_\_\_\_\_  
CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2025-019  
BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'  
MAP 41  
ZONING BY-LAW NO. 1999-52

A to A-49 



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

<b>Author's Name:</b> Sarah French	<b>Report Date:</b> April 11, 2025
<b>Author's Phone:</b> 519 736-5408 ext. 2145	<b>Date to Council:</b> April 29, 2025
<b>Author's E-mail:</b> sfrench@amherstburg.ca	<b>Resolution #:</b>

**To:** Mayor and Members of Town Council

**Subject:** Zoning By-law Amendment ZBA-20-24 for 6321 County Road 20

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#### **1. RECOMMENDATION:**

It is recommended that:

- 1. By-law 2025-020** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 6321 County Road 20 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

#### **2. BACKGROUND:**

The Town is in receipt of an application for a Zoning By-law Amendment to By-law 1999-52, as amended, from Chantale Bouchard, c/o Jackie Lassaline, Planner. The subject lands are located on the north side of County Road 20 east of St. Therese, and are municipally known as 6321 County Road 20. It should be noted that the lot lines within the municipal mapping are incorrect. The survey provided in Appendix D provides the accurate lot lines. MPAC has been notified of this error and is working to correct the municipal mapping.

A Statutory Public Meeting under the Planning Act was held on March 24, 2025, at which no comments were received from members of the community or Council.

In preparing this report to Council, administration has reviewed the submission and the following documents:

- Planning Act, R.S.O. 1990
- Provincial Planning Statement 2024

- County of Essex Official Plan (2014)
- Locally Adopted County of Essex Official Plan (2024)
- Town of Amherstburg Official Plan
- Town of Amherstburg Zoning By-law 1999-52
- Written and Oral comments received

### **3. DISCUSSION:**

This Zoning Amendment, if approved, will rezone the subject lands from “**Agricultural (A) Zone**” to “**Special Provision Agricultural (A-48) Zone**”.

The submitted application seeks to establish a site-specific zone to add additional permitted uses to the home occupation section of the Zoning By-law, as a permitted use on the subject lands. The effect of the amendment will be to allow for the existing roadside stand to sell goods that are produced both on the subject site and locally by other businesses. This rezoning, if approved, will add additional permissions to Home Occupation – Rural (Section 3(10)) provisions, specific to the subject site. The additional permissions will allow for the retail sales of goods that are produced both on the property through the rural home occupation and off the property through local farms and businesses, and allow for the retail sales of goods to occupy up to 50% of the floor area of the rural home occupation. The rural home occupation will not be permitted to exceed the maximum lot coverage permitted in the Zoning By-law 1999-52, as amended, of 10% of the area of the lot.

### ***PLANNING ANALYSIS***

The submitted application is consistent with the Provincial Policy Statement and in conformity with the County of Essex Official Plan and the Town of Amherstburg Official Plan. The applicant’s planner, Jackie Lassaline, has submitted a Planning Justification Report, which is attached to this report as Appendix D.

The following section will identify the planning rationale to support the recommendation of this report.

### ***Planning Act (R.S.O. 1990)***

*The purposes of the Planning Act are;*

*“(a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*

*(b) to provide for a land use planning system led by provincial policy;*

*(c) to integrate matters of provincial interest in provincial and municipal planning decisions;*

*(d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;*

*(e) to encourage co-operation and co-ordination among various interests;*

*(f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s”*

*The proposal is consistent with Section 2 of the Planning Act which requires that the Council have regard to matters of provincial interest including (the following are excerpts*

*from Section 2 of the Planning Act that apply to this development):*

- the protection of the agricultural resources of the Province;*
- the adequate provision of a full range of housing, including affordable housing;*
- the appropriate location of growth and development;*

The proposed zoning amendment does not result in the removal of agricultural land nor provide a use that will have a negative impact on agricultural production. The roadside stand is small in scale and benefits from being close to agriculture. It sells produce grown by local farmers. The proposal appears to be consistent with the Planning Act.

### ***Provincial Planning Statement 2024***

The Provincial Planning Statement was issued under section 3 of the Planning Act and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

When reviewing a planning application to determine if the requested Zoning By-law Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Planning Statement (PPS).

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS recognizes that the wise management of development may involve directing, promoting, or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns.

The following policy excerpts from the PPS are particularly applicable to the subject application:

## ***4.3 Agriculture***

### ***4.3.1 General Policies for Agriculture***

- 1. Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.*
- 2. As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.*
- 3. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.*



#### **4.3.2 Permitted Uses**

1. *In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.*

*Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.*

1. *In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*
2. *New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*
3. *A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).*

The roadside farm stand is not on an existing farm, as the property is only 1 acre in size, however it is located within an agricultural area and in close proximity to many farms. The proposed amendment does not remove farmland from agricultural practice and is compatible with agricultural operations. The rural home occupation is small scale and will not be permitted to grow beyond the current 10% maximum lot coverage size as per Section 3.10 of the Zoning By-law.

The Ontario Guidelines on Permitted Uses Guide, produced by Ontario Ministry of Agriculture, Foods and Rural Affairs (OMAFRA, 2016) states that a farm stand can be considered an agriculturally related use and can include retailing of farm products grown in the area. An on-farm diversified use might also include the sales of goods produced beyond the area or unrelated to agriculture. The farm stand benefits local farmers and does not remove any land from production, due to its location on a predominately residential parcel of land. It is appropriately placed within an agricultural area. While it is not located on a farm, it benefits local farming operations through the sale of their produce.

Therefore, it is the opinion of the author of this report that the proposed amendment is consistent with the Provincial Planning Statement (2024).

#### **County of Essex Official Plan 2014**

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Official Plan Amendment include:

### **3.3 Agricultural**

#### **3.3.2 Goals**

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

- a) To protect prime agricultural areas for agricultural purposes to ensure the continued long-term availability of this resource.*
- b) To promote and protect agricultural uses and normal farm practices on lands within the “Agricultural” designation.*
- c) To allow and encourage farm operators to engage in a wide range of agricultural activities.*
- d) To restrict the type and amount of non-farm development in the “Agricultural” designation by encouraging non-farm uses to locate in the existing “Settlement Areas” identified on Schedule “A1”.*
- e) To only permit the expansions of existing Primary Settlement Areas onto lands designated “Agricultural” where demonstrated need for such an expansion has been justified either through a Local Comprehensive Review or a comprehensive review.*
- f) To discourage lot creation in the “Agricultural” designation and establish a County-wide minimum farm parcel size that protects the agricultural land base from fragmentation. The minimum farm parcel size shall ensure that the size of new agricultural lots are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operation.*
- g) To ensure new farm and non-farm uses comply with the Minimum Distance Separation Formulae, as amended by the Province from time to time.*
- h) To encourage the retention of woodlots as integral components of the farm operation for agroforestry and the other benefits woodlands provide.*

#### **3.3.3.1 Permitted Uses**

*The following uses are permitted within the “Agricultural” designation subject to the policies of this section:*

- a) Agricultural Uses, Secondary Uses and Agriculture-Related Uses.*
- b) Forestry, conservation uses, wildlife and fisheries management.*
- c) Watershed management and flood and erosion control projects carried out or supervised by a public agency.*
- d) A single detached dwelling in conjunction with an agricultural use, on an existing lot of record, and on a newly created lot approved as a residence surplus to a farming operation.*
- e) Accessory farm accommodation, in accordance with Section 3.3.3.5 of this Plan.*
- f) Passive recreational uses such as pedestrian trails.*

#### **3.3.3.2 Secondary Uses**

*Secondary uses are secondary to the principal use of a property and may include, but are not limited to home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property. The following policies apply to secondary uses:*

- a) Local municipal Official Plans shall contain criteria for the establishment of secondary uses that ensure the following:*
  - i) The use shall not hinder surrounding agricultural uses.*

- ii) *The amount of land and size of the building devoted to the use is limited in proportion to the principal use and buildings on the property such that the use is clearly secondary to the principal use on the lot.*
- iii) *Limits are established on the total number of employees, as well as the number of outside employees that do not reside on the property*
- iv) *That the zoning or sign by-law regulate signage.*
- v) *That the use does not change the agricultural character of the area.*
- vi) *That the use does not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions.*
- vii) *Limits on outdoor storage.*
- b) *Home industry uses are occupations, trades, businesses, professions, or crafts that are secondary to the agricultural use or agriculture-related use or residential use on the property.*

*Home industry uses shall generally be confined to an outbuilding within the existing farm-building cluster and include but are not limited to small engine repair, woodworking and metal working.*

*Home industry uses shall generally not exceed 90 square metres; however, local Official Plans may provide for larger home industry uses subject to the establishment of policies that:*

- i) *Demonstrate that the increased size of the use is not more appropriately located within a settlement area.*
- ii) *Balance the needs of the home industry with the needs of other businesses in the community that contribute to the vitality and mixture of uses within settlement areas and bear the financial risks of site specific operations that are not shared by the relatively insulated home industry.*
- iii) *Ensure compatibility with adjacent or nearby uses by preventing adverse effects.*

### **3.3.3.3 Agriculture-Related Uses**

*Agriculture-related uses are farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation. Examples include but are not limited to the following:*

- a) *Seed, pesticide, fertilizer storage (including distribution).*
- b) *Agricultural storage and processing facilities involving the storage and processing of crops and/or livestock from a local farm operation in the area.*
- c) *Fruit/vegetable/flower stands & farm markets that retail produce derived from the principal agricultural use on the property.*
- d) *Wineries, breweries and associated uses, which are secondary and directly related to the principal agricultural use on the property.*

*Local municipal Official Plans shall contain policies for agriculture-related uses.*

The roadside stand can be considered a secondary use on the property. Secondary uses can include uses such as home occupations. The roadside stand is considered a home occupation and is limited in size, does not hinder surrounding agricultural areas, clearly secondary to the main use on the site (the residence) and does not create a nuisance with regards to traffic due to the parking provided within the driveway on the site. It is the opinion of the author of this report that the proposed amendment is in conformity with the County of Essex Official Plan (2014).

## **County of Essex Official Plan 2024**

The County of Essex adopted a new Official Plan on November 6, 2024. The Official Plan is awaiting final adoption by the Ministry of Municipal Affairs and Housing.

All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Zoning By-law Amendment include:

### *Principle 3: Agricultural Sustainability*

*Agriculture is an integral component of the economy of the County and is the majority of the land base in the County. The agricultural landscape is a defining feature of the County. Sustaining the agricultural land base and growing the agricultural economy are priorities within the Official Plan. Included in the agricultural economy is ensuring appropriate housing for agricultural workers.*

#### *5.A.1 – General Agricultural Policies*

*The following general policies are established for those lands shown as “Agricultural” on Schedule “A1”:*

*5.A.1.1 In Agricultural Areas, as shown on Schedule “A1”, agricultural uses and normal farm practices will be promoted and protected.*

*5.A.1.2 The removal of land from the “Agricultural” designation shall only be considered for settlement area expansions, or identification of settlement areas and limited non-agricultural uses, provided that the following conditions are met:*

- a) the land does not comprise a specialty crop area;*
- b) there is a demonstrated need as part of a Local Settlement Area Review within the planning horizon for additional land to be designated to accommodate the proposed use;*
- c) there are no reasonable alternative locations which avoid the “Agricultural” designation;*
- d) there are no reasonable alternative locations in the “Agricultural” designation with a lower priority Canada Land Inventory soils classification; and,*
- e) impacts from any new or expanding non-agricultural use on surrounding agricultural operations and lands should be mitigated to the extent feasible.*

*5.A.1.3 Some of the policies contained within Section 5.B, Aggregates, of this Plan may also pertain to lands designated “Agricultural”.*

*5.A.1.4 Normal farm practices, including but not limited to, agroforestry and spraying, are permitted on all lands designated “Agricultural”. If tree harvesting is to occur it should be based on acceptable forest management practices. Advice from a qualified specialist and the use of woodlot management plans by landowners is required.*

#### *5.A.2 – Permitted Uses*

*5.A.2.1 The following uses are permitted within the “Agricultural” designation subject to the policies of this section:*

- a) Agricultural Uses, Agriculture-Related Uses and On-Farm Diversified Uses.*
- b) Forestry, conservation uses, wildlife and fisheries management.*
- c) Watershed management and flood and erosion control projects carried out or supervised by a public agency.*

- d) A single detached dwelling in conjunction with an agricultural use, on an existing lot of record, and on a newly created lot approved as a residence surplus to a farming operation.
- e) Accessory farm accommodation, in accordance with the policies in this Plan.
- f) Additional residential units in accordance with the provisions in the Planning Act and the Provincial Planning Statement (2024). Where two additional residential units are proposed, at least one of these additional residential units is to be located within or attached to the principal dwelling, and any additional residential units shall comply with the Minimum Distance Separation Formulae.
- g) Public active transportation uses such as pedestrian trails and bicycle lanes.
- h) The extraction of petroleum resources, mineral aggregate resources and mineral resources shall be permitted in accordance with the policies in Section 5.B of this plan.

5.A.2.2 Agriculture-related uses are farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation. Examples include but are not limited to the following:

- a) Seed, pesticide, fertilizer storage (including distribution).
- b) Agricultural storage and processing facilities involving the storage and processing of crops and/or livestock from a local farm operation in the area.
- c) Fruit/vegetable/flower stands & farm markets that retail produce derived from the principal agricultural use on the property.
- d) Wineries and associated uses, which are secondary and directly related to the principal agricultural use on the property. Local municipal Official Plans shall contain policies for agriculture-related uses.

5.A.2.3 On farm-diversified uses include but are not limited to: home occupations, home industries, agri-tourism ventures, and uses that produce value-added agricultural products from the farm operation on the property. Local municipal Official Plans shall contain criteria for the establishment of on-farm diversified uses that address the following:

- a) The use shall not hinder surrounding agricultural uses.
- b) The amount of land and size of the building devoted to the use is limited in proportion to the principal use and buildings on the property such that the use is clearly secondary to the principal use - agriculture.
- c) The zoning or sign by-law shall regulate signage.
- d) The use must integrate with the agricultural character of the area.
- e) The use does not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions.
- f) Outdoor storage related to on-farm diversified uses shall be limited in area, integrate with the agricultural character of the area, and does not create a safety hazard.

Home occupations are permitted as on-farm diversified uses. Due to the size of the property, the main use of the property is a residential use. The home occupation is secondary to the main use of the property, does not hinder surrounding agricultural areas, provides a direct benefit to surrounding agricultural uses and is small in scale. Half of the products sold through the roadside stand are created through the home occupation, with the remaining products being grown or produced through local farmers and businesses. It is the opinion of the author of this report that the proposed amendment is in conformity with the County of Essex Official Plan (2024).

## **Town of Amherstburg Official Plan**

The Official Plan currently designates the subject lands as Agricultural (refer to Appendix B). There are several applicable policies that can be referenced in discussion regarding the proposed amendment. These include:

### **Section 3.2 Agricultural**

#### **3.2.1 Goals**

*The following goals are established for the Agricultural area:*

- (1) To preserve and enhance good agricultural land for agricultural purposes;*
- (2) To allow farm operators sufficient flexibility to engage in a wide range of agricultural activities;*
- (3) To restrict the type and amount of non-farm development in the agricultural area;*
- (4) To encourage the retention and enhancement of existing windrows, hedgerows, and small woodlots in order to protect the high quality of landscape, provide habitat for wildlife, mitigate wind erosion and protect surface and groundwater resources; and*
- (5) To direct non-agricultural development to Settlement Areas and to control the development of agriculturally related commercial and agriculturally related industrial uses.*

#### **3.2.2 Policies**

*(1) (a) The 'Agricultural' designation on Schedules 'A' and 'B' shall mean that the predominant use of the lands shall be for agriculture and uses connected with the conservation of water, soil, wildlife and other natural resources. The agricultural uses permitted include the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including accommodation for full-time farm labour when the size and nature of the operation requires additional employment;*

*(b) Secondary uses shall be permitted in the 'Agricultural' designation provided they are small-scale, compatible with, and do not hinder surrounding agricultural operations. Such uses shall be secondary to the principal use of the property, namely agriculture, such as farm occupations and home occupations as per Section 3.2.2. (18) of this Plan, bed and breakfast establishments or agricultural trucking establishments;*

*(c) Agriculture-related commercial and agriculture-related dry processing industrial uses shall be permitted in the 'Agricultural' designation provided they are smallscale, compatible with, and do not hinder surrounding agricultural operations.*

*Such uses must also be directly related to the farm operation and are required in close proximity to the farm operation such as retail sales of produce grown on the farm, wineries, market gardening, nurseries, bulk seed storage, warehousing of produce, cold storage, and packaging or processing facilities or grain and seed storage facilities. Operations that require significant amounts of water and/or produce significant amounts of effluent will not be permitted;*

*(18) Farm occupations and home occupations carried out for remuneration and as defined in the Zoning By-Law are permitted in the Agricultural designation. However, the implementing Zoning By-Law shall establish those farm and home occupations that will be permitted without an amendment to the Zoning By-Law and those that will require a site specific amendment to permit the use by way of a defined area.*

- a) *In general, farm occupations that are clearly required to be located in the Agricultural area and provide a service primarily to the agricultural community, such as a tile drainage contractor or a seed corn dealership, will be permitted without a by-law amendment.*
- b) *All other types of farm occupations that are carried out for remuneration such as welding shops, repair shops, etc., will be permitted if they meet all of the regulations/provisions of the Zoning By-Law.*
- c) *Because farm occupations and other types of land uses on adjacent lots may have compatibility problems if located too closely to one another, the Zoning By-Law will ensure that a buffer area is maintained between the uses. To achieve this, the location of new and the expansion of existing farm occupations shall comply with the setback criteria established in the Zoning By-law.*
- d) *Existing farm occupations that do not comply with the requirements of the Zoning By-law will be allowed to continue but will not be permitted to expand without a minor variance or Zoning By-law amendment.*
- e) *Home occupations that are totally contained within the dwelling unit, including attached garages, will be permitted without an amendment to the Zoning Bylaw. However, any home occupation that requires the use of anything on the subject property other than the dwelling, except for parking and a sign will require a Zoning By-law amendment.*
- f) *The municipality may decide to require a business license for all farm and home occupations. If such a by-law is passed in accordance with the Municipal Act, the provisions of the business license must be adhered to. If the license is revoked, the use will no longer be permitted in accordance with the provisions of the by-law.*
- g) *The development of any new, or expansion of a legally existing commercial or Industrial use which are not farm or home occupations, as defined in the Zoning By-law, are not permitted in the Agricultural designation and shall require an amendment to this Plan. Prior to the Plan being amended, Council must be satisfied that the proposed development cannot locate in an area already appropriately designated, is consistent with the PPS, that the proposed location is in compliance with the minimum distance separation (MDS) formula contained in the Town's Zoning By-law, that any proposed expansion of an existing use shall be limited to the boundaries of the existing site and no conveyance of agricultural land shall be permitted to accommodate the expansion and that the application satisfies the criteria included in Section 8.4 of this Plan.*  
(Modification # 28)
- h) *Applications to sever farm or home occupations from the balance of the subject property shall not be allowed.*

*(19) Agri-tourism, including occasional demonstration events, temporary attractions (e.g. corn field mazes) and farm tours are permitted in the Agricultural designation and may be subject to a temporary use by-law.*

*Section 6.7 of the Town of Amherstburg Official Plan – Planning Impact Analysis sets out several criteria that must be considered as part of an Official Plan Amendment or Zoning By-law amendment. These include:*

## **6.7 PLANNING IMPACT ANALYSIS**

*It is a policy of the Official Plan that a Planning Impact Analysis will be used to evaluate applications for an Official Plan Amendment and, depending on the magnitude of the development, a Zoning By-law Amendment, to determine the appropriateness of the proposed change and to identify what measures are needed to reduce any adverse impacts on surrounding land uses. The Planning Impact Analysis will supplement the*



*consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. Proposals for changes in the use of land which require the application of a Planning Impact Analysis will be evaluated based on:*

*(1) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area on the character and stability of the surrounding neighbourhood.*

*(2) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.*

The amendment will allow for the continuation of an existing roadside farm stand within an agricultural area. The applicant wishes to continue to sell products made both within her rural home occupation including prepared foods, and products from local farmers and businesses including fruits and vegetables, fresh baked goods, jarred products, etc. The applicant's planner, Jackie Lassaline, has prepared a detailed Planning Rationale Report (Appendix D) which contains a list of products sold at the roadside farm stand, known as Pit's Fresh Veggies. The use is small in scale and related to the local farming operations. Administration concurs with the Planning Rationale Report that the proposed amendment is in conformity with the Town's Official Plan.

#### Zoning By-law 1999-52

The subject lands are zoned Agricultural (A) Zone in the Zoning By-law 1999-52, as amended. A home occupation is a permitted use on the subject site.

The site-specific amendment will provide for increased rural home occupation provisions (Section 3.10) by permitting retail sales of goods that are not manufactured through the rural home occupation and permitting the retail sale of goods to occupy up to 50% of the floor space of the home occupation. As per the Planning Rationale Report, the rural home business consists of the following:

- A 21.2 m<sup>2</sup> mobile vegetable stand
- A 7.2 m<sup>2</sup> exterior walk-in cooler
- A 12 m<sup>2</sup> Euroshed
- Area within the residence for storage and cooking of meals – 44.6 m<sup>2</sup>

The intent of the amendment is to permit Pit's Fresh Veggies to continue to sell the product that they currently sell. Pit's Fresh Veggies was provided a business licence by the Town of Amherstburg to sell product produced on site. However, since the business also sells products produced by off-site farmers and small businesses, it was determined that a Zoning By-law Amendment was required to permit the business to continue to sell the products that are produced off-site.

The rural home occupation will not be permitted to exceed the maximum lot coverage permitted in the Zoning By-law 1999-52, as amended, of 10% of the area of the lot.

#### 4. RISK ANALYSIS:

There is a risk that a decision on a zoning matter is appealed to the Ontario Land Tribunal. The risks noted below provides further clarity on this depending on the recommendation and Council decision on the matter.

<b>Administration's Recommendation</b>	<b>Decision of Council</b>	<b>Who can appeal the decision to OLT.*</b>	<b>Costs to the Town if Appealed</b>
Recommend approval	Approve the Recommendation	The Applicant who requested the zoning amendment, the property owner, the Minister, specified persons and public bodies.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to deny the application	Approve the Recommendation	The Applicant who requested the zoning amendment, the property owner, the Minister, specified persons and public bodies.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend approval	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment, the property owner, the Minister, specified persons and public bodies.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend to deny the application	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment, the property owner, the Minister, specified persons and public bodies.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to approve (or deny)	Request to defer decision on the grounds of requiring additional information.	The Applicant who requested the zoning amendment, the property owner, the Minister, specified persons and public bodies.	In this scenario it allows for the applicant to consider if the additional information requested by Council, rather than an OLT hearing is preferred. As OLT hearings are costly and time consuming the applicant

			may elect to provide the additional information.
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\*In all matters the Municipality, the Minister of Municipal Affairs and Housing, any Specified Public Bodies have the right to appeal a zoning decision. The table above is to provide clarity on other parties who can appeal.

## 5. FINANCIAL MATTERS:

All costs associated with the application are the responsibility of the Applicant. Should Council's decision be appealed to the Ontario Land Tribunal, the Town will incur costs, as noted above. OLT appeals of any nature can be costly with estimated costs of a hearing at a minimum \$6,000/day, noting that those daily costs could be substantially higher depending on the specific nature of an appeal, the hearing, and should Town Administration be required to be before OLT as both witnesses for an Applicant and defense of a decision.

## 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.

No further consultation is required.

## 7. CORPORATE STRATEGIC ALIGNMENT:

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li>✓ Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>

<p style="text-align: center;"><b>PILLAR 2</b>  <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b>  <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li>✓ <input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>

## 8. CONCLUSION:

It is the opinion of administration that the Zoning By-law Amendment allows for the appropriate development of the subject lands, is consistent with the policies of the Provincial Planning Statement, 2024, and conforms with the policies of the County of Essex Official Plan and the Town of Amherstburg Official Plan.

Administration recommends that Zoning By-law 2025-020 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.




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Sarah French  
**Planner**

## Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-20-24 for 6321 County Road 20.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - ZBA-20-24 APPLN 6321 CO RD 20 BOUCHARD JL JUNE 11 2024_Redacted-RM.pdf</li><li>- Appendix B - ZBA-20-24 Aerials-RM.pdf</li><li>- Appendix C - Survey 12R06139.-RM.pdf</li><li>- Appendix D - Planning Rationale Report JANUARY 21 2025 REV2 JL-RM.pdf</li><li>- Appendix E - 6321 County Road 20 Site Photos-RM.pdf</li><li>- Appendix F - Council Circulation List-RM (1).pdf</li><li>- Appendix G - Summary of Correspondence Received on ZBA-20-24-RM.pdf</li><li>- Appendix H - 2025-020-ZBA-6321 County Rd 20 DRAFT RM.pdf</li></ul>
Final Approval Date:	Apr 16, 2025

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". The signature is stylized with a large, sweeping "K" and a long horizontal line extending from the end.

Kevin Fox

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

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

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality Sept. 18, 2024
3. Date application deemed complete by municipality January 21, 2025
4. Name of registered owner Chantale Bouchard  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]  
Name of registered owner's solicitor  
or authorized agent (if any) Jackie Lassaline, Lassaline Planning Consultants  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]  
Please specify to whom all communications should be sent:  
☐ registered owner    ☐ solicitor    ☒ agent
5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:  
\_\_\_\_\_
6. Location and description of subject land:  
Concession No. 6    Lot(s) No. 68  
Registered Plan No. 12R6139    Lot(s) No. \_\_\_\_\_  
Reference Plan No. 12R06139    Part(s) No. 2 and 3  
Street Address 6321 Essex Co Rd. 20    Assessment Roll No. 570-00650
7. Size of subject parcel:  
Frontage 70.1 m    Depth 60.96 m    Area 0.428 ha
8. Access to subject parcel:  
☐ Municipal Road    ☒ County Road    ☐ Provincial Highway  
☐ Private Road    ☐ Water  
If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road  
\_\_\_\_\_
9. (a) Current Official Plan Land Use designation of subject land Agriculture  
(b) Explanation of how application conforms to the Official Plan \_\_\_\_\_  
Please refer to attached planning memo



- (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:

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10. Current Zoning of subject land 'Agriculture (A)'
11. Nature and extent of rezoning requested Site specific provision to allow for a 'farm sales outlet including 'non-farm items' and pre-made foods
12. Reasons why rezoning is requested To allow for a fruit and vegetable stand that includes items not grown on the farm and include: pre-made foods, honey, etc
13. Current use of subject land hobby farm and rural residential
14. Length of time current use of subject land has continued 100 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 \_\_\_\_\_

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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:

residence - 4,300 ft<sup>2</sup>

garage - 576 ft2 - storage cooler - 80 ft2

Euroshed - 160 ft2 - preparation of foods - Health Unit inspected and licenced

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

residence, garage - 75 years

shed, cooler, veggie stand - 3 years

18. Date subject land acquired by current registered owner 75 years

19. Proposed use of subject land rural residential and hobby farm

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:

N/A

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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) \_\_\_\_\_ bathrooms private

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:

N/A

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

N/A

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

- ☐ Yes ☒ No

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

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

- ☐ Yes ☒ No

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

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

☒ Yes      ☐ No

Comments See Planning Memo

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

32. Is the land within 600 m of property that is designated as Extractive Industrial?

☐ Yes      ☒ No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

Dated at the Municipality of Lakeshore this 3rd day of June, 2024.

Jacqueline Lassaline  
(signature of applicant, solicitor or authorized agent)

Jackie Lassaline,  
I, Lassaline Planning Consultants of the Municipality of Lakeshore  
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 Kingsville in the County  
of Essex this 10th day of June, 2024.

Jacqueline Lassaline  
Applicant, Solicitor or Authorized Agent

29  
A Commissioned Environmental Professional, etc.,  
Province of Ontario, for McGregor, Sims, Schmoranz  
Professional Corporation, Barristers and Solicitors.  
Expires April 25, 2026.

**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 and a flat fee of \$5,522, along with an ERCA development review fee of \$400 for major ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$6,922 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,762, along with an ERCA development review fee of \$275 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$4,037 for minor ZBA applications.

Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1,149 plus an ERCA review fee of \$275, totalling \$1,424, must accompany your completed application for a Holding (h) Removal zone change, zone change from A to A-36, or zone change which is a condition of consent.

Engineering review fees of \$1500.00 + Hst per each time a file is reviewed may be applicable as per Amherstburg's User fee by-law.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

**AUTHORIZATION**

(Please see note below)

To: Clerk  
Town of Amherstburg

Description and Location of Subject Land:

6321 Essex County Road 20

I/We, the undersigned, being the registered owner(s) of the above lands hereby

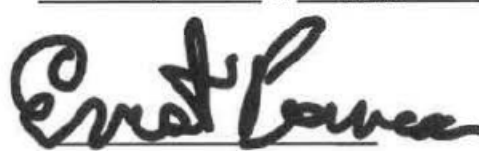
authorize Jackie Lassaline, Lassaline Planning Consultants of the Municipality

\_\_\_\_\_ of Lakeshore to:

- (1) make an application on my/our behalf to the Council for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of Amhurstburg in the

County of Essex, this 3rd day of June, 20  



Signature of Witness



Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\* Note: This form is only to be used for applications which are to be signed by someone other than the owner.



Town of Amherstburg



ST THERESE

DURANGO AVE

COUNTY RD 20

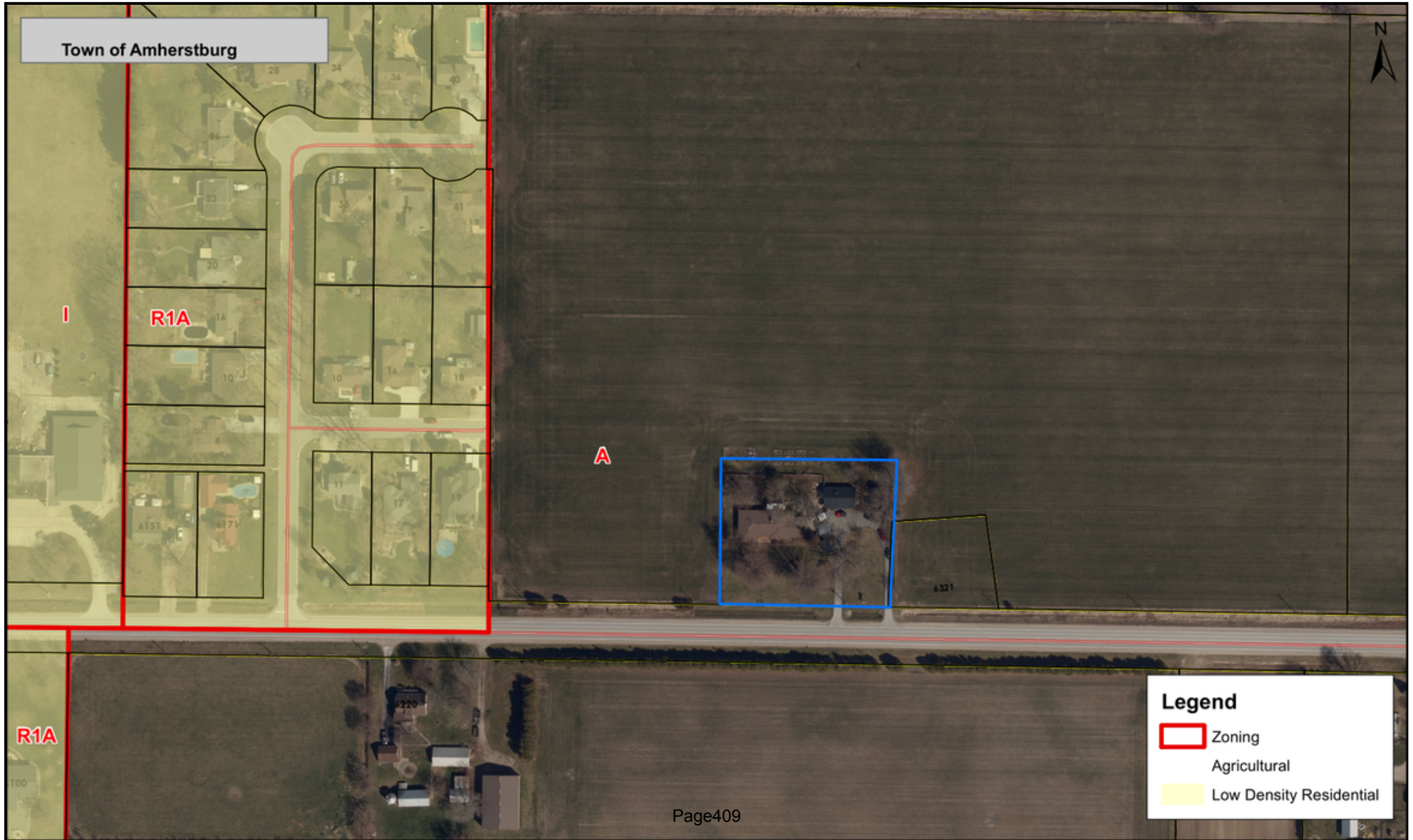


6321

6220



Town of Amherstburg



Legend



Zoning

Agricultural



Low Density Residential



PLAN OF SURVEY  
OF PART OF  
LOT 68 , CONCESSION 6

SCALE 1 : 750  
WILLIAM A. BREWER O. L. S., 1980

WILLIAM J. SETTERINGTON LTD.  
CONSULTING ENGINEERS & LAND SURVEYORS  
209 ERIE STREET SOUTH  
LEAMINGTON, ONTARIO

# SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:

1) This survey and plan are correct and in accordance with The Surveys Act and The Land Titles Act and the regulations made thereunder.

2) This survey was completed on the 7th day of August, 1980.

AUGUST 8, 1980  
Date

WILLIAM A. BREWER  
Ontario Land Surveyor

METRIC Distances shown on this plan are in METRES and can be converted to feet by dividing by 0.3048

### BEARING NOTE

Bearings are astronomic and are referred to the bearing of North 87° 25' West on the Northern limit of King's Highway No 18 as shown on a plan deposited in the Registry Office for the Registry Division of the County of Essex as Inst. No 4427.

## NOTES

-C- a.b. DENOTES STANDARD IRON SURVEY BAR PLANTED (1" square x 4' long).  
 -L- DENOTES IRON SURVEY BAR (3/8" square x 2' long).  
 P.D. DENOTES SURVEY MONUMENT FOUND.  
 W.T. DENOTES WITNESS.  
 L.B. DENOTES ROUND IRON SURVEY BAR (3/4" diameter x 2' long).

**CAUTION:**

This plan is not a Plan of Subdivision with the meaning of the Planning Act.

**I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.**

DATE August 13, 1980

*S. A. Smith*  
signature

ROBERT L. ROACH  
name in print

66-4289

APPROVED 13 August 1980

Robert J. Mauer  
ASS'T. EXAMINER OF SURVEYS

PARTS 1, 2, 3, 4 & 5 - part of Parcel 68-1, Section Malden-6.  
PARTS 1, 3 & 4 - subject to Easement as in Inst. № 11935 Malden.

PLAN 12R- 6139

## SURVEY

## SESSION 6

## MALDEN

**SEX, ONTARIO**

U.S. 1980

LTD.  
LAND SURVEYORS



530


 10022  
 of  
 N

Page410

King's Highway No. 18

( As Widened by Deposit Plan 4427 )

3 - 80 - 340  
D605

January 21, 2025

Sarah French, Planner  
Town of Amherstburg

Delivered via email

**REGARDING:** Zoning Bylaw Amendment (ZBA) Application  
**6321 Essex County Road 20, Amherstburg**  
**Pit's Fresh Veggies**

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## **INTRODUCTION:**

This Planning Memo (Planning Impact Analysis) has been prepared by Lassaline Planning Consultants Inc. in support of an application by my client, Chantale Bouchard (the Applicant), to amend The Corporation of the Town of Amherstburg Zoning By-law No. 1999-52 (By-law 1999-52). The existing Pitt's Fresh Veggies, in my professional opinion, comprises a Rural Home Occupation use in a Single Detached Dwelling on the rural residential property known municipally as 6321 Essex County Road 20 (the subject site), Town of Amherstburg.

A site specific ZBA is required to recognize that the retail sales for the Home Occupation-Rural comprises 50% of the floor area of the rural home occupation: the amendment will allow for 50% of the floor area of the home occupation be dedicated to retail sales of produce and the sales of pre-made foods sold at the market. In addition, the site specific amendment will recognize the retail sales of goods that are produced both on the property through the rural home occupation (pre-made foods) and acquired from off the property from local farms and business to be sold in the roadside stand.

Through the site specific ZBA, the use will comply with the Home Occupation-Rural bylaw. The ZBA will allow for the retail sales of goods produced both on the property through rural home occupation and from off the property through local farms and businesses. In addition, the retail sales of goods produced on site will comprise 50% of the floor area of the rural home occupation.

The Planning Impact Analysis has been prepared, as required by Policy 6.7 - Planning Impact Analysis of The Corporation of the Town of Amherstburg Official Plan (the Official Plan), to provide a professional planning opinion which describes how the requested Zoning By-law Amendment (ZBA) is consistent with the Provincial Policy Statement 2024 (PPS), conforms with the policy direction of the Official Plan, is compatible with existing and permitted uses in the surrounding area, and constitutes good planning.

## SUBJECT SITE:

The subject site is a rectangular shaped parcel of land created by consent and used for rural residential purposes with an approximate lot area of 0.5 hectares and lot frontage of 72.0 metres. The subject site is located on the north side of Essex County Road 20 between St Therese Avenue and Concession Road 7 in a rural area of the Town of Amherstburg.



Figure 1 - Location Map (Subject Site)





Figure 2 - Location Map (Subject Site - Close up)

The subject site contains a Single Detached Dwelling (rural residence) as a single storey residence with 204.4 m<sup>2</sup> total ground floor area that includes a garage with 22.3 m<sup>2</sup> for storage of materials used for the fresh fruit stand (ie: boxes, etc) and a kitchen with 22.3 m<sup>2</sup> used for preparation of pre-made foods and preserves.



Figure 3 – Double driveway access for lot





Figure 4 – Residence on site

As shown in the aerials above, the site has an existing double driveway for people to pull onto the property and then pull off the property without having to park on the side of the County Road or back onto the County Road to leave the property. There are multiple parking spaces (6 +) located at the fresh fruit stand for people attending on site.

Pitt's Fresh Veggies is an existing roadside farm sales selling fresh local produce from area farms, prepared foods produced within the Home Occupation (e.g., baked goods, bread, preservatives, salads, soups, etc) and plants grown on the subject site. The vegetables and fruit for sale are acquired from local farms and local greenhouses. These products are used in the preparation of pre-made meals, soups, and preserves that are sold on site.

The remainder of the subject site is maintained as landscaped open space and includes a long-paved horseshoe shaped driveway off Essex County Road 20. Also, there are 12 raised planter boxes, each at 12'x4' for the growing of herbs used in the preparation of the pre-made meals, soups and preserves (Refer to Figures 1 & 2 above).

## **SURROUNDING LAND USES:**

### **North:**

- Agricultural Uses (crop land)

### **East:**

- Agricultural Uses (crop land)

### **South:**

- Agricultural Uses (crop land)

### **West:**

- Malden Centre (Low density residential)

## **PROPOSAL:**

The applicant is requesting a Zoning By-law Amendment (ZBA) to establish a regulatory framework to support the continuation of a roadside stand (Pit's Fresh Veggies) as a Home Occupation-Rural associated with a rural residence.

Pit's Fresh Veggies is considered an accessory Rural Home Occupation together with accessory buildings and structures being used as a roadside stand (Pit's Fresh Veggies). The fresh fruit and vegetable stand existed for a number of years without concern until a complaint was received by the municipality last year about the existence of the fresh fruit and vegetable market roadside stand.

The owner of Pitt's Fresh Veggies was issued a number of approvals necessary for the operation of the vegetable stand and the provision of pre-made foods:

- 1) **Food Shop Business License** from the **Town of Amherstburg** for Pit's Fresh Veggies on October 23, 2023 (Attached as Appendix C).



- 2) The facilities have been inspected and passed inspection by the **Windsor-Essex Health Unit** for **Pit's Fresh Veggies** and the Home Occupation on April 11, 2024 (attached as Appendix A).
- 3) Pit's Fresh Veggies received a **Ministry of Health and Long-term Care Food Handler Training Certificate** from the **Windsor-Essex Health Unit** on March 7, 2024 (Attached as Appendix B) for the **preparation of food using the fresh vegetables that are sold at the fruit and vegetable stand.**

The following are accessory structures used for the vegetable stand:

- (1) The fresh fruit and vegetables are stored and displayed on a **mobile cart** that is moved to provide access to the different produce for sale. The mobile cart is approximately **4.6m x 4.6m (21.2 m<sup>2</sup>) mobile vegetable stand** (Refer to Figure 3 below);



Figure 3 - Mobile Food Stand

The following items are sold on the vegetable cart from the property and local farmers grown and supplied when in season:

- 1) Tomatoes;
- 2) Cucumbers;
- 3) Peppers;



- 4) Carrots;
- 5) Onions;
- 6) Radishes;
- 7) Beans;
- 8) Potatoes;
- 9) Carrots;
- 10) Lettuce;
- 11) Eggplants;
- 12) Onions;
- 13) Mushrooms;
- 14) Herbs;
- 15) Strawberries;
- 16) Spinach;
- 17) Flowers;
- 18) Honey;
- 19) Maple syrup;
- 20) Lakeside pickles;
- 21) Green Heart bread.

- 2) There is a walk-in cooler that is used to store pre-made foods. The walk-in cooler is **2.4m x 3.0m (7.2m<sup>2</sup>) exterior walk-in cooler** (Refer to Figure 4)



Figure 4 – Walk in cooler

Prepared Food prepared by the certified kitchen:

- 1) Cookies;
- 2) Pies;
- 3) Tarts;
- 4) Salads;
- 5) Pasta salads;
- 6) Dips, hummus;
- 7) Jams;
- 8) Bruschetta;
- 9) Soups;
- 10) Loaves and squares.

- 3) **3.0m x 4.0m (12.0 m<sup>2</sup>) EuroShed** used for storage of preserves and refrigerated food items (Refer to Figure 5).



Figure 5 – Euro-shed

## PROVINCIAL POLICY STATEMENTS 2024 (PPS 2024)

The PPS provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The following policies of the PPS 2024 are considered relevant in discussing provincial interests related to the requested Zoning Bylaw Amendment (ZBA):

2.5 - Rural Areas in Municipalities		
Policy No.	Policy	Planner's Opinion
2.5.1	Healthy, integrated and viable rural areas should be supported by:	
e)	promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;	Pit's Fresh Veggies provides another avenue for area farms to sell their fresh produce.
h)	providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.	Refer to responses provided to Policy 2.3 herein.
2.6 - Rural Lands in Municipalities		
Policy No.	Policy	Planner's Opinion
2.6.1	On rural lands located in municipalities, permitted uses are:	
d)	agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;	Pit's Fresh Veggies meets the definition of an agriculture- related use, providing another avenue for area farms to sell their fresh produce.  Pit's Fresh Veggies also meets the definition of an on-farm diversified use through producing prepared foods for sale on the subject site.
e)	Home occupations and home industries	Pit's Fresh Veggies can be considered a home occupation. The ZBA will recognize a larger home occupation.

2.6.2.	Development that can be sustained by rural service levels should be promoted.	There are no additional services required than what is used by the rural residence.
<b>4.3 - Agriculture</b>		
<b>4.3.2 - Permitted Uses</b>		
<b>Polic No.</b>	<b>Policy</b>	<b>Planner's Opinion</b>
4.3.2.	<p>In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.</p> <p>Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</p>	<p>Pit's Fresh Veggies is complimentary to the surrounding rural landscape in terms of scale, massing, height, siting, orientation, and setbacks.</p> <p>Pit's Fresh Veggies will not hinder surrounding agricultural operations.</p> <p>Essex County Road 20 is more than sufficient to handle the minimal traffic generated from Pit's Fresh Veggies.</p>
<b>4.3.5 - Non-Agricultural Uses in Prime Agricultural Areas</b>		
<b>Polic No.</b>	<b>Policy</b>	<b>Planner's Opinion</b>
4.3.5.	Planning authorities may only permit non-agricultural uses in prime agricultural areas for:	
b)	limited non-residential uses, provided that all of the following are demonstrated:	
1.	the land does not comprise a specialty crop area;	it's Fresh Veggies does not infringe on a specialty crop area.

It is my professional opinion that the ZBA is consistent with the PPS to support and promote economic prosperity for the rural and agricultural area of the municipality.

**OFFICIAL PLAN TOWN OF AMHERSTBURG**

The subject site is located within the Agricultural land use designation on Schedule “A” - Land Use Plan to the Official Plan. The following policies are considered relevant in discussing this amendment’s conformity with the Official Plan.

<b>Section 3 - Resource Based Land Use Policies</b>		
<b>Section 2 - Land Use Management Strategy for Development</b>		
<b>2.15 - Accessory Uses</b>		
<b>Policy No.</b>	<b>Policy</b>	<b>Planner’s Opinion</b>
2.15	Wherever a use is permitted in a land use classification, it is intended that uses, buildings, or structures normally incidental, accessory, and essential to that use are also permitted.	refer to the responses provided to the Zoning By-law section herein
<b>3.2 - Agricultural Land Uses</b>		
<b>3.2.2 - Policies</b>		
<b>Policy No.</b>	<b>Policy</b>	<b>Planner’s Opinion</b>
(16)	Residential uses on existing lots of record shall be permitted in the Agricultural designation. The Zoning By-Law shall only permit one residence per lot (lot as defined in the Zoning By-Law) .....	he Single Detached Dwelling as a rural residential use is a permitted use.

It is my professional opinion that the requested ZBA conforms with the policy direction of the Official Plan municipality



## ZONING BY-LAW:

The subject site is zoned 'Agricultural (A) Zone' of By-law 1999-52.

The Applicant is requesting a ZBA to By-law 1999-52 to add a site-specific provision to allow a roadside stand as an accessory use to a rural residential Single Detached Dwelling, subject to the applicable provisions of the Home Occupation - Rural General Provisions of By-law 1999-52.

It should be noted that By-law 1999-52 does not define a farm. The Britannica Dictionary defines a farm as *"a piece of land used for growing crops or raising animals."*

It is my professional opinion that the use and size of the operation of Pitt's Fresh Veggies complies with the roadside stand use and can be considered an appropriate use of these lands.

By-law 1999-52 defines a "Home Occupation" as *"the use of part of a dwelling unit for an occupation which provides gain or support, for at least one (1) of the permanent residents of such dwelling unit and which is clearly secondary to the main use of the dwelling unit as a private residence."*

Section (10) iv) of the **Home Occupation - Rural** General Provisions of By-law 1999-52 (iv) states that: *"a rural occupation may be located within an accessory building or structure to the main residential or agricultural use. The rural occupation shall be wholly contained **within buildings and structures that shall not exceed ten percent coverage of the lot area or a total of 930 square metres of gross floor area, whichever is the lesser.** Any open storage shall be considered as part of the lot coverage and shall not exceed the maximum permitted"*.

Section (10) viii) of the **Home Occupation - Rural** General Provisions of By-law 1999-52 states that: *"**Retail sales are restricted to goods manufactured as part of the rural occupation.** The area devoted to retail sales shall be no more than **10 percent of the floor area of the rural occupation.**"*

The parcel has approximately 5,000 m<sup>2</sup> lot area. The area of the residence used for storage (garage at 22.3 m<sup>2</sup>) and for cooking of meals (kitchen at 22.3 m<sup>2</sup>) is a total of 44.6 m<sup>2</sup> of the residence used for the retail sales outlet. In addition, accessory structures of the cart (21.2 m<sup>2</sup>); the cooler (7.2 m<sup>2</sup>) and the shed (12 m<sup>2</sup>) for a total of 40.4 m<sup>2</sup> accessory structures used for the veggie stand. Therefore the total GFA of 85m<sup>2</sup> associated with Pitt's Fresh Veggies is equivalent to **1.7% Total Lot Coverage** of the lot and **meets the bylaw requirement of less than 10% of the floor area**. In my professional opinion, the land use of a fresh vegetable stand with pre-made foods and preserves for sale complies with the 'Home Occupation – Rural' for the size of the Home Occupation.

The acquisition of the farm fruit and vegetables from local farms and greenhouses for sale at the market is considered 'off-site'. All pre-made foods and preserves are produced on site using fresh produce. It is fair to say that over half of the income for Pitt's Fresh Veggies is from the pre-made foods and preserves produced on site, therefore 50% of the produce (sales) is from off-site produce while 50% of the sales is from on-site products.

The sales of fruit and vegetables grown locally and used in the preparation of foods sold on the rural residential lot and the surplus fruit and vegetables sold at the vegetable stand, in my professional opinion, complies with the intent of the CZB 'Agriculture (A)' zone. Specifically, the land use is permitted as a roadside stand and is consistent with the 'Home Occupation-Rural Bylaw' with the exception that the amount of floor area used for retail for the provision of product sold.

A site specific ZBA is required to recognize that the retail sales for the Home Occupation-Rural comprising 50% of the floor area of the rural home occupation: the amendment will allow for 50% of the floor area of the home occupation be dedicated to retail sales of produce and the sales of pre-made foods sold at the market. In addition, the site specific amendment will recognize the retail sales of goods that are produced both on the property through the rural home occupation (pre-made foods) and acquired from off the property from local farms and business to be sold in the roadside stand.



It is my professional opinion that the licensed preparation of food and a fresh fruit and vegetable stand are permitted uses in the 'Agriculture (A)' zone and on the subject lands.

In my professional opinion, the licensed preparation of food, sale of fresh produce as the land use of Pitt's Veggies complies with the roadside stands provisions of the bylaw.

With the passing of the site specific ZBA, it is my professional opinion that the additional land use of Pitt's Veggies can be considered to comply with all aspects of the Home Occupation-Rural bylaw.

**CONCLUSION:**

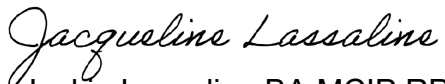
It is my professional opinion that the requested Zoning Bylaw Amendment (ZBA) to allow for the continuation of Pitt's Fresh Veggies as a roadside stand as a Home Occupation-Rural:

1. is consistent with the policies of the PPS;
2. conforms with the relevant policies of the Official Plan;
3. complies with the regulations of By-law 1999-52; and
4. constitutes good planning.

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

Regards,

Lassaline Planning Consultants



Jackie Lassaline BA MCIP RPP

Principal planner, Owner

APPENDIX A: HEALTH UNIT CERTIFICATION FOR COOKING FACILITIES



## APPENDIX B – FOOD HANDLING CERTIFICATION – CHANTALE BOUCHARD





APPENDIX C – BUSINESS LICENCE 2024 – TOWN OF AMHERSTBURG

No: 2023-40  
Expiry:

**Corporation of the Town of Amherstburg**  
**LICENCE**

*To All Whom it May Concern:*

This License is granted to .....Chantale Bouchard.....  
of ...Pits Fresh Veggies @ 6321 County Rd 20 West.....  
to carry on the (a) .....BUSINESS..... of.....Food Shop.....  
within the limits of the Town of Amherstburg.

Provided the said **Pits Fresh Veggies** shall duly observe all such By-laws, Rules and Regulations, matters and things as are, or may be enacted by the Municipal Council of the **Town of Amherstburg** or legally constituted Board of Commissioners thereof to govern within their jurisdiction.

Issued at **Amherstburg, Ontario** this ...23rd..day of ...October...2023.....

  
Luisa Kempster, Licensing Officer



6321 County Road 20

Site Photos – provided by applicant September 2024





















WINDSOR-ESSEX COUNTY  
**HEALTH unit**  
Bureau de santé de Windsor-comté d'Essex

THIS PREMISES HAS BEEN  
**INSPECTED**

519-258-2146 ext. 4475

Ask to see the report  
or go to  
[wechu.org/inspections](https://wechu.org/inspections)

PITS FRESH VEGGIES		inspected	
NAME OF PREMISES		times per year	
		11	04 2024
INSPECTOR SIGNATURE		DD	MM YYYY

Page433



**FOOD HANDLER TRAINING CERTIFICATE**  
**CERTIFICAT DE FORMATION EN MANIPULATION DES ALIMENTS**

This is to certify that/Ce certificat atteste que

**Chantale Bouchard**

has successfully completed a Food Handler Training course that meets the requirements of the Ministry of Health and Long-Term Care.  
a suivi avec succès la formation en manipulation des aliments qui répond aux exigences du ministère de la Santé et des Soins de longue durée.

**Disclaimer**

This certificate signifies only that the holder has completed a Food Handler Training course that meets the requirements of the Ministry of Health and Long-Term Care. The holder is not affiliated in any respect with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care.

**Avertissement**

Ce certificat ne constitue qu'une attestation que son titulaire a suivi avec succès la formation en manipulation des aliments qui répond aux exigences du ministère de la Santé et des Soins de longue durée. Le titulaire n'est associé d'aucune manière à Sa Majesté la Reine du chef de l'Ontario représentée par le ministre de la Santé et des Soins de longue durée.

ISSUED BY/  
DELIVRE PAR Windsor-Essex County Health Unit  
CERTIFICATE/  
CERTIFICAT 2024-269

ISSUE DATE/  
DELIVRE LE March 7, 2024  
EXPIRY DATE/  
EXPIRATION March 7, 2029



No: 2023-40  
Expiry:

# Corporation of the Town of Amherstburg LICENCE

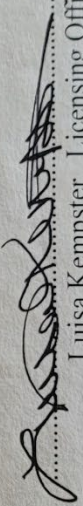
*To All Whom it May Concern:*

This License is granted to ..... Chantale Bouchard .....  
of ...Pits Fresh Veggies @ 6321 County Rd 20 West.....  
to carry on the (a) .....BUSINESS..... of .....Food Shop.....  
within the limits of the Town of Amherstburg.

Provided the said **Pits Fresh Veggies** shall duly observe all such By-laws, Rules and Regulations, matters and things as are, or may be enacted by the Municipal Council of the Town of **Amherstburg** or legally constituted Board of Commissioners thereof to govern within their jurisdiction.



Issued at Amherstburg, Ontario this ...23rd..day of ..October...2023 .....

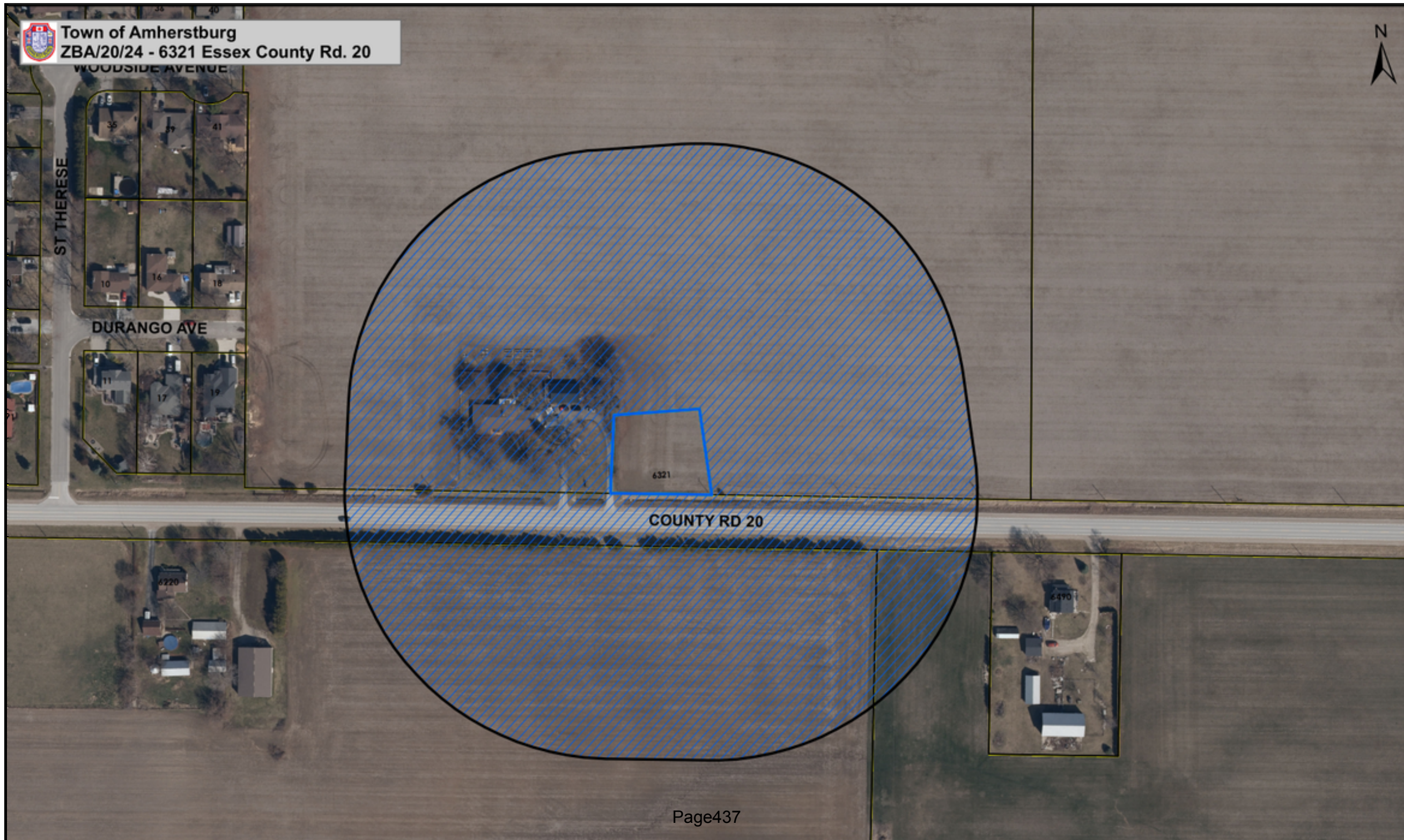
  
Luisa Kempster, Licensing Officer



## ZBA/20/24-6321 Essex County Rd 20

ARN	ADD1	STREETNAME
372952000002800	6490	COUNTY RD 20
372952000002700	6220	COUNTY RD 20
372957000000650	6321	COUNTY RD 20
372957000000600		COUNTY RD 20









## Summary of Correspondence Received on Proposed ZBA for 6321 County Rd. 20

Below is a summary of the comments received by the Planning Services Division on ZBA/20/24 since March 7, 2024.

### Essex Region Conservation Authority:

See attached letter.

### Windsor Police:

No Comments

### Essex Powerlines:

No Comments

### Fire Department:

No Comments

### Infrastructure Services:

See attached letter.

### County of Essex:

See attached letter.



2025-03-05

File Number: 0441-25

Sarah French, Planner  
Town of Amherstburg Libro Centre  
Amherstburg, ON  
N9V 2Y8

RE: ZBA-20-24 Rezone for Farm Retail  
6321 COUNTY RD 20

The Town of Amherstburg has received Application for Zoning By-law Amendment ZBA-20-24. This rezoning application will affect approximately 0.428 ha (1.06 ac) ± of land described as Concession 6, Part Lot 68; Part 2 and 3 on 12R-6139, municipally known as 6321 County Road 20. The subject lands are currently zoned Agricultural (A) Zone and designated Agriculture in the Town's Official Plan.

This Zoning Amendment, if approved, will rezone the subject lands from "Agricultural (A) Zone" to "Special Provision Agricultural (A-48) Zone". This rezoning, if approved, will add additional permissions to Home Occupation – Rural (Section 3(10)) provisions, specific to the subject site. The additional permissions will allow for the retail sales of goods that are produced both on the property through the rural home occupation and off the property through local farms and businesses, and allow for the retail sales of goods to occupy up to 50% of the floor area of the rural home occupation.

The effect of this amendment will be to allow for the existing roadside stand to sell goods that are produced both on the subject site and locally by other businesses. The rural home occupation will not be permitted to exceed the maximum lot coverage permitted in the Zoning By-law 1999-52, as amended, of 10% of the area of the lot. All other requirements of the Agricultural (A) Zone provisions will be maintained

The following comments are provided as a result of our review of ZBA-20-24.

**NATURAL HAZARDS AND REGULATOR RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21**

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Ontario Regulation 41/24 under the Conservation Authorities Act). As a result, an approval is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act.



## **FINAL RECOMMENDATION**

Our office has no objection to ZBA-20-24.

Sincerely,

*Alicia Good*

Alicia Good  
Watershed Planner  
/ag



**AMHERSTBURG**

ONTARIO, CANADA

EST. 1796

## MEMO

**To:** Sarah French, Planner

**From:** Sydnee Botham, Development Engineering Coordinator

**Date:** February 28, 2025

**Subject:** ZBA/20/24 – 6321 County Road 20  
Town of Amherstburg

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The following submission package was reviewed for conformance with Amherstburg's Development Manual and the Windsor-Essex Region Stormwater Manual (WERSM):

- Notice of Statutory Meeting, dated February 26, 2025

Based on the review, we offer the following comments.

### General

1. Engineering review fees per Amherstburg's user fee by-law may be applicable for this development application. The Developer is responsible to borne all costs associated with this review and all subsequent reviews therein.

If you have any questions, please do not hesitate to contact the undersigned.

---

Sydnee Botham  
Development Engineering Coordinator





March 6, 2025

Sarah French  
Town of Amherstburg  
3295 Meloche Rd.  
Amherstburg, ON, N9V 2Y8

Dear Ms. French

**Re: A Zoning By-law Amendment: ZBA-20-24**

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Please be advised that the County has reviewed the aforementioned applications and the comments provided are engineering-related only. These applications have not been reviewed from a planning perspective. No objection to this application. The subject lands have frontage on County Road No. 20. The Applicant will be required to comply with the following County Road regulations:

***County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.***

***County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.***

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of the County Road. Permits are necessary for any changes to existing entrances and structures, or the construction of new structures.

Structures are prohibited within the right-of-way.

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

Should you require further information, please contact the undersigned by email at [kbalallo@countyofessex.ca](mailto:kbalallo@countyofessex.ca) or by phone at extension 1564.

Regards,

Kristoffer Balallo  
Engineering Technologist

519-776-6441  
TTY 1-877-624-4832

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

[countyofessex.ca](http://countyofessex.ca)

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-020**

**By-law to amend Zoning By-law No. 1999-52  
6321 County Road 18 (Concession 6, Part Lot 68; Part 2 and 3, 12R-6139),  
Amherstburg**

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**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 60 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from A to A-48" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Special Provision Agricultural (A-48) Zone".
2. THAT Section 26(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (nn) as follows:

“(nn) A-48 (6321 County Road 20)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned as A-48 on Schedule "A" hereto, the zone requirements of Section 26 of the By-law shall apply with the addition of the following special provision:

- i) Notwithstanding the Home Occupation – Rural provisions of Section 3(10), the subject site shall be permitted the retail sales of goods, through a roadside stand, that are produced both on the property through the rural home occupation and off the property through local farms and businesses. Additionally, the retail sales of goods shall be permitted to occupy up to 50% of the floor area of the rural home occupation. All other Home Occupation – Rural provisions shall apply.”

All other provisions under Subsection 26(3) Zone Regulations shall apply to lands zoned A-48.

3. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

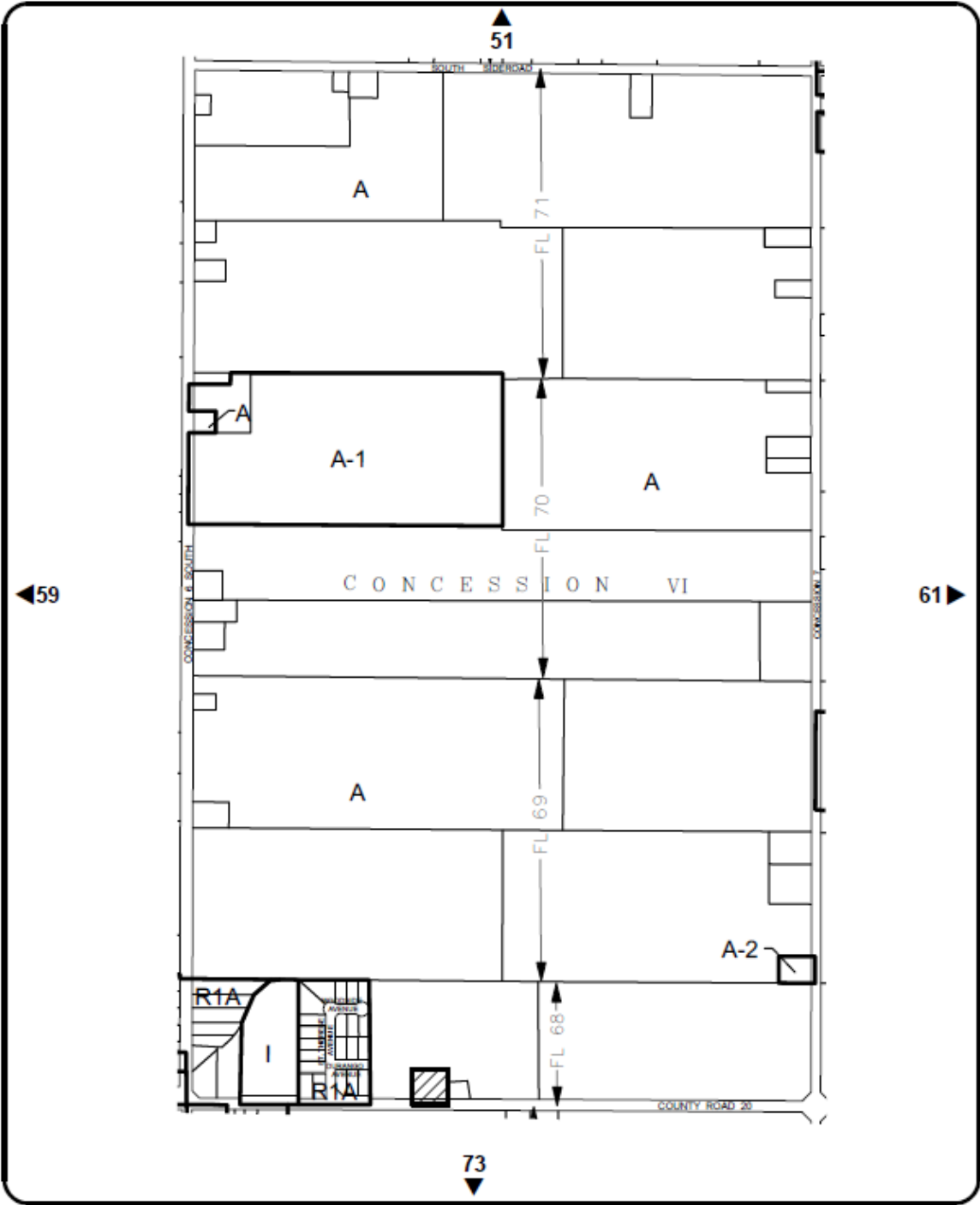
Read a first, second and third time and finally passed this 29<sup>th</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR- MICHAEL PRUE


\_\_\_\_\_  
CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

SCHEDULE “A” TO BY-LAW No. 2025-020  
BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'  
MAP 60  
ZONING BY-LAW NO. 1999-52

A to A-48 



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

<b>Author's Name: Christopher Aspila</b>	<b>Report Date: April 14, 2025</b>
<b>Author's Phone: 519 736-5408 ext. 2124</b>	<b>Date to Council: April 29, 2025</b>
<b>Author's E-mail: caspila@amherstburg.ca</b>	<b>Resolution #:</b>

**To: Mayor and Members of Town Council**

**Subject: Summary of Site Plan Control Applications January 10, 2025  
Through April 14, 2025**

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#### **1. RECOMMENDATION:**

It is recommended that:

1. The report titled "Summary of Site Plan Control Applications January 10 Through April 14, 2025" **BE RECEIVED for information.**

#### **2. BACKGROUND:**

At the December 5, 2022 meeting Council requested Administration to determine how a report to update them on Site Plan Control agreements approved under Bill 109 could be done. At the November 13, 2023 meeting Administration advised an annual report on all Site Plan Control (SPC) agreements was planned for December 11, 2023. At that meeting Council provided additional direction that going forward as SPC are executed or new files which will require a SPC become active, an update report should be brought forward at the next available Council meeting after such an event occurs.

This report summarizes all SPC activity which can be made public for the period of January 10, 2025 to April 14, 2025. Administration will continue to provide an updated summary as and when changes to this list occur.

#### **3. DISCUSSION:**

A summary of executed Site Plan Control agreements and active files which are public, is provided in the table attached as Appendix 'A' to this report.

The table includes the following information:

- Municipal address associated with the SPC application;
- Description and zoning for the property;
- If a Building permit has been issued. Of note, an executed SPC agreement does not always result in the building permits following immediately after. It can be months before developer submits for their building permits.
- Construction value is the assigned value of the project when a building permit is issued.
- Public consultation provides for whether the project has been previously brought forward in public for one or several of the following approvals:
  - o Committee of Adjustment (COA);
  - o Statutory Public Meeting (SPM) before Council;
  - o Regular Council meeting for approval of a Zoning By-Law Amendment (ZBA) and or an Official Plan Amendment (OPA)
  - o N/A means there was no public meeting at COA and or Council regarding this file as it only required a SPC agreement, which as per Bill 109 has been delegated to Administration
- Other information is what additional details about the project can be publicly shared.
- Agreement date is the registration date of the executed SPC agreement. Where this field states TBD, the file is still in process.

This report serves to provide Council with a listing of all SPC files since the last report provided on January 26, 2025 which reported up to January 9, 2025.

#### **4. RISK ANALYSIS:**

This report is provided for information purposes only and is assessed as having a very low risk.

#### **5. FINANCIAL MATTERS:**

N/A

#### **6. CONSULTATIONS:**

Site Plan Control Applicants have been contacted with a request to provide signed consent authorizing the release of any tenant names in situations where the information is not already in the public realm.

## 7. CORPORATE STRATEGIC ALIGNMENT:

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"><li>✓ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li><li><input type="checkbox"/> Deliver transparent and efficient financial management.</li><li>✓ Increase effective communication and engagement with residents.</li><li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li><li><input type="checkbox"/> Continue to deliver strong core municipal services.</li><li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li></ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"><li>✓ Encourage development of commercial and industrial lands.</li><li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li><li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li><li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li></ul>
<p><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li><li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li><li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li><li><input type="checkbox"/> Create public access to water and waterfront</li><li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li></ul>	<p><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li><li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li><li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li><li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li><li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li></ul>

## 8. CONCLUSION:

This report provides a summary of active Site Plan Control Applications between January 10, 2025 and April 14, 2025.





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Christopher Aspila  
**Manager of Planning Services**

## Report Approval Details

Document Title:	Summary of Site Plan Activity Through April 14 2025.docx
Attachments:	- Summary of Site Plan Activity April 2025.pdf
Final Approval Date:	Apr 16, 2025

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



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox

Address	Description	Zoning	Building Permit Issued	Construction Value	Public Consultation	Other Information	Agreement Dated
Listing of Executed Site Plan Control Agreement from January 26, 2025 To April 28, 2025							
580 Middle Sideroad	Commercial/Residential	CN-14	No		SPM- ZBA, COA- Consent	Mixed Use- 6 Commercial and 6 Residential Units (Amending Agreement)	2025-03-31
400 Sandwich St.	Commerical Highway	CH-8	Yes	\$ 706,000.00	SPM	LCBO (Amending Agreement)	2025-01-15
95 Victoria St.	Heavy Industrial	HI	Yes		SPM, COA-Minor Variance	Warehouse Addition	2025-03-12
Listing of Active Files with Planned Site Plan Control Agreements, as of April 28, 2025							
33 Concession 3 N	Industrial	SI	No		COA- Minor Variance	Self Storage Facility	TBD
256 Dalhousie St.	Commerical	CG-18	Demo Permit		SPM- ZBA	Boutique Hotel/ Commerical/Restaurant	TBD
7368 Howard Ave.	Agricultural	A-46	No		SPM- ZBA	Agricultural Training Facility & Landscaping Business	TBD
3295 Meloche Rd.	Agricultural	A	No		COA- Minor Variance	Fire Station	N/A
140 Fryer St.	Institutional	I	No		COA-Minor Variance	Long Tern Care Facility-Amdendment to SWM Design	TBD
340-364 Dalhousie St.	Environmental Protection & Commercial General	EP & CG	No			Construct a new main land ferry dock to transport residents and guest to and from the Island.	TBD
6754 County Rd. 50	Commerical Neighbourhood	CN-8	Yes	\$183,000.00(reno for store)	SPM, ZBA	Gas Station	TBD



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Janine Mastronardi and Christopher Aspila	Report Date: April 15, 2025
Author's Phone: 519 736-5408 ext. 2134	Date to Council: April 29, 2025
Author's E-mail: <a href="mailto:jmastronardi@amherstburg.ca">jmastronardi@amherstburg.ca</a> and <a href="mailto:caspila@amherstburg.ca">caspila@amherstburg.ca</a>	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Zoning By-law Amendment for Lands Severed from 6801 Concession 6 N**

---

#### **1. RECOMMENDATION:**

It is recommended that:

1. **By-law 2025-026** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as retained farm parcel severed from 6801 Concession 6 N, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

#### **2. BACKGROUND:**

The Statutory Public Meeting was held at 5:30 p.m., April 14, 2025 to hear public comments on an application for a Zoning By-law Amendment for the retained farm parcel severed from 6801 Concession 6 N (Conc 6, Pt Lot 11), Amherstburg. The Zoning By-law Amendment (ZBA) will change the zoning for the subject lands from the "Agricultural (A) Zone" to "Special Provision Agricultural (A-36) Zone". The parcel was the subject of an application for consent (File B/02/25) to sever a dwelling which is surplus to the needs of the farming operation. The rezoning of the subject property to A-36 is a condition of the consent decision.

#### **3. DISCUSSION:**

At the statutory public meeting there were no public comments. Administration outlined the Provincial requirement for prohibiting dwellings on the remnant farm parcel.

## ***Statutory Public Meeting Follow-up***

Administration has addressed the questions and concerns raised at the Statutory Public Meeting through a table located below.

**Table 1:** Comments from the Statutory Public Meeting regarding the Zoning By-law Amendment proposed for Lands Severed from 6801 Concession 6 N.

<b>Comments and Concerns Received</b>	<b>Administrative Response</b>
When was the lot to the north of 6801 Concession 6 N severed?	The lot to the north of 6801 Concession 6 N is 6805 Concession 6 N. The lot was created in 1986-1987. This is prior to planning policy changes that placed restrictions on retained farm parcels.
Frequency of Agricultural Severances	<p>Since 2005 provincial policy, found in the Provincial Policy Statement 2005 and subsequent versions of the PPS up to and including the most recent Provincial Planning Statement 2024, has limited agricultural severances to;</p> <ul style="list-style-type: none"><li>- lot creation which results in both severed and retained lots being a minimum of 40 ha in lot area, which provides for easements or right-of-ways for infrastructure needs, and which provides for agriculture-related uses;</li><li>- surplus dwelling severances; and</li><li>- lot adjustments for legal or technical reasons.</li></ul> <p>For the past ten years the Town receives an average of 2 surplus dwelling severance applications a year.</p>

As noted above, the applicant severed a parcel of land being 41.5 m  $\pm$  frontage by 82.5 m  $\pm$  depth with an area of 0.36 ha  $\pm$  which includes a single detached dwelling and two accessory structures which are surplus to the needs of the farming operation. The residence which was the subject of the severance is located at 6801 Concession 6 N, is not subject to this rezoning. At the conclusion of the severance, the remaining farm parcel subject of the recommended ZBA will have a total area of 19.64 ha  $\pm$ .

The subject parcel is zoned Agriculture in the Zoning By-Law and Agriculture in the Town's Official Plan. The effect of the ZBA will allow for general agricultural uses on the subject property and prohibit any new dwelling units on the remnant land.

The application is consistent with the Provincial Policy Statement, specifically Section 4.3.3.1(c) which provides for lot creation for a residence surplus to a farming operation as a result of farm consolidation provided that new residential dwellings are prohibited on any vacant remnant parcel created by the severance. The application is also in conformity with the Town's Official Plan, specifically Section 3.2.2(14) which provides for surplus dwelling severances subject to the remnant parcel being rezoned to ensure no new dwelling units will be permitted. The proposed lot size as well as the intended land use

for the subject parcel complies with the zone requirements for the Special Provision Agricultural Zone.

#### **4. RISK ANALYSIS:**

There is a risk that a decision on a zoning matter is appealed to the Ontario Land Tribunal. The risks noted below provides further clarity on this depending on the recommendation and Council decision on the matter.

<b>Administration's Recommendation</b>	<b>Decision of Council</b>	<b>Who can appeal the decision to OLT.*</b>	<b>Costs to the Town if Appealed</b>
Recommend approval	Approve the Recommendation	Parties who provided written and or verbal communication on this matter at the Statutory Public Meeting (SPM) or public meeting of Council, and or signed in and provided their contact information at the SPM.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to deny the application	Approve the Recommendation	The Applicant who requested the zoning amendment.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend approval	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend to deny the application	Refuse the Recommendation  Note: The Planning Act defines a tied vote as a refusal.	Parties who provided written and or verbal communication on this matter at the Statutory Public Meeting (SPM) or public meeting of Council, and or signed in and provided their contact information at the SPM.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to approve (or deny)	Request to defer decision on the grounds of requiring additional information.	The Applicant who requested the zoning amendment.	In this scenario it allows for the applicant to consider if the additional information requested by Council, rather than an OLT hearing is preferred. As OLT hearings are costly and time consuming the applicant may elect to provide the additional information. If that is the direction the Town may need to refund the application fee, noting the refund is also less costly for the Town than an OLT hearing.



## 5. FINANCIAL MATTERS:

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

## 6. CONSULTATIONS:

No further consultations are required on this application. All statutory notice requirements and consultations were met through the planning process.

## 7. CORPORATE STRATEGIC ALIGNMENT:

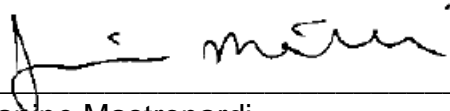
***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li><li><input type="checkbox"/> Deliver transparent and efficient financial management.</li><li><input type="checkbox"/> Increase effective communication and engagement with residents.</li><li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li><li>✓ Continue to deliver strong core municipal services.</li><li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li></ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li><li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li><li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li><li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li></ul>
<p><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li><li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li><li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li><li><input type="checkbox"/> Create public access to water and waterfront</li><li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town</li></ul>	<p><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li><li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li><li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li><li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li></ul>

operations and increase Town resilience to climate change.	✓ Preserve the Town's greenspaces, agricultural lands, and natural environment.
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## 8. CONCLUSION:

Administration recommends that Zoning By-law 2025-026 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.

  
 Janine Mastronardi  
**Planner**

  
 Christopher Aspila  
**Manager, Planning Services**

## Report Approval Details

Document Title:	Zoning By-law Amendment for Lands Severed from 6801 Concession 6 N.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A- ZBA-01-25- Notice of Statutory Public Meeting- Lands Severed from 6801 Concession 6 N-RM.pdf</li><li>- Appendix B- ZBA-01-25 - Application_Redacted-RM.pdf</li><li>- Appendix C- B-02-25 Sketches-RM.pdf</li><li>- Appendix D- Site Photos-RM.pdf</li><li>- Appendix E- B-02-25- Decision-RM.pdf</li><li>- Appendix F- Summary of Correspondence Received on ZBA-01-25-RM.pdf</li><li>- Appendix G- Buffer Map Council Circulation list-RM.pdf</li><li>- Appendix H- 2025-026-ZBA-ES Conc 6 N-A-36-RM.pdf</li></ul>
Final Approval Date:	Apr 16, 2025

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



Melissa Osborne



Tracy Prince



Valerie Critchley



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, April 14, 2025 commencing at 5:30 p.m.** in the Town of Amherstburg Council Chambers, 271 Sandwich Street South, Amherstburg, Ontario. The purpose of this meeting is to consider a proposed amendment to the Town of Amherstburg Zoning By-law 1999-52, under Section 34 of the Planning Act.

**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, April 10, 2025. To register for electronic participation please email the Clerk at [clerk@amherstburg.ca](mailto: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 will affect approximately 19.64 hectares ± of land described as Concession 6, Part Lot 11, municipally known as the retained farm parcel from a surplus dwelling severance at 6801 Concession 6 N (see map below).

This Zoning Amendment, if approved, will rezone the subject lands from "**Agricultural (A) Zone**" to "**Special Provision Agricultural (A-36) Zone**". The parcel is designated Agricultural in the Town's Official Plan. The lands described above are subject to an application for consent (File B/02/25) to sever a dwelling which is surplus to the needs of a farming operation.

The purpose of the rezoning will be to allow for general agricultural use on the subject property and prohibit any new dwelling unit on the land. The "Special Provision Agricultural (A-36) Zone" is established as a site-specific zone for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

**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 at [clerk@amherstburg.ca](mailto:clerk@amherstburg.ca) or in person by appointment for drop-off at Town Hall located at 271 Sandwich Street South. Comments must be submitted by 4:00 p.m. on Thursday, April 10, 2025 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, 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/01/25) 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](http://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

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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.

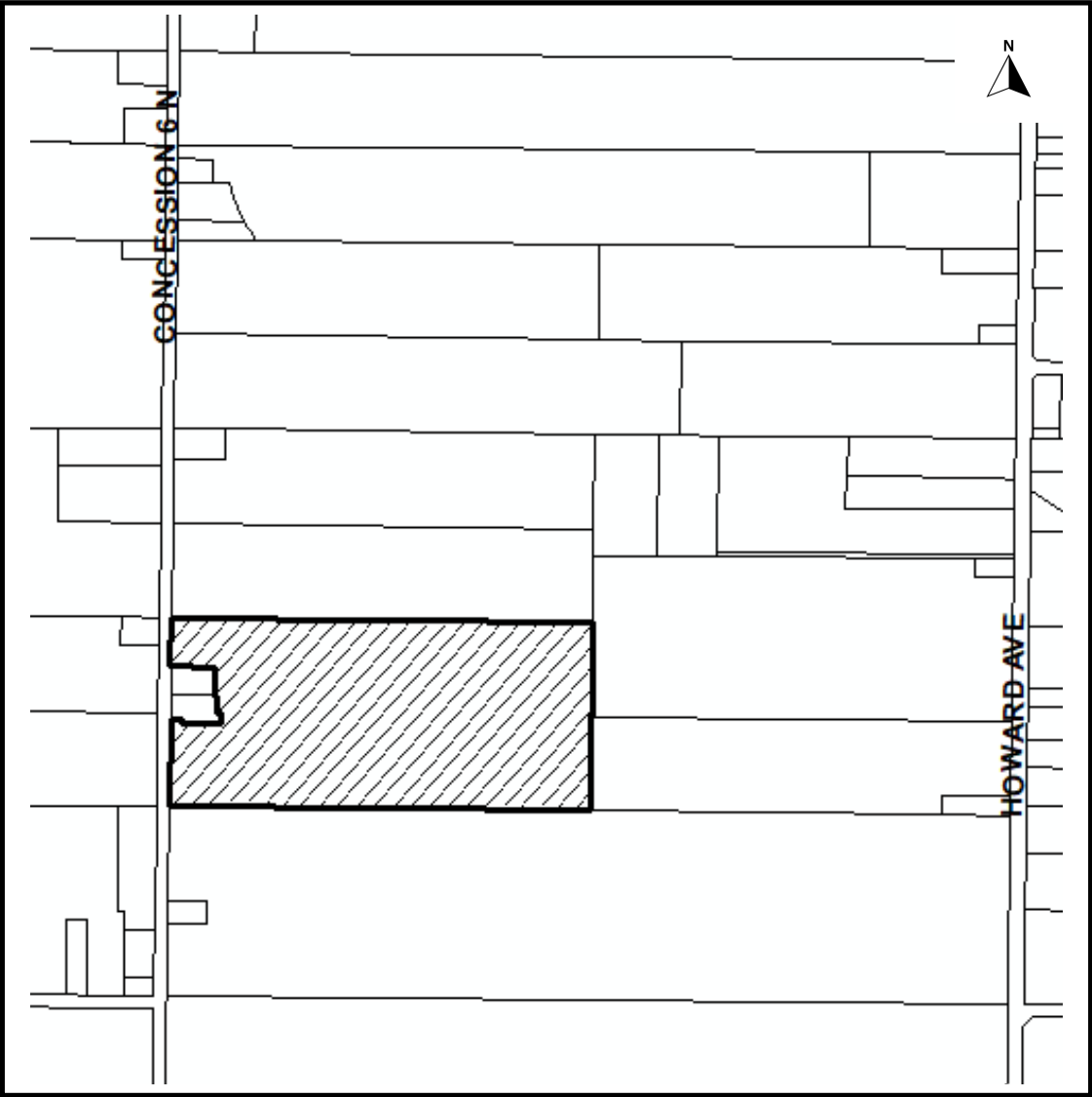
to the Town at the address below. The hearing will be available for viewing by livestream by visiting [www.amherstburg.ca](http://www.amherstburg.ca).

The meeting will be available for viewing by livestream by visiting [www.amherstburg.ca](http://www.amherstburg.ca).

**For Council and Committee Agendas and Meetings, visit [amherstburg.ca/calendar](http://amherstburg.ca/calendar).**  
**To subscribe to Council & Committee Agendas, visit [Amherstburg.ca/calendar](http://Amherstburg.ca/calendar) and click SUBSCRIBE.**

DATED at the Town of Amherstburg this 19<sup>th</sup> day of March, 2025.

**KEY MAP**



Christopher Aspila  
Manager, 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](http://www.amherstburg.ca)

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Municipal Fee Received:	<u>Paid</u>
Municipal Deposit Received:	
ERCA Fee Received:	

Page 1

Application No. 28A/01/25

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

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality Dec. 13, 2024
3. Date application deemed complete by municipality March 12, 2025
4. Name of registered owner George Dragicevic  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]  
Name of registered owner's solicitor  
or authorized agent (if any) \_\_\_\_\_  
Telephone number \_\_\_\_\_  
Address \_\_\_\_\_  
Email \_\_\_\_\_

Please specify to whom all communications should be sent:

☒ registered owner      ☐ solicitor      ☐ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:  
\_\_\_\_\_

6. Location and description of subject land:

Concession No. 6      Lot(s) No. Pt 4 11  
Registered Plan No. \_\_\_\_\_      Lot(s) No. \_\_\_\_\_

Reference Plan No. \_\_\_\_\_      Part(s) No. \_\_\_\_\_

Street Address screened from 6801 Con 6 N      Assessment Roll No. 3729-480-03900  
(retained parcel)

7. Size of subject parcel:

Frontage 798.5m +/-      Depth 2204m +/-      Area 19.64 ha

8. Access to subject parcel:

☒ Municipal Road      ☐ County Road      ☐ Provincial Highway  
☐ Private Road      ☐ Water

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

9. (a) Current Official Plan Land Use designation of subject land Agricultural  
(b) Explanation of how application conforms to the Official Plan Section 3.2.2(16)  
of the Official Plan requires the remnant parcel  
subsequent to a surplus dwelling severance be rezoned  
to restrict residential development.



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

☐ Yes ☒ No

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

10. Current Zoning of subject land Agricultural (A) Zone
11. Nature and extent of rezoning requested A to A-3b
12. Reasons why rezoning is requested condition of surplus dwelling severance to comply with official Plan policies
13. Current use of subject land agricultural
14. Length of time current use of subject land has continued 100+ yrs
15. Is the subject land within an area where the municipality has pre-determined:
- (a) minimum and maximum density requirements
- ☐ Yes ☒ No
- (b) minimum and maximum height requirements
- ☐ Yes ☒ No
- If yes, state the requirements \_\_\_\_\_
16. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
- vacant land
17. Date of construction of existing buildings and structures on the subject land:
- N/A
18. Date subject land acquired by current registered owner Dec. 12, 2024
19. Proposed use of subject land agricultural
20. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
- None

21. Type of water supply:

- ☒ municipally owned and operated piped water supply  
☐ well  
☐ Other (specify) \_\_\_\_\_

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:

B/02/25 - approved March 2, 2025

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

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

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

- ☐ Yes      ☒ No

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

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

- ☐ Yes      ☒ No

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



28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)? 2024 Planning

☒ 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?

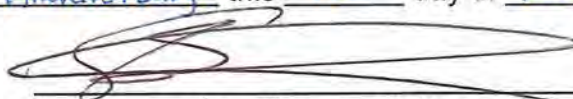
☐ Yes ☒ No

32. Is the land within 600 m of property that is designated as Extractive Industrial?

☒ Yes ☐ No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed. - study not required

Dated at the Town of Amherstburg this 13<sup>th</sup> day of December, 2024.




(signature of applicant, solicitor or authorized agent)

I, George Dragicevic 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 13<sup>th</sup> day of December, 2024.



  
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, 2027.

**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 and a flat fee of \$5,522, along with an ERCA development review fee of \$400 for major ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$6,922 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,762, along with an ERCA development review fee of \$275 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$4,037 for minor ZBA applications.

Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1,149 plus an ERCA review fee of \$275, totalling \$1,424, must accompany your completed application for a Holding (h) Removal zone change, zone change from A to A-36, or zone change which is a condition of consent.

Engineering review fees of \$1500.00 per each time a file is reviewed may be applicable as per Amherstburg's User fee by-law.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.





Surplus Dwelling Lot Area  
0.36 hectares (0.89 acres)

Retained Farmland Lot Area  
19.64 ha (48.53 acres)

6.1 m x 16 m Proposed Easement over the Retained Farm Parcel  
for a shared access to the Surplus Dwelling Severed Parcel

CONCESSION 6 N





74m

Retained Farmland Lot Area  
19.64 ha (48.53 acres)

Existing Septic

Surplus Dwelling Lot Area  
0.36 hectares (0.89 acres)

28.5 m

CONCESSION 6 N

41.5 m

8.5 m

3 m

6801

19.5 m

3 m

3 m

6.1 m x 16 m Proposed Easement over the Retained Farm Parcel  
for a shared access to the Surplus Dwelling Severed Parcel



**ZBA/01/25- Site Photos**



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

(a) Name of approval authority	<b>TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT</b>
(b) Name of Applicant	RE AN APPLICATION BY (b) <b>George Dragicevic</b>
(c) Brief Description	LOCATION OF PROPERTY (c) <b>6801 Concession 6 N (Roll No. 3729-480-000-03900)</b>
(d) As set out in application	<p>PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 41.5 m ± frontage by an irregular depth with an area of 0.36 ha ± which includes a single detached dwelling and two accessory structures which are surplus to the needs of the farming operation together with a 6.1 m by 16 m easement for shared access over the retained farm parcel. The remaining parcel being 798.5 m ± frontage by 2206 m depth with an area of 19.64 ha ± is vacant agricultural land.</p> <p>The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.</p>
(e) Date of decision	CONCUR in the following decision and reasons for decision made on the (e) 5 <sup>th</sup> day of March, 2025.
	<b>DECISION: APPROVED</b>
(f) State conditions to be satisfied before granting of consent	<ol style="list-style-type: none"><li>1. That a Reference Plan of the severed parcel and of the proposed easement lands over the retained parcel be prepared, satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.</li><li>2. The applicant to submit to the municipality the deed for the severed parcel subject to an easement over the retained farm parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.</li><li>3. The applicant to submit to the municipality the deed for the retained parcel together with an easement for access in favour of the severed parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.</li><li>4. That all property taxes be paid in full.</li><li>5. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.</li><li>6. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.</li><li>7. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that the operation will not be affected by the severance, to the satisfaction of the municipality.</li><li>8. The applicant/owners are required to enter into a reapportionment of the drainage assessment for the subject lands in accordance with Section 65(2) of the Ontario Drainage Act, R.S.O. 1990 as amended and provide the Town of Amherstburg, a signed agreement and that any associated cost of same be borne solely by the applicant. The reapportionment for any affected Municipal Drains is required and is to be assessed against the affected lands in accordance with any past, current or future drainage bylaws, until such time as otherwise determined under the provisions of the Drainage Act. The severance shall not be granted until a Council resolution is passed to execute the reapportionment agreement.</li></ol>

- |                                |  |
|--------------------------------|--|
| (g) State reasons for decision | REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Planning Statement. |
|--------------------------------|--|


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

.....  
Debbie Rollier

ORIGINAL DOCUMENT SIGNED

# CERTIFICATION

## *The Planning Act, R.S.O. 1990*

- |  |   |  |
|--|---|--|
| (h) Name of approval authority           | I, <b>Janine Mastronardi, Secretary-Treasurer</b> of the (h) <b>Town of Amherstburg</b> certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein. |  |
| (i) Name & address of approval authority | Dated this 5 <sup>th</sup> day of March, 2025   | <br>.....<br>Secretary-Treasurer<br>Town of Amherstburg<br>Committee of Adjustment<br>3295 Meloche Rd, Amherstburg, ON N9V 2Y8 |



## Summary of Correspondence Received on Proposed ZBA for 6801 Concession 6 N

Below is a summary of the comments received by the Planning Services Division on ZBA/01/25.

### Essex Region Conservation Authority:

See attached letter.

### Infrastructure Services:

See attached letter.

### Windsor Police Comments:

The Windsor Police Service has no concerns or objections with this application. The outcome from it, if approved, is not anticipated to carry any adverse impact to police response or service delivery capability.





2025-03-19

File Number: 0594-25

Janine Mastronardi Town of Amherstburg  
360 Meloche St  
Amherstburg, ON  
N9V 2Y8

RE: Rezone for Surplus Farm Dwelling Severance  
6801 CONCESSION 6 N  
Municipal File Number: ZBA-01-25

The Town of Amherstburg has received application for Zoning By-law Amendment ZBA-01-25. This rezoning application will affect approximately 19.64 hectares ± of land described as Concession 6, Part Lot 11, municipally known as the retained farm parcel from a surplus dwelling severance at 6801 Concession 6 N. This Zoning Amendment, if approved, will rezone the subject lands from “Agricultural (A) Zone” to “Special Provision Agricultural (A-36) Zone”. The parcel is designated Agricultural in the Town’s Official Plan. The lands described above are subject to an application for consent (File B/02/25) to sever a dwelling which is surplus to the needs of a farming operation. The purpose of the rezoning will be to allow for general agricultural use on the subject property and prohibit any new dwelling unit on the land. The “Special Provision Agricultural (A-36) Zone” is established as a site-specific zone for the retained agricultural parcel created through consent, to prohibit new residential uses on these lands.

## **NATURAL HAZARDS AND REGULATOR RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21**

The following comments reflect ERCA’s role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the Conservation Authorities Act.

The above noted lands are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Imerson-Meloche Drain and the Imerson-Charette Drain. If any new construction is proposed, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

## **FINAL RECOMMENDATION**

Our office has no objection to ZBA-01-25.

Sincerely,

*Alicia Good*

Alicia Good



## Watershed Planner





**AMHERSTBURG**

ONTARIO, CANADA

EST. 1796

## MEMO

**To:** Janine Mastronardi, Planner

**From:** Sydnee Botham, Development Engineering Coordinator

**Date:** March 19, 2025

**Subject:** ZBA/01/25 – 6801 Concession 6N  
Town of Amherstburg

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The following submission package was reviewed for conformance with Amherstburg's Development Manual and the Windsor-Essex Region Stormwater Manual (WERSM):

- Notice of Statutory Meeting, dated March 19, 2025

Based on the review, we offer the following comments.

### General

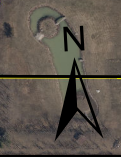
1. Engineering review fees per Amherstburg's user fee by-law may be applicable for this development application. The Developer is responsible to borne all costs associated with this review and all subsequent reviews therein.

If you have any questions, please do not hesitate to contact the undersigned.

---

Sydnee Botham  
Development Engineering Coordinator





CONCESSION 6 N

NORTH SIDEROAD



## ZBA/01/25 - 6801 Concession 6 N

ARN	ADD1	STREETNAME
372948000003500		CON 6 N
372948000007860	7812	HOWARD AVE
372948000004000	6825	CONCESSION 6 N
372948000003950	6805	CONCESSION 6 N
372948000000100	6753	CONCESSION 6 N
372948000003480	6802	CONCESSION 6 N
372948000003900	6801	CONCESSION 6 N
372948000003450	6810	CONCESSION 6 N
372948000003600	6778	CONCESSION 6 N
372948000007600		HOWARD AVE
372948000007900	7796	HOWARD AVE
372948000003400		CON 6 NORTH
372948000000200		NORTH SIDEROAD

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-026**

**By-law to amend Zoning By-law No. 1999-52  
E/S Concession 6 N (Concession 6, Part Lot 11), Amherstburg**

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**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 7 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as “Zone Change from A to A-36” on Schedule “A” attached hereto and forming part of this By-law from “Agricultural (A) Zone” to “Special Provision Agricultural (A-36) Zone”.
2. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

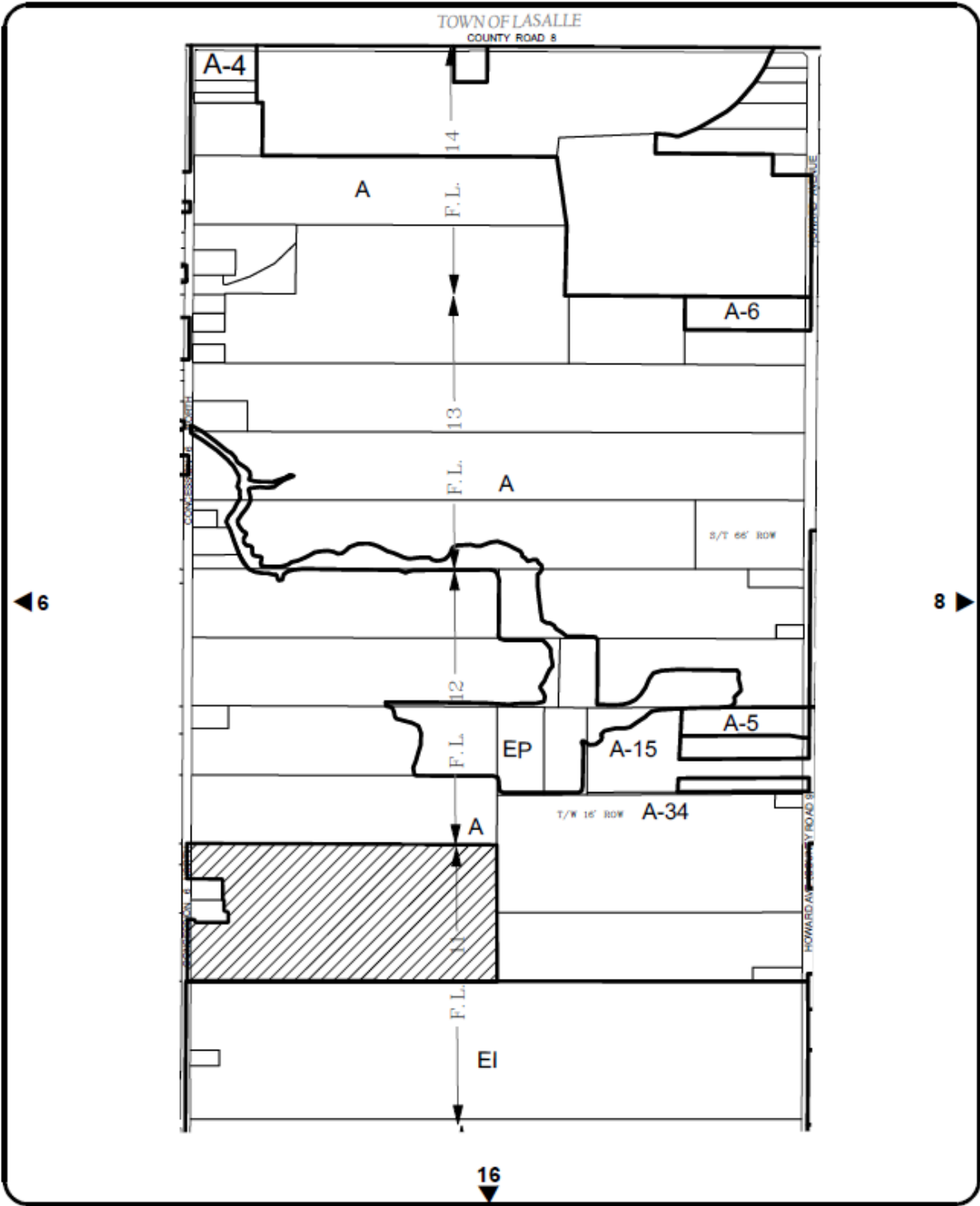
Read a first, second and third time and finally passed this 29<sup>th</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR- MICHAEL PRUE

\_\_\_\_\_  
CLERK- KEVIN FOX

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2025-026  
BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE 'A'  
MAP 7  
ZONING BY-LAW NO. 1999-52

A to A-36 



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF THE CAO

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Bill Tetler	Report Date: March 27, 2025
Author's Phone: 519 736 0012 ext. 2251	Date to Council: April 2, 2025
Author's E-mail: btetler@amherstburg.ca	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: 2025 Special Events Approval Part 3**

---

#### **1. RECOMMENDATION:**

It is recommended that:

1. The following events **BE APPROVED**:
  - a. Canada Day 5K
  - b. Ribs & Ragtime
2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
  - a. Canada Day 5k
  - b. Ribs & Ragtime
3. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

#### **2. BACKGROUND:**

At their October 5, 2015 Special Meeting, Council approved the Public Events Policy. As per Council's direction, Section 7.3 of the policy states:



***“7.3. Council has the authority and responsibility to:***

*7.3.1 Consider any exemptions to Municipal By-laws for Public Events.*

*7.3.2. Consider and approve any new events presented by the PEC.*

*7.3.3. Consider and approve all recurring events presented by the PEC.”*

Each Event Organizer is required to follow the Public Events Manual, fill out the required forms and submit to the Special Events Resource Team (SERT).

On March 20<sup>th</sup>, 2025, the SERT met and reviewed applications submitted by the Event Organizers for the following events:

- a. Canada Day 5K
- b. Ribs & Ragtime

The SERT reviewed the application in detail and has informed the Event Organizer of every requirement that must be met to allow their event to proceed. This includes ensuring the event conforms to all Town By-laws, Town insurance requirements and Provincial laws. As per Section 7.3 of the Public Event's Policy, the Event Organizers have also been informed that each event must be approved by Council before they may hold their event.

The Special Events Resource Team also amended the Event Emergency Response Plan in 2021 and all Event Organizers were made aware that this plan had to be submitted prior to approval and followed for any size event.

**Noise Exemption**

Noise By-law #2001-43 prohibits the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound in residential, commercial and agricultural areas.

Notwithstanding anything contained in the Noise By-law, a person may apply to Council for an exemption from any of the provisions of the Noise By-law with respect to any source of sound or vibration. Council, by resolution, may grant the exemption applied for and can impose terms and conditions, as Council deems appropriate.

All events requiring a Noise By-law exemption that have been identified by the SERT have been listed below for Council's approval:

- a) Canada Day 5K
- b) Ribs & Ragtime

**Road Closures**

At the January 25, 2016 Council meeting, Council passed the following motions:

“That:

1. The use of the Downtown Core for Festivals and Events subject to the criteria established in the Town's Festival and Events Policy **BE APPROVED**; and,
2. Road closures **NOT BE PERMITTED** prior to 5:00 pm without Council consent."
  - a. Canada Day 5K
  - b. Ribs & Ragtime

### 3. DISCUSSION:

Event	Canada Day 5K
Event Organizer	Molly and Dan Allaire
Event Date	July 1, 2025
Event Time	8:00am - 11:30am
Event Location	Laird, Fort Malden and Dalhousie St.
Event Details	The Canada Day 5K has been happening in Amherstburg for 23 years! It is a 1km kids dash and a 5km Run, Walk, Wheel event.
Noise By-law Exemption	Requested
Road Closure before 5 PM	Requested
Navy Yard Park By-law Exemption	N/A
Permit Fees	\$250 Road Closure Fee + \$63 Noise Exemption Fee

Event	Ribs & Ragtime
Event Organizer	Amherstburg Freedom Museum
Event Date	June 14, 2025
Event Time	9:00am – 10:00pm
Event Location	St. John the Baptist Church, onto Brock St, Richmond St, Ramsay St, Park St and Simcoe St.
Event Details	The 15th annual Ribs & Ragtime garden party welcomes all to experience an evening of jazz music and delicious ribs and chicken! Held on the museum property, one stage will be used to provide entertainment to guests. Dedicated volunteers will serve guests food while they enjoy the entertainment.
Noise By-law Exemption	Requested
Road Closure before 5 PM	Requested
Navy Yard Park By-law Exemption	N/A
Permit Fees	\$250 Road Closure Fee + \$63 Noise Exemption Fee

### 4. RISK ANALYSIS:

The Clerk identifies the Town's insurance requirements and relays the information to each Event Organizer. Special events on Town property are not able to proceed until the Clerk is satisfied the insurance requirements are met.

It should be noted, that should these events not be approved, it might have the following detrimental effects on the community:

- Less awareness and exposure for the Town to attract visitors which could result in economic loss for the Town and its businesses;
- A lack of support from Council may discourage long standing volunteer associations from providing social and economic opportunities. This would result in a perception of non-worth for their volunteer efforts;
- Less exposure for the Town reducing its tourism market share;
- Less exposure for the Town reducing its ability to attract new residents;
- Less exposure for the Town reducing its value to potential investors;
- Tourism is a primary industry for the Town of Amherstburg, reducing events will directly impact employment opportunities;
- Event experiences are learning opportunities for our guests, which promote repeat visits, the deep history Amherstburg has to offer and showcases our local museums, attractions, and historical sites;
- Events financially support not-for-profit organizations, to ensure sustainability within our community.

#### **5. FINANCIAL MATTERS:**

Each event application received is to be submitted with the required \$250 deposit. The Event Organizers will be responsible to pay for equipment rentals, facility rentals and all other costs associated with their event as per the Town's User Fee By-law, as amended. The cost to set up the rented equipment by Town staff is accommodated within the Town's budget under the Parks budget centre. Any damages to Town equipment or property are recoverable from the Event Organizer.

#### **6. ASSET MANAGEMENT IMPACTS:**

N/A

#### **7. CONSULTATIONS:**

The SERT was consulted inclusive of Windsor Police- Amherstburg Detachment and Amherstburg Fire Department. The SERT reviewed the application and has corresponded with the Event Organizers on requirements that must be met and By-law exemptions that must be obtained in order to be granted a Special Event Permit for their event, pending Council approval of this report.

#### **8. CORPORATE STRATEGIC ALIGNMENT:**

***Vision: Preserving our past while forging our future.***

## *Amherstburg Community Strategic Plan 2022 - 2026*

<p style="text-align: center;"><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li>✓ Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<p style="text-align: center;"><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>

### **9. CONCLUSION:**

The SERT is confident that once all requirements are met by the Event Organizers, the events held in the Town of Amherstburg will enhance the community experience for both residents and visitors alike.

  
 Bill Tetler  
 Manager, Licensing and Enforcement



## Report Approval Details

Document Title:	2025 Special Events Approval Part 3.docx
Attachments:	- Wrace July 1 2025.jpg - Proposed Site Plan RR 2025.pdf
Final Approval Date:	Apr 2, 2025

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



Tracy Prince

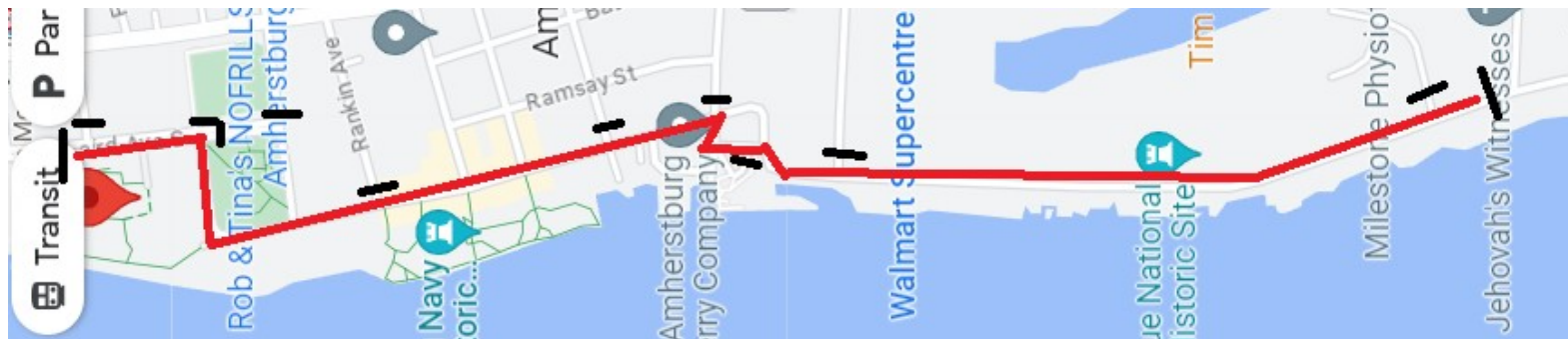


Valerie Critchley



Kevin Fox





**Red Line**

**32.94m / 108 ft**

**Blue Line**

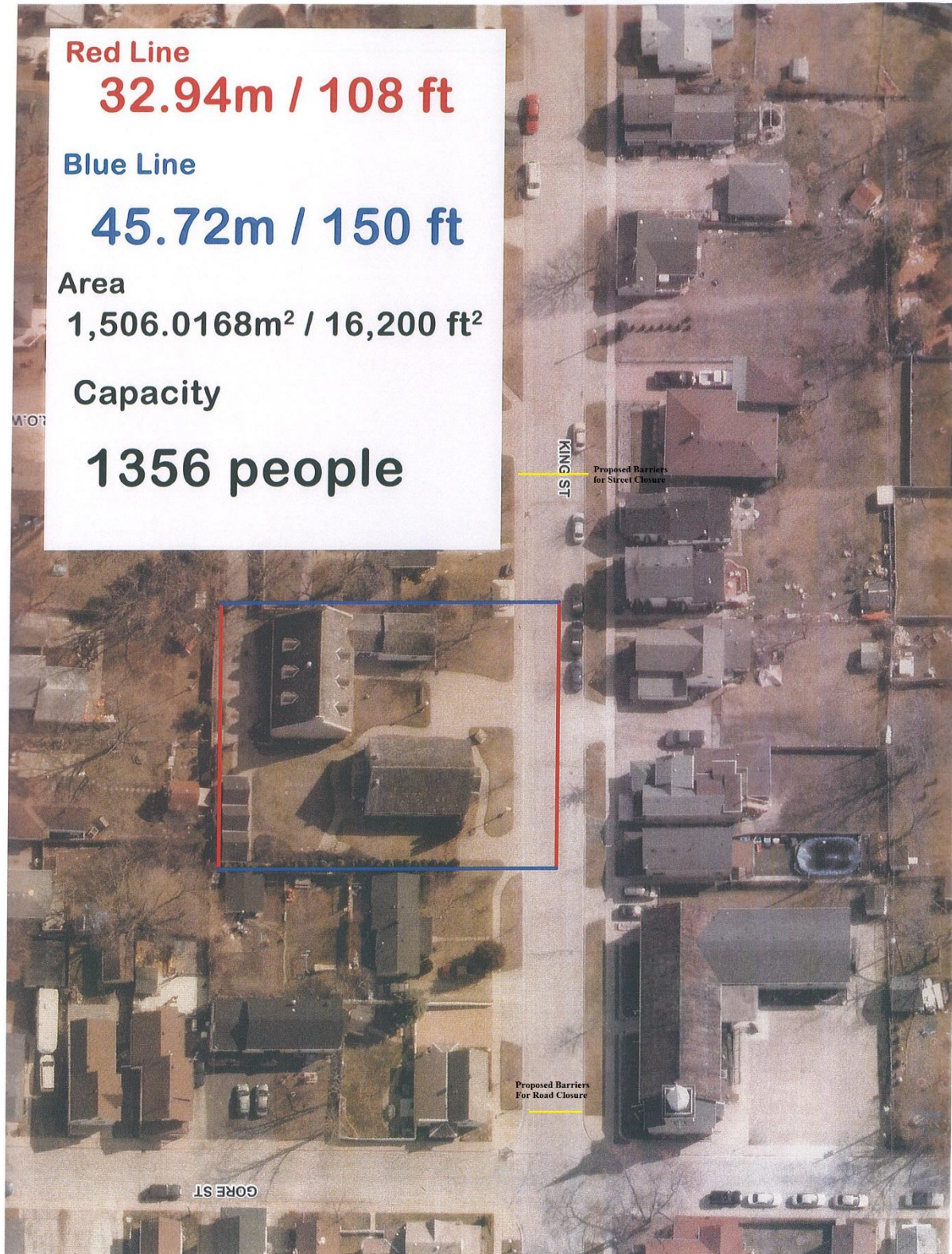
**45.72m / 150 ft**

**Area**

**1,506.0168m<sup>2</sup> / 16,200 ft<sup>2</sup>**

**Capacity**

**1356 people**





### Ribs & Ragtime Evening Program

4:00pm: Guest Arrival

4:30pm: Welcome are Speeches

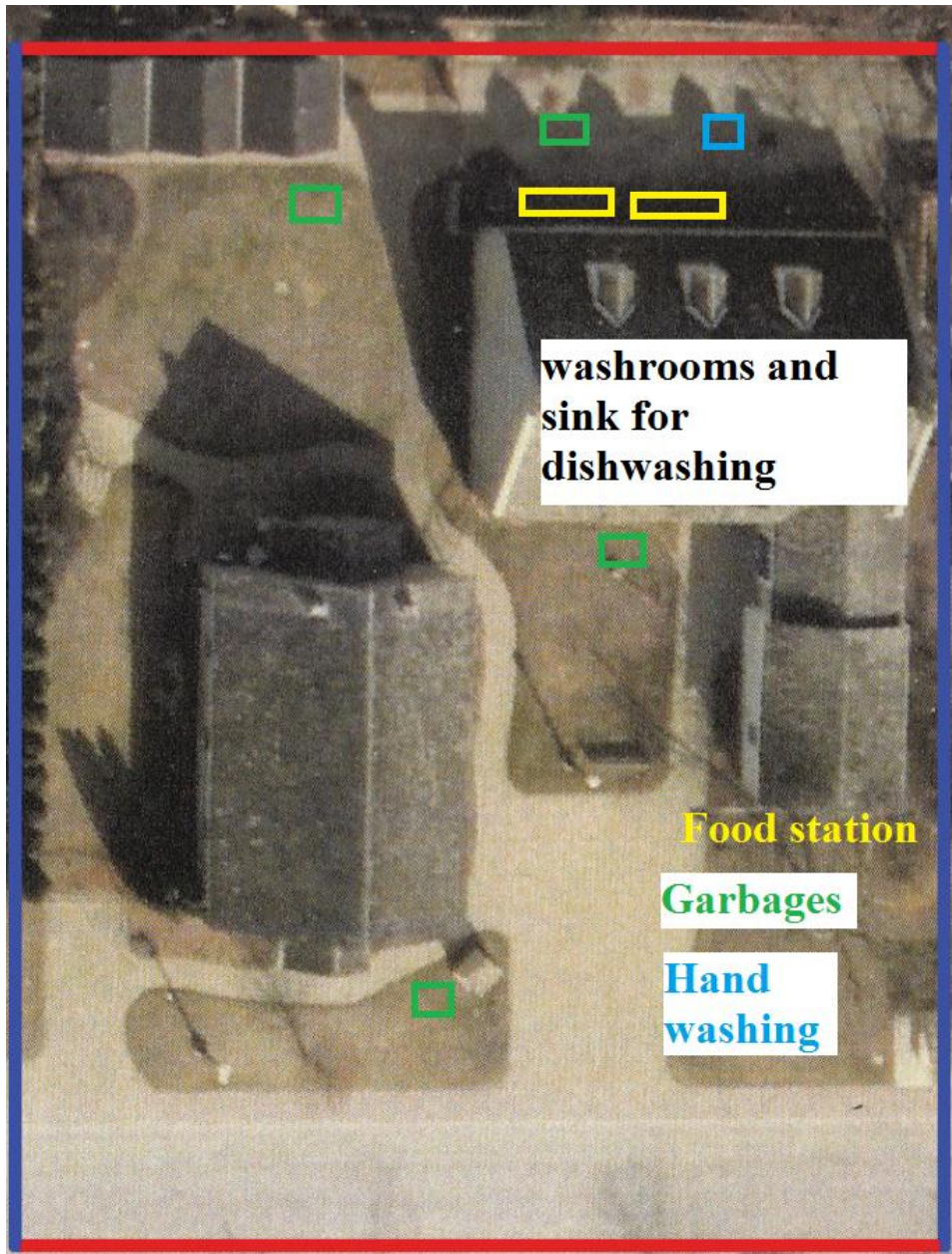
4:45-6:15pm: Entertainment (to be determined)-1<sup>st</sup> Set

6:15pm: Announce Break

7:00pm: Draw 50/50

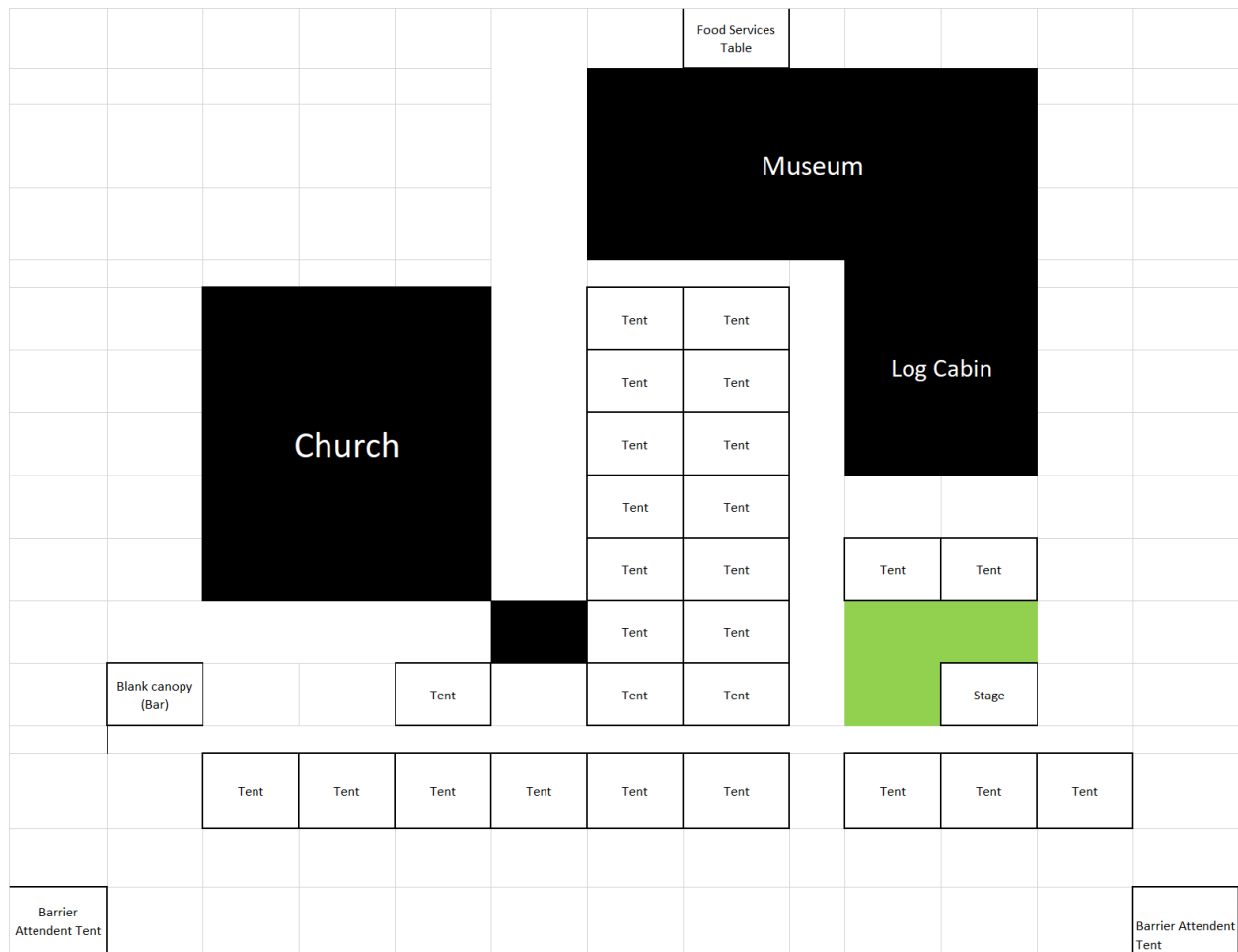
7:05pm-8:00pm: Entertainment (to be determined) Second Set

8:00pm-10:00pm Clean up and take down



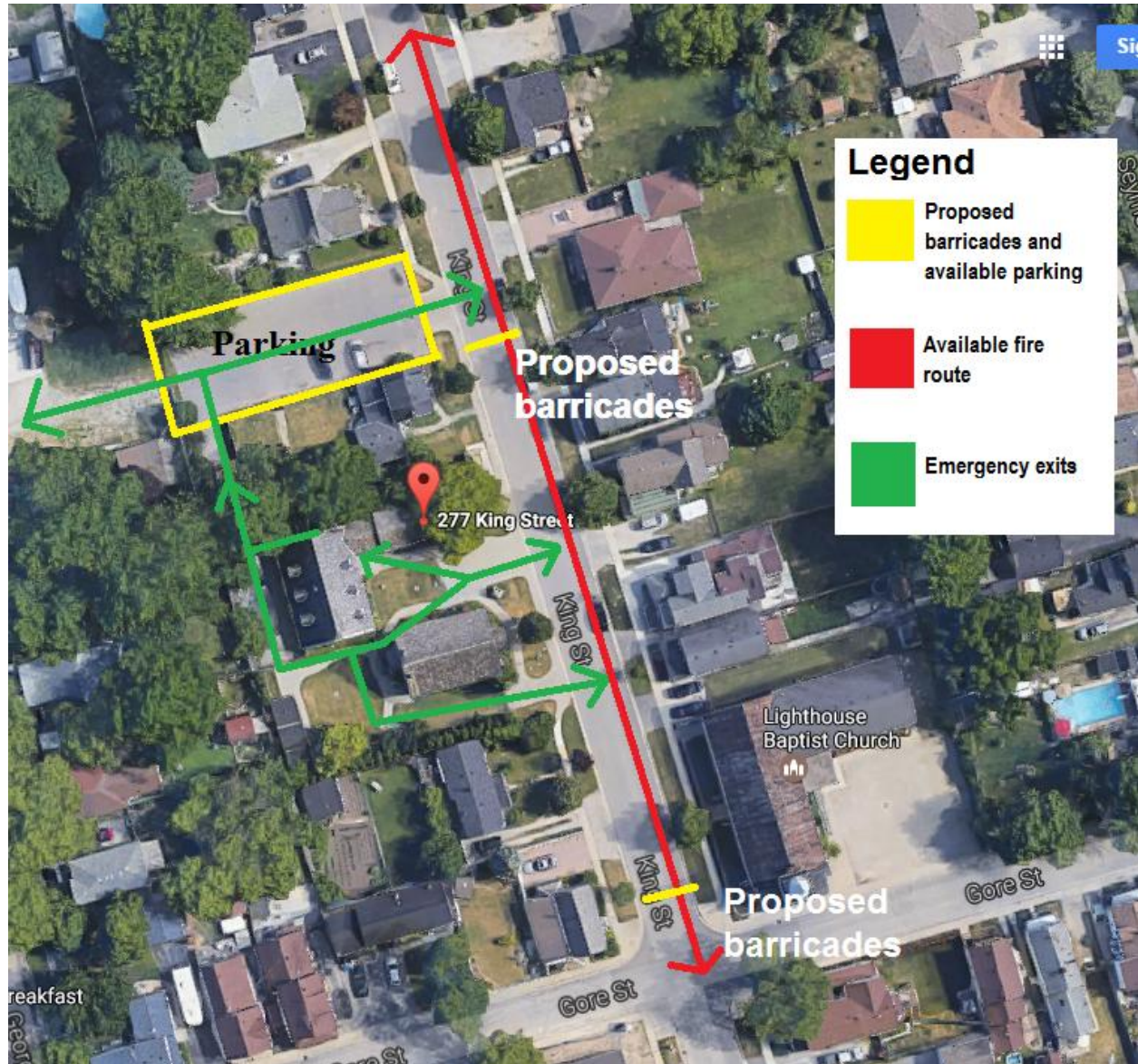
## Proposed Site Plan – Canopies

- The tents that we will be using are [standard 10 x 10 ft canopies](#)
- The tents will be placed 6 ft from any building
- Patrons will be sitting at tables underneath the canopies – 8 people seated at each table
- 31 canopies will be used, 26 canopies for guests, 1 for food service, 1 for the bar, 1 for the stage, and 2 for manning the barriers





## Proposed Site Plan – Includes Parking, and Emergency routes



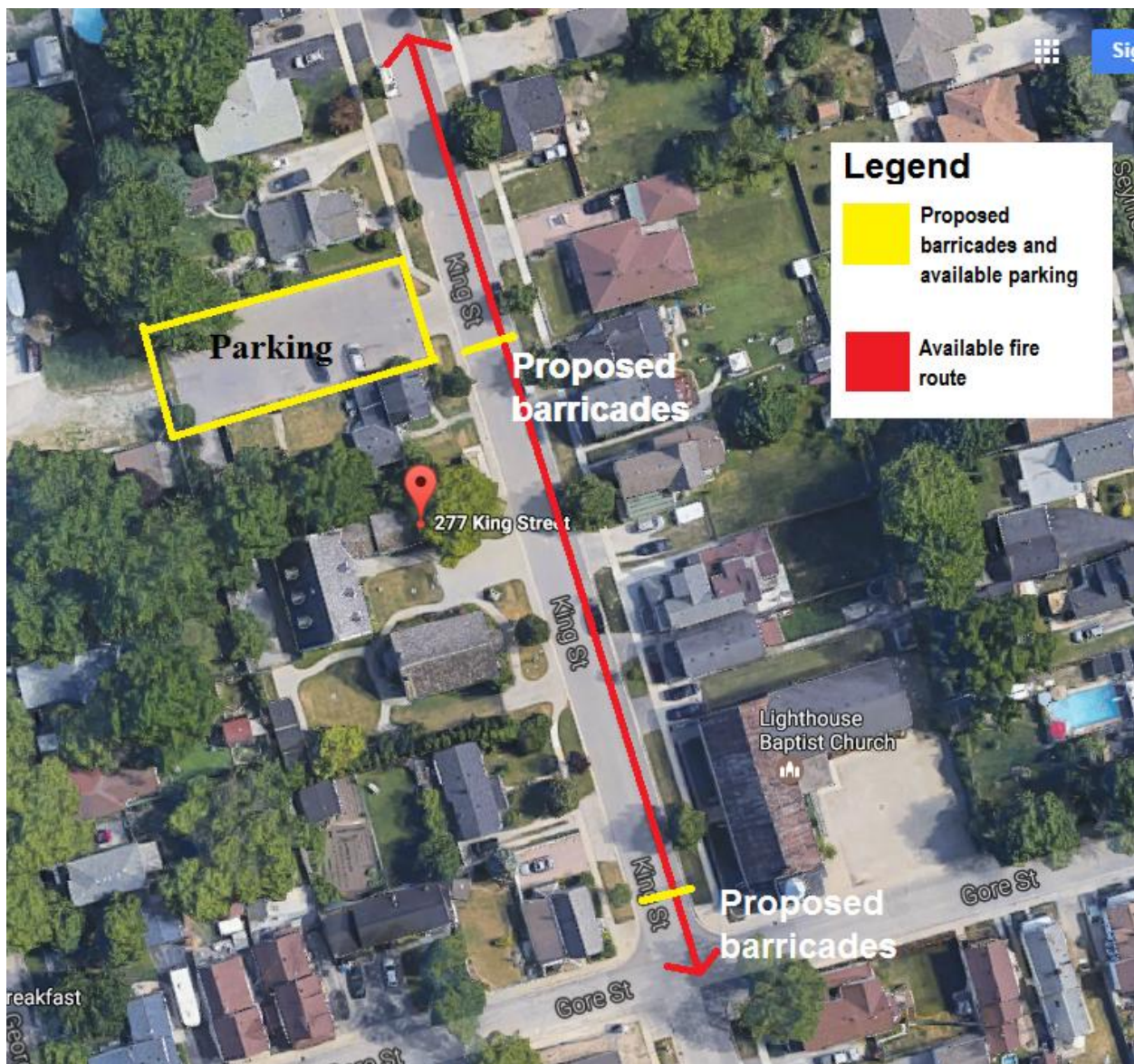
### Ribs & Ragtime Parking Plan

- Parking will be available to guests in the museum's parking lot which is located on King Street, and dedicated volunteers will assist patrons with parking, and inform guests once the lot is full
- There will be four designated parking spots in the lot for designated disabled parking spaces.
- We propose to have *two street barriers* along King Street, the first one will be located just past the parking lot entrance, allowing patrons to park in the museum's parking lot while blocking off the section of the street in front of the museum
- The second barrier will be located near the cross section of Gore and King Street. Each of the barriers will be supervised by two volunteers at each station, and will be available and able to move the barriers if the road is to be accessed by emergency vehicles



- The proposed event will partly be utilizing some of King Street and properly enclosed, but enough clearance will be provided for emergency vehicles to move through the street
- Notices will be sent out a week prior to neighbouring properties, and event parking information will be included on our event advertisements online
- When the designated parking lot is full, guests may park on adjacent streets as space allows

## Proposed Site Plan – Fire Route







## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF THE CAO

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Bill Tetler	Report Date: April 2, 2025
Author's Phone: 519 736 0012 ext. 2251	Date to Council: April 29, 2025
Author's E-mail: btetler@amherstburg.ca	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Noise By-law Exemption for Royal Canadian Legion Branch #157**

---

#### **1. RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated March 26, 2025 regarding a noise exemption for Legion Branch #157 **BE RECEIVED for information**;
2. THAT a Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** from May 17, 2025 until September 28, 2025 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157;
3. THAT a Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** from May 15, 2026 until September 27, 2026 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157;
4. That the request for the waiver of the Noise Exemption fees **BE RECEIVED and FILED** for information.

## **2. BACKGROUND:**

Open Air will take place from May 30, 2025 till August 31, 2025 within the downtown core. The Royal Canadian Legion Branch #157 falls just outside the Open Air footprint.

Council will recall that at its meeting held May 13<sup>th</sup>, 2024, the following resolution was passed:

Resolution # 20240513-012  
Moved by Councillor Allaire  
Seconded by Councillor Pouget

That:

1. The report from the Manager of Licensing and Enforcement dated April 27, 2024 regarding a noise exemption for Legion Branch #157 **BE RECEIVED for information;**
2. A Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** until September 2, 2024 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157; and,
3. That the request for the waiver of the Noise Exemption fee of \$61.00 **BE WAIVED.**

The Mayor put the Motion.

By-law Number 2001-43, A By-law Respecting the Emission of Sound in the Town of Amherstburg provides the following information as it relates to Section 3 on sound from loudspeakers;

“The operation of any electronic device or group of connected electronic devices times incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound operated in such manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence.”

## **3. DISCUSSION:**

An email was received by the Licensing and Enforcement Dept. for a Noise Exemption to coincide with Open Air taking place from May 30, 2025 till August 31, 2025 on Friday, Saturdays and Sundays. The Town of Amherstburg’s Noise By-law 2001-43 prohibits the loud music where the operated in such a manner could disturb the peace, quiet,

comfort or repose of any individual in an office, dwelling house, apartment, hotel, hospital or any other type of residence.

#### **4. RISK ANALYSIS:**

There is no risk analysis associated with this report.

#### **5. FINANCIAL MATTERS:**

There is no financial impact associated with this report.

#### **6. ASSET MANAGEMENT IMPACTS:**

N/A

#### **7. CONSULTATIONS:**

Royal Canadian Legion Branch #157

#### **8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li><li><input type="checkbox"/> Deliver transparent and efficient financial management.</li><li><input type="checkbox"/> Increase effective communication and engagement with residents.</li><li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li><li><input type="checkbox"/> Continue to deliver strong core municipal services.</li><li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li></ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li><li>✓ Continue to promote local tourism industry, especially overnight accommodation.</li><li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li><li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li></ul>
<p><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li></ul>	<p><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li></ul>


<input type="checkbox"/> Increase access to recreation opportunities for all ages. <input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue) <input type="checkbox"/> Create public access to water and waterfront <input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.	<input type="checkbox"/> Promote and plan for green and "climate change ready" development. <input type="checkbox"/> Review and implement policies that promote greater access to diverse housing. <input type="checkbox"/> Protect the Town's historic sites and heritage. <input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.
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## 9. CONCLUSION:

Administration supports that a temporary noise exemption for the Royal Canadian Legion #157 during Open Air weekends in 2025 and 2026 accommodate the entertainment for the Legion and to incorporate businesses that fall outside of the Open Air footprint.

Bill Tetler

**Manager, Licensing and Enforcement**



## Report Approval Details

Document Title:	Noise By-law Exemption for Royal Canadian Legion Branch 157.docx
Attachments:	
Final Approval Date:	Apr 3, 2025

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



Tracy Prince



Valerie Critchley



Kevin Fox



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Dwayne Grondin	Report Date: March 28, 2025
Author's Phone: 519 736-3664 ext. 2314	Date to Council: April 28, 2025
Author's E-mail: dgrondin@amherstburg.ca	Resolution #:

**To: Mayor and Members of Town Council**

**Subject: Amherstburg Water Treatment Plant Submission of the 2024 Annual Summary Report**

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#### **1. RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Environmental Services dated March 28, 2025 regarding the Amherstburg Water Treatment Plant Submission of the 2024 Annual Summary Report **BE RECEIVED for information.**

#### **2. BACKGROUND:**

Pursuant to Section 11 and Schedule 22 of Ontario Regulation 170/03 of the Safe Drinking Water Act an Annual Summary Report must be prepared for a municipal drinking water system. There are two regulated requirements for the Annual Summary Report. The first is to identify non-compliance incidences and corrective actions taken. The second is to identify actual quantity and flow rates of water supplied from the Amherstburg Water Treatment Plant and compare them to the approved design quantity and flow rates. Further, it is a requirement that this report be placed on the Town's website for Public information.

#### **3. DISCUSSION:**

The Ontario Clean Water Agency (OCWA) has prepared and supplied to the Town the 2024 Annual Summary Report for the Amherstburg Water Treatment Plant. The report has been prepared in accordance with the format as prescribed under Schedule 22 of



Ontario Regulation 170/03 and therefore meets the regulatory requirements for compliance reporting under the Safe Drinking Water Act.

The annual summary report must list the requirements of the Safe Drinking Water Act, the regulations, Certificates of Approvals, Drinking Water Works Permits and Licences, and any orders that the system failed to meet. For any non-compliance incidences, there must be a list of measures that were taken to correct the issue. The report must also include quantities and flow rates of the water supplied, and compare these quantities and rates to the rated capacity and flow rates approved in the Drinking Water License for the Amherstburg Water Treatment Plant.

#### A) NON-COMPLIANCE ISSUES

Table 2 on Page 2 of the attached Annual Summary Report summarizes non-compliances incidences.

Drinking Water Legislation	Requirement(s) the system failed to meet	Measures taken to correct the failure	Status (complete or outstanding)
SDWA   O. Reg. 170/03   17-6	Corrective actions per Schedule 17 of O. Reg. 170/03, including any other steps that were directed by the Medical Officer of Health, were not taken to address adverse conditions	There was a total coliform result of 53 cfu/100ml in January 2024 where the required corrective actions were not taken. The local health unit advised the operating authority to only resample from one location instead of the required three locations. As per Schedule 17-6 of Schedule 17, of O. Reg. 170/03, if a report is required to be made under section 18 of the Safe Drinking Water Act in respect of total coliforms, the owner of the drinking water system and the operating authority for the system shall ensure that they resample and test as soon as reasonably possible by sampling the location of the original adverse and upstream and downstream of that location	Complete
SDWA   31   (1)	The owner did not have evidence that the required notifications from the Municipal Drinking Water Licence and Drinking Water Works Permit to all legal owners associated with the drinking water system were made.	The owner shall notify all legal owners associated with the drinking water system (e.g., developers that own subdivisions that have not yet been transferred to the municipality) of the requirements of the Municipal Drinking Water Licence and Drinking Water Works Permit as noted in Condition 2.7 of Schedule B of the DWWP. Compliance with this requirement will be assessed at the next inspection. The owner indicated that for future developments, the MDWL & DWWP requirements will be discussed at the preconstruction meeting.	Complete

#### B) FLOW RATE COMPARISON

Table 3 on Page 3 of the attached Annual Summary Report shows a comparison of the quantities and flow rates of the water supplied by the Amherstburg Water Treatment Plant to the rated capacity and flow rates approved in the Drinking Water Works Permit and Drinking Water License. The raw flow rates are shown in liters/day while the treated flow rates are listed in m3/day which corresponds to the units of measure in the Drinking Water License, Drinking Water Works Permit and Permit to Take Water.

Flow	Requirement	Rated Capacity	Maximum Flow Rate Obtained	Date of the Maximum Flow
Raw Flow	Permit to Take Water (#4844-AY7KHA)	22,900,000 L/d	16,484,000 L/d	June 17, 2024
		15,903 L/min	12,703 L/min	June 17, 2024
Treated Flow	MDWL #026-101	18,184 m3/d	14,021 m3/d	June 15, 2024

#### 4. RISK ANALYSIS:

The Annual Summary Report is a mandatory report under the Safe Water Drinking Act, failure to report findings could result in punitive actions from the Ministry of the Environment, Conservation and Parks.

#### 5. FINANCIAL MATTERS:

There are no financial implications related to the Annual Summary Report findings for 2024.

#### 6. ASSET MANAGEMENT IMPACTS:

N/A

#### 7. CONSULTATIONS:

The Process & Compliance Technician from the Ontario Clean Water Agency has prepared the Annual Summary Report.

#### 8. CORPORATE STRATEGIC ALIGNMENT:

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b>	<b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b>
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<input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.	
<p style="text-align: center;"><b>PILLAR 2</b></p> <p style="text-align: center;"><b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b></p> <p style="text-align: center;"><b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>

## 9. CONCLUSION:

This report is provided to Council for informational purposes.




---

Dwayne Grondin  
**Manager of Environmental Services**

**DG**

## Report Approval Details

Document Title:	Amherstburg Water Treatment Plant Submission of the 2024 Annual Summary Report.docx
Attachments:	- Schedule 22 Annual Summary Report - 2024.pdf
Final Approval Date:	Apr 2, 2025

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



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox

## **Annual Summary Report**

**February 20, 2025**

Antonietta Giofu  
Director of Engineering & Public Works  
Corporation of the Town of Amherstburg  
P.O. Box 159  
271 Sandwich St. S,  
Amherstburg, Ontario N9V  
2Z3

Dear Mrs. Giofu:

**Re: Safe Drinking Water Act. O. Reg. 170/03 Schedule 22 Summary Report**

Enclosed is the 2024 Summary Report for the Amherstburg Water Treatment Plant. This report has been completed based on the information obtained from the water treatment plant records and in accordance with Schedule 22 of O. Reg. 170/03, under the Safe Drinking Water Act, which requires a Summary Report to be prepared not later than March 31<sup>st</sup> of each year for the preceding calendar year. This report covers the period of January 1, 2024 to December 31, 2024.

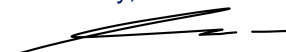
Please remember that any Orders that you have received directly from the MECP should be reviewed. Where non-compliance with the Order is evident and it is not included in the attached Summary Report, then we recommend that this information be added to the Summary Report. Note: Schedule 22-2 (a) specifies that the summary report is given to, in the case of a drinking water system owned by a municipality, the members of the municipal council for the Town of Amherstburg, and is not intended for distribution to the Ministry of the Environment.

After your review and inclusion of any additional information, this Summary Report is to be provided to the members of the municipal council.

Section 12 of O. Reg. 170/03, requires the Summary Report be made available for inspection by any member of the public during normal business hours, without charge. The report should be made available for inspection at the office of the municipality, or at a location that is reasonably convenient to the users of the water system.

Please find enclosed report. If you have any questions, please feel free to contact Senior Operations Manager, Dan Rawlins or myself at (519) 613-5542.

Sincerely,



Liiban Mohamud  
Process & Compliance Technician  
Ontario Clean Water Agency

cc: Dwayne Grondin, Manager of Environmental Services, Town of Amherstburg  
Dave Jubenville, Regional Manager, OCWA  
Dan Rawlins, Senior Operations Manager, OCWA  
Terry Korman, Senior Operations Manager, OCWA  
Anusha Pillai, Safety Process and Compliance Manager, OCWA

This report is a summary of water quality information for the Amherstburg WTP, published in accordance with Schedule 22 of Ontario's Drinking-Water Systems Regulation for the reporting period of January 1, 2024 to December 31, 2024. The Amherstburg WTP is categorized as a Large Municipal Residential Drinking Water System.

This report was prepared by The Ontario Clean Water Agency on behalf of The Corporation of the Town of Amherstburg.

The report must,

- (a) list the requirements of the Act, the regulations, the system's approval and any order that the system failed to meet at any time during the period covered by the report and specify the duration of the failure; and
- (b) for each failure referred to in clause (a), describe the measures that were taken to correct the failure.

The following tables detail adverse water quality incidents, non-compliances with the Safe Drinking Water Act, Regulation 170/03, PTTW, MDWL and the DWWP during the reporting period for the Amherstburg WTP.

**Table 1: Adverse Water Quality Incidents**

Date	AWQI#	Location	Parameter	Details	Legislation	Corrective Action
January 16, 2024	164351	Distribution	Total Coliform	53 cfu 100/mL detected	Safe Drinking Water Act: O. Reg. 170/03	Resample, Resolved January 19, 2024
October 3, 2024	166551	Treated Water	Clostridium perfringens	1 cfu/L detected	Safe Drinking Water Act: O. Reg. 170/03	Resample, Resolved October 7, 2024

**Table 2: Non-compliance**

Drinking Water Legislation	Requirement(s) the system failed to meet	Measures taken to correct the failure	Status (complete or outstanding)
SDWA   O. Reg. 170/03   17-6	Corrective actions per Schedule 17 of O. Reg. 170/03, including any other steps that were directed by the Medical Officer of Health, were not taken to address adverse conditions	There was a total coliform result of 53 cfu/100ml in January 2024 where the required corrective actions were not taken. The local health unit advised the operating authority to only resample from one location instead of the required three locations. As per Schedule 17-6 of Schedule 17, of O. Reg. 170/03, if a report is required to be made under section 18 of the Safe Drinking Water Act in respect of total coliforms, the owner of the drinking water system and the operating authority for the system shall ensure that they resample and test as soon as reasonably possible by sampling the location of the original adverse and upstream and downstream of that location	Complete
SDWA   31   (1)	The owner did not have evidence that the required notifications from the Municipal Drinking Water Licence and Drinking Water Works Permit to all legal owners associated with the drinking water system were made.	The owner shall notify all legal owners associated with the drinking water system (e.g., developers that own subdivisions that have not yet been transferred to the municipality) of the requirements of the Municipal Drinking Water Licence and Drinking Water Works Permit as noted in Condition 2.7 of Schedule B of the DWWP. Compliance with this requirement will be assessed at the next inspection. The owner indicated that for future developments, the MDWL & DWWP requirements will be discussed at the preconstruction meeting.	Complete



The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system:

1. A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows and daily instantaneous peak flow rates.

Please find below on page 3, the quantities and flow rates of the water withdrawn from the Detroit River and treated/distributed from the Amherstburg WTP during the reporting period.

2. A comparison of the summary referred to in paragraph 1 to the rated capacity and flow rates approved in the system's approval.

By comparison found in table 3, the raw water and treated water flows did not exceed the legislative requirement. The treated flow was 77.10% of the rated capacity for the reporting period.

**Table 3:** Flows

Flow	Requirement	Rated Capacity	Maximum Flow Rate Obtained	Date of the Maximum Flow
Raw Flow	Permit to Take Water (#4844-AY7KHA)	22,900,000 L/d	16,484,000 L/d	June 17, 2024
		15,903 L/min	12,703 L/min	June 17, 2024
Treated Flow	MDWL #026-101	18,184 m3/d	14,021 m3/d	June 15, 2024

## Facility Flow Summary

**Drinking-Water System Number:** 210000149  
**Drinking-Water System Name:** Amherstburg Drinking Water System  
**Drinking-Water System Owner:** Municipality  
**Drinking-Water System Category:** Large Municipal Residential  
**Municipal Drinking Water License:** 026-101  
**Period being reported:** January-24      December-24

Month	Raw Water					Treated Water		
	Monthly Flow Total (m3/month)	Daily Flow Average (m3/day)	Daily Flow Maximum (m3/day)	Daily Flow Peak Flow Rate (L/min)	Number of Days of Water Taking	Monthly Flow Total (m3/month)	Daily Flow Average (m3/day)	Daily Flow Maximum (m3/day)
Jan	268550.00	8662.90	9576.00	6726.00	31	242250.00	7814.52	8740.00
Feb	254312.00	8769.38	9478.00	6582.00	29	227766.00	7854.00	8564.00
Mar	271102.00	8745.23	9756.00	7046.00	31	244175.00	7876.61	9219.00
Apr	273027.00	9100.90	9930.00	9738.00	30	253357.00	8445.23	9900.00
May	325712.00	10506.84	13978.00	10414.00	31	307471.00	9918.42	12807.00
Jun	361640.00	12054.67	16484.00	12703.00	30	343031.00	11434.37	14021.00
Jul	372462.00	12014.90	13696.00	9890.00	31	354283.00	11428.48	13284.00
Aug	336298.00	10848.32	12710.00	10495.00	31	319338.00	10301.23	11968.00
Sep	313408.00	10446.93	12378.00	10295.00	30	298516.00	9950.53	11495.00
Oct	287215.00	9265.00	10920.00	11679.00	31	266349.00	8591.90	10059.00
Nov	268485.00	8949.50	10810.00	7782.00	30	233664.00	7788.80	9296.00
Dec	295926.00	9546.00	11594.00	8870.00	31	251093.00	8099.77	9056.00
<b>Total</b>	3628137.00	118910.57	141310.00	112220.00	366	3341293.00	109503.87	128409.00
<b>Avg</b>	302344.75	9909.21	11775.83	9351.67	31	278441.08	9125.32	10700.75
<b>Max</b>	372462.00	12054.67	16484.00	12703.00	31	251093.00	11434.37	14021.00

**Report Submitted By:** Liiban Mohamud  
Process & Compliance Technician  
Amherstburg/LaSalle Cluster (Essex Region)  
Ontario Clean Water Agency

**Signature:** \_\_\_\_\_ **Date** February 20, 2025

**Received By:** Antonietta Giofu

**Signature** *A Giofu* **Date** March 28, 2025

**Confirmed By Resolution of Council:**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES

***Mission Statement:*** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Dwayne Grondin	Report Date: March 28, 2025
Author's Phone: 519 736-3664 ext. 2314	Date to Council: April 29, 2025
Author's E-mail: dgrondin@amherstburg.ca	Resolution #:

**To:** Mayor and Members of Town Council

**Subject:** Drinking Water Quality Management System – 2024 Status Update

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#### **1. RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Environmental Services dated March 28, 2025 regarding the Drinking Water Quality Management System – 2024 Status Update **BE RECEIVED for information.**

#### **2. BACKGROUND:**

The Safe Drinking Water Act, 2002 (SWDA) requires owners of municipal residential drinking water systems to have an accredited operating authority. In order to maintain accreditation, an operating authority must establish and maintain a Quality Management System (QMS). A requirement of the QMS is an annual Management Review where management evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System.

#### **3. DISCUSSION:**

##### **Management Review Meeting**

Element 20 of the Drinking Water Quality Management Standards requires the creation and implementation of a Management Review procedure. It specifies that within a 12 month frequency a management review must take place where top management sees how the QMS has performed, identifies any deficiencies in the system, initiates improvements and reports the results to the owner.

A management review must evaluate the continuing suitability, adequacy and effectiveness of the Quality Management System and includes consideration of:

- a) Incidents of regulatory non-compliance;
- b) Incidents of adverse drinking-water tests;
- c) Deviations from critical control point limits and response actions;
- d) Effectiveness of the risk assessment process;
- e) Internal and third-party audit results;
- f) Results of emergency response testing;
- g) Operational performance;
- h) Raw water supply and drinking water quality trends;
- i) Follow-up on action items from previous management reviews;
- j) Status of management action items identified between reviews;
- k) Changes that could affect the Quality Management System;
- l) Consumer feedback;
- m) Resources needed to maintain the Quality Management System;
- n) Results of the infrastructure review;
- o) Operational Plan currency, content and updates;
- p) Staff suggestions;
- q) Consideration of applicable best management practices.

Attached to this report are the minutes of the 2024 Management Review held on September 5, 2024.

Also attached, for Council's information, is the 2024 Annual Summary of Water Activities that provides a quick reference of works completed in 2024.

#### **4. RISK ANALYSIS:**

Annual reporting to Council on the status of the Town's Drinking Water Quality Management System is mandatory in retaining the Town's accreditation.

## 5. FINANCIAL MATTERS:

There are no financial implications associated with this report.

## 6. ASSET MANAGEMENT IMPACTS:

N/A

## 7. CONSULTATIONS:

N/A

## 8. CORPORATE STRATEGIC ALIGNMENT:

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"><li>✓ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li><li><input type="checkbox"/> Deliver transparent and efficient financial management.</li><li><input type="checkbox"/> Increase effective communication and engagement with residents.</li><li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li><li>✓ Continue to deliver strong core municipal services.</li><li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li></ul>	<p><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li><li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li><li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li><li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li></ul>
<p><b>PILLAR 2</b> <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"><li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li><li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li><li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li></ul>	<p><b>PILLAR 4</b> <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li><li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li></ul>



<input type="checkbox"/> Create public access to water and waterfront <input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.	<input type="checkbox"/> Review and implement policies that promote greater access to diverse housing. <input type="checkbox"/> Protect the Town's historic sites and heritage. <input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.
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## 9. **CONCLUSION:**

The 2024 DWQMS status update is provided for council's information.




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Dwayne Grondin  
**Manager of Environmental Services**

## Report Approval Details

Document Title:	Drinking Water Quality Management System - 2024 Status Update.docx
Attachments:	- AWDS Management Review Sept. 5, 2024 Meeting Minutes.pdf - 2024 Annual Summary of Water Programs Activities - Spreadsheet.pdf
Final Approval Date:	Apr 3, 2025

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



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox



## Management Review Minutes

Issued: Sept. 10, 2024

**Drinking Water System Name:** Amherstburg Water Distribution System

**Address:** 512 Sandwich Street S,  
Amherstburg, ON

### Meeting Information

<b>Subject/Title:</b>	DWQMS Management Review Minutes		
<b>Date/Time:</b>	Sept. 5, 2024	<b>Location:</b>	AWWTP, 496 Sandwich St S, Amherstburg

### Meeting Participants

<b>Attendees:</b>	Valerie Critchley, Antonietta Giofu, Dan Rawlins, Dwayne Grondin
<b>Regrets:</b>	John Demitroff
<b>Distribution:</b>	Valerie Critchley, Antonietta Giofu, Dan Rawlins, Dwayne Grondin
<b>Notes Taken By:</b>	Dwayne Grondin

### Meeting Minutes

Item No.	Discussion Points/ Issues Raised/ Decisions Made	Corrective Action Items	Responsible	Due Date
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#### 1. Introductions

The following staff were in attendance, and represented the Owner for the Amherstburg Water Distribution System during the DWQMS Management Review:

- Valerie Critchley, CAO Town of Amherstburg (Top Management)
- Antonietta Giofu, Director of Infrastructure Services (Top Management)
- Dan Rawlins, Senior Operations Manager, OCWA
- Dwayne Grondin, Manager of Environmental Services, (Top Management) (QMS Rep)

The purpose and objectives of the Management Review meeting were reviewed as follows:

To evaluate the continuing suitability, adequacy, and effectiveness of the Town of Amherstburg's QMS. The Management Review included a review of the DWQMS Operational Plan, NSF GLOBAL audit report, 2023 MECP inspection report, the internal audit report and other related operational documents/records as required.



## Meeting Minutes

Item No.	Discussion Points/ Issues Raised/ Decisions Made	Corrective Action Items	Responsible	Due Date
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### 2. Review of minutes from most recent Management Review.

The minutes from the most recent Management Review Nov. 8, 2023 were reviewed by all and all standing items were reviewed. Corrective action items were assigned if applicable, and detailed in the following minutes.

[a]	<b>Incidents of regulatory non-compliance:</b> An MOE inspection report was issued on March 30, 2024 for the 2023 calendar year.	The Town received a 100% final Inspection Rating for the 2023 calendar year.	DG	Completed
[b]	<b>Incidents of adverse drinking water tests:</b> 1 incident of adverse drinking water has occurred since the last Management Review. A low residual was found at 145 Essex Blvd.	Continued flushing to raise chlorine residual	D/G	Completed
[c]	<b>Deviations from critical control limits and response actions:</b> 1 deviation from critical control limits had occurred since the last Management Review. - Adverse sample as shown above (b).	N/A	N/A	N/A
[d]	<b>Effectiveness of the risk assessment process:</b> The 36 month detailed risk assessment review will be scheduled for the fall of 2024.	N/A	N/A	N/A

Meeting Minutes				
Item No.	Discussion Points/ Issues Raised/ Decisions Made	Corrective Action Items	Responsible	Due Date
[e]	<p><b>Internal and third-party audit results:</b> Internal audit was conducted on December 6, 2023</p> <ul style="list-style-type: none"> <li>6 OFI's were identified <ul style="list-style-type: none"> <li>Document &amp; Record Control – describe method for document disposal</li> <li>Document &amp; Record Control – Update retention time to include relevant regulatory requirements</li> <li>Document &amp; Record Control – Update revision number/ header</li> <li>Risk Assessment – Add cyber security threats</li> <li>Risk Assessments Outcomes – add cyber security threats</li> <li>Essential Supplies &amp; Services – add fuel suppliers and update OCWA contacts</li> </ul> </li> <li>1 NC was identified <ul style="list-style-type: none"> <li>Missing information on calibration report</li> </ul> </li> </ul> <p>External Audit was conducted by NSF on February 20, 2024</p> <ul style="list-style-type: none"> <li>2 OFIs were identified. <ul style="list-style-type: none"> <li>Infrastructure Maintenance and Renewal – Update section 3.1.3. to show current practices</li> <li>Review and Provision of Infrastructure – Update sections 3.3 &amp; 3.4 regarding submission of infrastructure review results to owner</li> </ul> </li> </ul>	<p>All the OFI's were reviewed and will be implemented as needed.</p>	<p>Dwayne Grondin</p> <p>Dwayne Grondin</p>	<p>On-going</p> <p>On-going</p>
[f]	<p><b>Results of emergency response testing:</b> On May 13, 2024 all interconnects from the Colchester, Essex and LaSalle areas were opened and the Water Treatment Plant was taken offline. The test started shortly after 9:00am and at approximately 6:30pm the test was aborted due to low pressure in a section of the distribution system.</p>	N/A	N/A	N/A



Meeting Minutes				
Item No.	Discussion Points/ Issues Raised/ Decisions Made	Corrective Action Items	Responsible	Due Date
[g]	<b>Operational performance:</b> It was noted a couple of water staff are nearing retirement and recruitment of new employees will begin once retirement notices are received.	N/A	N/A	N/A
[h]	<b>Raw water supply and drinking water quality trends</b> OCWA submitted the Annual Summary Reports for the Amherstburg WTP. No new issues.	N/A	N/A	N/A
[i]	<b>Follow-up on action items from previous Management Reviews:</b> There was no follow up required of the November 13, 2023 Management Review minutes.	N/A	N/A	N/A
[j]	<b>Status of management action items identified between reviews:</b> There were no action items from the previous review.	N/A	N/A	N/A
[k]	<b>Changes that could affect the QEMS:</b> No changes	N/A	N/A	N/A
[l]	<b>Consumer feedback:</b> There were 8 water quality complaints received in 2023.	Complaints were immediately investigated and cleared	N/A	N/A
[m]	<b>Resources needed to maintain the QMS:</b> Owner, Top Management, Operations Personnel.	N/A	QMS Reps	On-going
[n]	<b>Results of the infrastructure review:</b> Many capital improvements have taken place during the management review period.	Review approved budget as required.	Dwayne Grondin	On-going
[o]	<b>Operational Plan currency, content and updates:</b> The Operational Plan is continuously updated.  All water staff will be trained on various elements from the DWQMS throughout the year and documented.	Provide all water staff access to the Operational Plan and OTJ training form.	Dwayne Grondin	On-going





### Meeting Minutes

Item No.	Discussion Points/ Issues Raised/ Decisions Made	Corrective Action Items	Responsible	Due Date
[p]	<b>Staff suggestions:</b> Staff input is encouraged during staff meetings or by regular communications with management and fellow employees.	N/A	QMS Reps	On-going
[q]	<b>Consideration of applicable best management practices:</b> No BMP's were considered during this Management review.	N/A	QMS Reps	On-going

### Other Business Notes

#### 4. Roundtable/Other:

- No issues at this time.

<b>Next Meeting Date:</b>	2025 TBD
<b>Location:</b>	TBD

TOWN OF AMHERSTBURG ANNUAL SUMMARY OF WATER SYSTEM						
CATEGORY	YEAR					
	2021	2022	2023	2024	2025	2026
<b>WATERMAINS</b>						
Watermain - Breaks	7	3	3	5		
Watermains - Replaced (km)	0.62	0.5	1.06	0		
Watermains - New (kms)	5.1	5	0.97	5		
<b>Total Watermain (Kms)</b>	<b>355</b>	<b>360</b>	<b>361</b>	<b>366</b>		
<b>FIRE HYDRANTS</b>						
Fire Hydrants - Repaired	17	46	6	4		
Fire Hydrants - Replaced	1	0	1	0		
Fire Hydrants - New	30	17	6	28		
<b>Total Fire Hydrants</b>	<b>1073</b>	<b>1090</b>	<b>1096</b>	<b>1124</b>		
<b>WATER ACCOUNTS</b>						
Water Accounts - New	203	238	* See Note	* See Note		
<b>Total Water Accounts</b>	<b>10270</b>	<b>10508</b>	<b>10572</b>	<b>10549</b>		
<b>WATER QUALITY</b>						
Boil Water Events	1	0	0	0		
Customer Quality Concerns	3	16	8	2		

\* Note: Essex Power has indicated the 2023 account summary was missed calculated and has confirmed the 2024 count is accurate

**2025 POLICING ACTIVITIES REPORT**  
**WINDSOR POLICE SERVICE AMHERSTBURG DETACHMENT**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
<b>CALLS FOR SERVICE</b>													
Dispatch Generated Incidents (CAD calls)	735	672	855										2262
Self-Generated Walk-In Incidents	15	5	12										32
<b>TOTAL INCIDENTS</b>	<b>750</b>	<b>677</b>	<b>867</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2294</b>
<b>PROVINCIAL OFFENCES</b>													
Traffic Offences	280	355	474										1109
Part III Summons	11	5	9										25
Liquor Offences	0	0	0										0
Other Provincial Offences	14	33	6										53
<b>TOTAL</b>	<b>305</b>	<b>393</b>	<b>489</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1187</b>
<b>CRIME STATISTICS</b>													
Attempted Murder	0	0	0										0
Robbery	0	0	0										0
Break and Enter	2	6	2										10
Theft Over	2	2	1										5
Theft Under	4	3	1										8
Possession Stolen Goods	0	0	0										0
Fraud	8	10	8										26
Mischief	3	0	4										7
Assault (All)	4	9	7										20
Drugs	0	0	0										0
Firearms	0	0	0										0
Arson/Fire Calls	2	0	0										2
Impaired Driving	1	1	1										3
Federal Statutes	0	0	1										1
Other Criminal Code	7	2	7										16
<b>TOTAL</b>	<b>33</b>	<b>33</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>98</b>
<b>COMMUNITY OUTREACH ACTIVITIES</b>													
Community Service Calls / Coast	10	15	16										41



**Celebrating the 33<sup>rd</sup> Falun Dafa Day Anniversary**  
**Request for a Flag Raising/Proclamation**

March 2025

Dear Mayor Michael Prue

In commemoration of the 33<sup>rd</sup> Falun Dafa Day on May 13<sup>th</sup>, 2025, for celebrating Falun Dafa spreading to the public, we respectfully request again a recognition in the form of a Flag Raising /lighting Up/greeting letter/Proclamation. This annual occasion pays tribute to the contributions of the Falun Dafa community in Canada—many of whom arrived here as refugees fleeing the persecution in China, and celebrates the values of Truthfulness, Compassion, and Forbearance. We truly appreciate our Mayor and City's long time wonderful support!

In 2024, we were very glad to have had 11 Canadian cities have flags-raising or lighting-up the landmarks to celebrate our Falun Dafa Day. We also received more than 100 supporting letters and/or proclamations from Canadian MPs, MPPs, Mayors, and City Councillors.

Originated from the autocratic communist China 33 years ago, along with 26 years' brutal persecution even with the horrific organ harvesting, [facing the transnational repression](#), the Falun Dafa community has endured, persevered and flourished peacefully. At the same time, Canadian Falun Dafa practitioners are proud to build our communities across the country and call Canada home.

The fight for freedom and integrity continues, as community members courageously fend off intimidation, threat, and dis-information campaign by the long-arm operation of China's communist regime that has infiltrated many aspects of Canadian politics and social life.

Here in Canada, Falun Gong volunteers have taught [free meditation exercises](#) that has helped thousands of Canadians improve their mental, moral and physical wellbeing, contributing to a more healthy and harmonious society.

We are genuinely grateful for the freedom, diversity and compassionate support received across the society. Year to year, the Falun Dafa communities have garnered worldwide recognition, including greetings and proclamations. By sending a greeting letter/video to mark the 33<sup>rd</sup> Falun Dafa Anniversary, you help affirm Canada's commitment to the values of Truthfulness, Compassion, and Forbearance, and to the upholding of human rights and freedom of conscience.

Should you have questions, please don't hesitate to contact the undersigned.

Sincerely,

Pixing Zhang on behalf of Falun Dafa Association of Canada

Tel: 4168358337 email: [pixingzhang@gmail.com](mailto:pixingzhang@gmail.com)

**4 enclosures below:**

**1. 13 Members of Parliament Join Practitioners in Celebrating World Falun Dafa Day at Parliament Hill** <https://en.minghui.org/html/articles/2024/5/14/217684p.html>



## 2a. A short video of 'An Introduction to Falun gong' (6:35 min)

<https://www.youtube.com/watch?v=aJ-A6xY47jc>

## 2b. Flag Raising/Light-up Hosting Cities in 2024, and 13 MPs joined Ottawa Rally:

Saskatoon; Barrie; Cambridge; Cornwall; Orangeville; Orillia; Brighton; Brock; Scugog; Amherstburg; Nanaimo

For more information, please visit [faluninfo.net](http://faluninfo.net)

## 3. Greetings for Falun Dafa Month Celebration 2023(excerpt from 104 greetings):

“ it is the people that need to see the compassion, the tolerance, the love that is shared by Falun Gong every single day in every single way everywhere. And it will not be the bullies in China that will quash this spirit. It will be just like it is in Canada, democracy, the rule of law, and compassion prevails. When that changes you will be there to teach the world as you always have the values that you practice, “ **—MP Melissa Lantsman, Deputy leader of the Conservative Party, Rally speech 2024 Falun Dafa Day**

“Falun Dafa is an exercise that many more Canadians need to do. I thank you for sharing that with us. Because it is a way to promote a peacefulness within, but it also promotes a peacefulness within our country. And I think the more people who practice Falun Gong, the better we are as individuals, and the stronger our country is.” **—Hon. Judy Sgro, co-chair of the Falun Gong Parliamentary Friendship Group, Rally speech 2024**

“You preserve the beauty of China’s traditional culture, something that the communists have sought to distort and destroy. You preserve that culture and also advocate for human rights and justice. Indeed, you worked for the core Falun Gong principles of Truthfulness, Compassion and Tolerance.”

**— MP Garnett Genuis, co-chair of the FalunGong Parliamentary Friendship Group, Rally Speech 2024**

I greatly admire your promotion of truthfulness, compassion and tolerance, as well as your focus on the wellbeing of individuals in Canada. This is a day to celebrate compassion in society and to embrace the diversity that surrounds and defines us.

**— MPElizabeth May, greeting message, Parliamentary Leader of the Green Party, greetingsfor 2024**

“I would like to begin by saying how important your voices are to our government. I would like to also express my solidarity with Falun Dafa and with you all. — **Premier Danielle Smith, Letter of Greetings, 2024 Falun Dafa Day**



"I would like to extend a big thank you to the Falun Dafa community in Fredericton, for their dedication to promoting a more harmonious and healthy society. Thank you for your continuous efforts to encouraging tolerance and compassion and building a better world for all of us." –*Her Worship Kate Rogers, Fredericton, Letter of Greetings, 2024 Falun Dafa Day*

#### **We also received greetings from:**

**MPs:** Michael Cooper; Stephanie Kusie; Kerry-Lynne D. Findlay; James Bezan; Kevin Lamoureux; Marty Morantz; Raquel Dancho; Ted Falk; Anna Roberts; Colin Carrie; Dan Muys; Doug Shipley; John Brassard; Kyle Seebach; Marilyn Gladu; Philip Lawrence; Scott Reid; Yvan Baker; Pierre Paul-Hus; Richard Martel; Andrew Scheer; Cathay Wagantall; Warren Steinley; Mike Lake; Ziad Aboultaf; Blaine Calkins; Greg McLean; Len Webber; Pat Kelly; Rachael Thomas; Ron Liepert; Shuvaloy Majumdar; Tom Kmiec;

**MPPs/MLAs:** Carla Beck; Chris Glover; Doug Downey; Charmaine Williams; Andrea Khanjin; Rudy Cuzzetto; Brian Riddell; Mary-Margaret McMahon; Allan MacMaster; Ron Schuler; Rick Glumac

**Mayors' Proclamation/Greetings:** Ottawa; Calgary; Saskatoon; Fredericton; ; Kingston; Barrie; London; Cornwall; Port Coquitlam; Maple Ridge; Nanaimo; White Rock; Duncan; Kelowna; West Vancouver; Esquimalt; Port Alberni; Sechelt; Williams lake; Norris Point; Cape Breton; Brighton; Mississippi Mills; Cambridge; Belleville; LaSalle; Orillia; Leamington; Springwater; Orangeville; Amherstburg; Sarnia; North Bay; Chapple; New Tecumseth; Quinte West; Brock; Scugog; Collingwood;; Grande Prairie; Cold Lake; Red Deer; Banff; Coaldale; Pincher Creek; Rocky View

**Councillors:** James Pasternak; Brad Butt; Matt Mahoney; Mario G. Racco; Parthi Kandavel; Gian-Carlo Carra; Andre Chabot

#### **4. About Falun Dafa:**

[Falun Dafa](#) (also known as Falun Gong) is a spiritual practice rooted in the ancient schools of cultivation in China. It consists of meditative exercises, and a moral philosophy aimed at the promotion of virtue. At the core of Falun Dafa's teachings are the tenets of "Truthfulness, Compassion, and Forbearance." Practitioners of Falun Dafa aim to live in accord with these principles, taking them as a guide for daily life and practice.

Since Falun Dafa's public introduction in 1992, hundreds of millions of people from diverse cultural backgrounds in over 100 countries, including Canada, benefit from practicing Falun Gong, where the [free teachings](#) help people improve their mental, moral, and physical wellbeing and contribute to a more healthy and peaceful society.

On 20 July, 1999, the Chinese Communist Party (CCP) launched a campaign to eradicate Falun Gong. For the past 21 years, major human rights organizations, the United Nations, the U.S. government, and NGOs, etc. have extensively documented the nation-wide campaign of hatred, mass imprisonment, forced slave labours, torture, and killings of people who practice Falun Gong in China.

Millions of Falun Gong practitioners and their families have been torn apart. Countless practitioners have been killed for their vital organs that are being sold by the state. International legal experts say that crimes against humanity, and possibly genocide, have occurred. Practitioners and supporters in Canada continue to experience various kinds of intimidation and harassment and vilification by the CCP.

The Falun Dafa community, both within China and abroad, have endured these two decades of unimaginable adversity with resolute non-violence and persistence to uphold freedom and the universal values. This has garnered worldwide recognition, including thousands of greetings and proclamations from governments and officials.





**TOWN OF AMHERSTBURG  
DRAINAGE BOARD MEETING  
MINUTES**

**Thursday, April 3, 2025**

**6:00 PM**

**Council Chambers**

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

PRESENT	Anthony Campigotto - Chair Allan Major - Vice Chair Brad Laramie Murray Sellars
STAFF PRESENT	Sam Paglia - Drainage Superintendent/Engineering Coordinator Nicole Humber - Recording Secretary
ABSENT	Brian Renaud ( <i>Regrets</i> )

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**1. CALL TO ORDER**

The Chair called the meeting to order at 6:00 p.m.

**2. ROLL CALL**

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*There were no disclosures noted.*

#### **4. LAND ACKNOWLEDGEMENT**

The Chair read the following, “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. MINUTES OF PREVIOUS MEETING**

##### **5.1 Drainage Board Meeting Minutes - February 25, 2025**

**Moved by** A. Major

**Seconded by** M. Sellars

That the Drainage Board Meeting Minutes of February 25, 2025 **BE APPROVED**.

The Chair put the motion.

**Motion Carried**

#### **6. ORDER OF BUSINESS**

##### **6.1 Consideration of Final Drainage Report - Improvements to the Deslippe Drain (2025)**

**Moved by** B. Laramie

**Seconded by** M. Sellars

That:

1. The engineer's report, prepared by R. Dobbin Engineering Inc. dated February 14, 2025 for improvements to the Deslippe Drain (2025) **BE RECEIVED**;
2. The engineer's report for the improvements to the Deslippe Drain (2025) **BE CONSIDERED**;

3. The **PROVISIONAL ADOPTION** of **By-law 2025-027** which appends the engineer's report for improvements to the Deslippe Drain (2025) **BE BROUGHT** to the next Regular Council meeting for Council's consideration; and,
4. Administration **BE DIRECTED** to proceed with the scheduling of the Public Meeting of the Court of Revision for improvements to the Deslippe Drain.

The Chair put the motion.

**Motion Carried**

## **6.2 Levying By-law - 2024 Drain Maintenance**

**Moved by** A. Major

**Seconded by** M. Sellars

That:

1. The report from the Drainage Superintendent and Engineering Coordinator dated March 12, 2025 regarding the recovery of cost for money spent in 2024 to maintain and repair Municipal Drains **BE RECEIVED**;
2. **By-law 2025-028 BE BROUGHT** to the next Regular Council meeting for Council's consideration, and **BE READ 3 TIMES** to become the Levying By-law to allow the collection of cost for maintenance performed by the Town in 2024.

The Chair put the motion.

**Motion Carried**

**7. ADJOURNMENT**

**Moved by** B. Laramie

**Seconded by** M. Sellars

That the Drainage Board **ADJOURN** at 6:52 p.m.

The Chair put the motion.

**Motion Carried**

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Anthony Campigotto - Chair

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Sam Paglia - Staff Liaison

February 14, 2025

The Mayor and Council  
Town of Amherstburg  
271 Sandwich Street South  
Amherstburg, Ontario  
N9V 2A5

Gentlemen and Mesdames:

**Re: Deslippe Drain (2025)**

In accordance with your instructions, R. Dobbin Engineering has undertaken an examination with regards to improving the Deslippe Drain in the Town of Amherstburg.

Authorization under the Drainage Act

This is an Engineer's Report that has been prepared under Section 78 and 4 of the Drainage Act. R. Dobbin Engineering Inc. was appointed by council on October 23, 2023. A petition was filed by the owner of Concession Road 6 South on April 5, 2024 in order to have the road crossing south of County Road 18 included as part of the drainage works.

Section 78 of the Drainage Act states that, where, for the better use, maintenance or repair of any drainage works constructed under a bylaw passed under this Act, or of lands or roads, it is considered expedient to change the course of the drainage works, or to make a new outlet for the whole or any part of the drainage works, or to construct a tile drain under the bed of the whole or any part of the drainage works as ancillary thereto, or to construct, reconstruct or extend embankments, walls, dykes, dams, reservoirs, bridges, pumping stations, or other protective works as ancillary to the drainage works, or to otherwise improve, extend to an outlet or alter the drainage works or to cover the whole or any part of it, or to consolidate two or more drainage works, the Council whose duty it is to maintain and repair the drainage works or any part thereof may, without a petition required under Section 4 but on the report of an Engineer appointed by it, undertake and complete the drainage works as set forth in such report.

Section 4 (1) of the Drainage Act states:

A petition for the drainage by means of a drainage works of an area requiring drainage as described in the petition may be filed with the Clerk of the local Municipality in which the area is situate by,

- (a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;
- (b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 per cent of the hectareage in the area;
- (c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61(5);
- (d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director. R.S.O. 1990, c.D.17, s.4(1).

The petition was determined to be valid based on Section 4 (1) (c).

#### Existing Drainage

The Deslippe Drain outlets into the Long Marsh Drain just north of Texas Road on the west side of Concession Road 5 North. The drain continues southerly as an open channel to the south limit of Lot 2, Concession 4. The drain then crosses Concession Road 5 North and continues southerly along the east side of Concession Road 5 North. The drain continues to just south of Alma Street, where it then heads easterly to the east side of Concession Road 6 South. The drain continues southerly along the east side of Concession Road 6 South to a point just north of the south limit of Lot 74, Concession 6.

The last Engineer's Report on the Deslippe Drain was completed in 2024 by RC Spencer. The report replaced two culverts (identified as Culvert #13 and #14 under this report) and one culvert under an Emergency Designation from the Minister of Agribusiness (identified as Culvert #8 under this report).

#### Drain Classification

The Deslippe Drain is currently classified as a class "F" drain according to the Department of Fisheries and Oceans (DFO) classification as presented by the Ontario Ministry of Agriculture, Food and Rural Affairs' Agricultural Information Atlas.

Class "F" drains are intermittent or ephemeral (dry for more than two consecutive months).

#### Approvals

The drain will require approval from the Essex Region Conservation Authority and the Department of Fisheries and Oceans. Construction cannot commence without necessary approvals.



### Emergency Designations

Prior to the site meeting, the County of Essex reached out with concerns regarding the County Road 18 crossing. Therefore, on February 6, 2024 R. Dobbin Engineering went to site to investigate the culvert and the remainder of culverts along the length of the drain. It was determined that the County Road 18 crossing (Culvert #16) and the shared driveway culvert for the properties with Parcel Numbers 21 and 22 (now Culvert #3 and #4) were in very poor condition. In particular, the shared driveway culvert was deemed a safety hazard and unsafe for use. On February 15, 2024 the Emergency Designation Request was filed with the Minister of Agribusiness in order to proceed with the Emergency Culvert Replacements prior to adoption of the report. Approval was granted by the Minister on February 20, 2024. Construction was completed in April of 2024 for the driveway culverts and in June of 2024 for the County Road 18 crossing. As part of the County Road #18 crossing replacement, the watermain was lowered in order to accommodate the proposed culvert and a road crossing under Concession Road 6 South was completed.

On December 28, 2024 R. Dobbin Engineering Inc. was informed that Culvert #5 had been hit by a vehicle and required inspection to determine if it would be suitable for vehicle traffic. R. Dobbin Engineering Inc. was on site on December 28, 2024 and determined that the south beam of the bridge had rotated approximately 45 degrees. As a result, the south side of the bridge is no longer safe for access. The remainder of the beams remained in tact. It was determined that the south side of the bridge should be barricaded off and access shall only be gained utilizing the north side of the bridge. This collision expedited the replacement of this culvert to an emergency. Therefore, on January 3, 2025 Emergency Designation was requested to the Minister of Agribusiness under Section 124 of the Drainage Act.

### Site Meeting

A site meeting for this drain was held on March 13, 2024. The following were present:

- Josh Warner (R. Dobbin Engineering)
- Sam Paglia (Drainage Superintendent, Town of Amherstburg)
- Dennis Renaud (Landowner)
- Josh Mailloux (Landowner)
- Mark Fishleigh (County of Essex)
- Don Deslippe (Landowner)
- Ron McGuire (Landowner)
- Brian Renaud (Landowner)
- Gerald Wismer (Landowner)
- Darwin Wismer (Landowner)
- Patricia Renaud (Landowner)
- Colin Novak (Landowner)
- Helen Ule (Landowner)

The following is a brief summary of the meeting:

- General discussion of the Drainage Act and Landowners rights under the Drainage Act.
- Landowners were made aware that the County Road 18 crossing (Culvert #16) and two driveway culverts (Culvert #3 and #4) were being completed under Emergency Designation as per Section 124 of the Drainage Act.
- Landowners were made aware that a 6m top width will be provided as a standard and at a shared cost. If a Landowner requests a longer culvert, the additional cost will be assessed to the requesting property.
- Landowners were made aware that the culverts have been inspected and it has been deemed that Culvert #5, 10, 11, 12, 15 and 17, require replacement.
- Landowners at the top end of the drain requested a cleanout of the drain, stating that their tiles are under the sediment.
- Landowners north of Alma Street stated that they have no concerns with the drain.
- No concerns were brought forward regarding the soil conditions.

#### Existing Conditions

Below is a summary of the condition of the existing culverts:

<b>Culvert Number</b>	<b>Location</b>	<b>Existing Culvert</b>	<b>Condition</b>	<b>Recommendation</b>
1	Texas Road	3800mm Span Concrete Box Culvert	Good	Leave and Specify for Future Replacement
2	Parcel Number 4	3100x1980mm dia. CSPA	Okay. Rust below Springline	Leave and Specify for Future Replacement
3	Parcel Number 21	Steel Beam Bridge was in very poor condition and was replaced under Emergency Designation with 2200mm dia. CSP.		
4	Parcel Number 22	No Culvert Previously. New Culvert installed under Emergency Designation with 2200mm dia. CSP.		
5	Parcel Number 23	Steel Beam Bridge was in poor condition, but was hit by vehicle which expedited replacement under Emergency Designation with 2200mm dia. CSP.		
6	Parcel Number 3	3100x1980mm dia. CSPA	Okay. Rust below Springline	Leave and Specify for Future Replacement
7	Concession Road 5 North	2500mm Span Concrete Box Culvert	Good	Leave and Specify for Future Replacement

<b>Culvert Number</b>	<b>Location</b>	<b>Existing Culvert Size</b>	<b>Condition</b>	<b>Recommendation</b>
8	Parcel Number 26	1600mm dia. CSP	Good. Replaced through Emergency Designation under RC Spencer 2024 Report	Leave and Specify for Future Replacement
9	Alma Street	1800mm Span Concrete Box Culvert	Good	Leave and Specify for Future Replacement
10	Parcel Number 9	1400x1000mm dia. CSPA	Poor – Rusted, Holes	Replace
11	Concession Road 6 South	2200mm dia. CSP With Concrete Footings	Poor – Rusted, Holes Throughout	Replace
12	Parcel Number 19	1200mm dia. CSP	Poor – Rusted, Holes Throughout and Bottom Gone in Sections	Replace
13	Parcel Number 39	1200mm dia. CSP	Poor – Being Replaced under RC Spencer 2024 Report	Leave and Specify for Future Replacement
14	Parcel Number 38	1200mm dia. CSP	Poor – Being Replaced under RC Spencer 2024 Report	Leave and Specify for Future Replacement
15	Parcel Number 17 & 18	1200mm dia. CSP	Poor – Rusted, Large Holes Throughout	Replace
16	Essex County Road 18	1050mm dia. CSP was in very poor condition and was replaced under Emergency Designation with 1050mm dia. HDPE.		
17	Concession Road 6 South just South of CR 18	250mm dia. CSP was in very poor condition and was replaced under Emergency Designation with 300mm dia. HDPE.		
18	Parcel Number 32	600mm dia. CSP	Poor – Rusted, Holes Throughout	Replace

There are multiple areas on the west side of Concession Road 5 North between Culvert #1 and #2 where the east toe is gone and the gravel shoulder is eroding into the drain. There are also multiples areas on the east side of Concession Road 5 North between Culvert # 7 and #9 where the west toe is gone and the gravel shoulder is eroding into the drain. Both sections pose a safety concern to the roadway. Therefore, it is proposed to move the drain away from the roadway in these sections.

### Draft Report

A draft report, dated January 3, 2025 was sent to all the affected Landowners and a meeting was held on February 12, 2025 to go over the report and address any questions and concerns related to the draft report. The following were present at the meeting:

- Josh Warner (R. Dobbin Engineering)
- Sam Paglia (Drainage Superintendent, Town of Amherstburg)
- Nicole Humber (Public Works Clerk, Town of Amherstburg)
- Josh Mailloux (Landowner)
- Donald Deslippe (Landowner)
- Ron McGuire (Landowner)
- Leonard Mailloux (Landowner)
- Ron Wismer (Landowner)
- Ted O’Gorman (Landowner)
- R. Wismer (Landowner)
- Dale Trombley (Landowner)
- Brian Renaud (Landowner)

The following is a brief summary of the meeting:

- It was discussed that the tile adjacent the channel move offs get relocated by a licensed tile contractor prior to the report construction. This was to be organized by R. Dobbin Engineering.
- Landowners stated that there should be some adjustments to the watershed, specifically properties north of Alma Street. Tile plans and maps were provided. This was to be reviewed by R. Dobbin Engineering and adjusted as part of the final report.
- It was discussed that a basin shall be added to the enclosure of Culvert #8.
- It was discussed that the maintenance provisions for the rip rap installed as part of the move off should be re-evaluated.
- It was discussed that the channel between Alma and Concession Road 6 South be brushed on both sides.
- No major concerns with the proposed work were brought forward.

### Design

The proposed access and driveway culverts have been designed to provide outlet for a 1 in 5-year storm event.

The road culverts have been designed to provide outlet for a 1 in 25-year storm event.

### Recommendations

It is therefore recommended that the following work be carried out:

1. The Deslippe Drain from Station 0+064 to 0+683 and 1+295 to 1+900 shall be moved away from the roadway. This will result in the extension of Culvert #8 which was replaced under an Emergency Designation as part of the RC Spencer report that was completed in 2024.
2. The remainder of the Deslippe Drain shall be cleaned.
3. A maintenance schedule shall be developed for the open channel portion of the Deslippe Drain.
4. Culvert #10, 11, 12, 15 and 18 shall be replaced. Culvert #3, 4, 5, 16 and 17 that were replaced under Emergency Designation, shall be incorporated under this report. Future specifications shall be developed for the remainder of the culverts.

### Estimate of Cost

It is recommended that the work be carried out in accordance with the accompanying Specification of Work and Profile that forms part of this Report. There has been prepared an Estimate of Cost in the amount of \$1,223,660.00, including preparation of the report, attending the Meeting to Consider the Report, attending the Court of Revision and estimates for tendering, construction inspection, permitting and contract administration. Appearances before appeal bodies have not been included in the cost estimate.

### Assessment

As per Section 21 of the Drainage Act, the Engineer in his report shall assess for benefit and outlet for each parcel of land and road liable for assessment.

Lands, roads, buildings, utilities, or other structures that are increased in value or are more easily maintained as a result of the construction, improvement, maintenance, or repair of a drainage works may be assessed for benefit. (Section 22)

Lands and roads that use a drainage works as an outlet, or for which, when the drainage works is constructed or improved, an improved outlet is provided either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse may be assessed for outlet. The assessment for outlet shall be based on the volume and rate of flow of the water artificially caused to flow into the drainage works from the lands and roads liable for such assessments. (Section 23)

The Engineer may assess for special benefit any lands for which special benefits have been provided by the drainage works. (Section 24)

A Schedule of Assessment for the lands and roads affected by the work and therefore liable for the cost thereof will be prepared as per the Drainage Act. Also, assessments may be made against any public utility or road authority, as per Section 26 of the Drainage Act, for any increased cost for the removal or relocation of any of its facilities and plant that may be necessitated by the construction or maintenance of the drainage works. Items outside those identified in this report shall be assessed to the utility or road authority as per Section 26 of the Drainage Act plus a portion of the engineering (20% of the construction cost).

The cost of any fees for permits or approvals or any extra work required by any affected utility or road authority shall be assessed to that organization requiring the permit, approval, or extra work.

Assessments are estimates only. The final assessments will be based on the final project costs, which will include the actual construction and engineering costs.

The proposed work has generally been assessed in the following manner, including all estimated fees, taxes and disbursements:

1. The additional cost to daylight and work around utilities has been assessed to the utility company as a benefit assessment as per Section 26 of the Drainage Act. These amounts shall be prorated with the remainder of the drainage works. The watermain relocation as part of the County Road 18 crossing replacement has been assessed to the utility as a special benefit assessment as per Section 26 of the Drainage Act. This amount shall not be prorated with the remainder of the drainage works. All other utility costs included in the report shall be prorated.
2. The engineering and/or cleanout cost for Culvert #1, 7 and 9 has been assessed to the road authority as a benefit assessment as per Section 26 of the Drainage Act. These amounts shall be prorated with the remainder of the drainage works. The actual replacement cost of Culvert No. 16 has been assessed to Essex County Road 18 as a special benefit assessment. This amount shall not be prorated with the remainder of the drainage works. The replacement of Culvert No. 11 and 17 has been assessed to Concession Road 6 South as a special benefit assessment. This amount shall not be prorated with the remainder of the drainage works and the special benefit assessment to Concession Road 6 South shall be calculated as follows:

Special Benefit Assessment for Concession Road 6 South =  $1.0176 \text{ (Net HST)} \times (\$41,610 + (\frac{1}{2} \text{ of the Traffic Control} + \text{Culvert No. 11 Replacement Cost}) \times 1.20 \text{ (For Engineering)})$



The two move offs and any associated cost above a standard cleanout (including the culvert replacement and enclosure) has been assessed to the owner of Concession Road 5 North as a special benefit assessment. This amount shall not be prorated with the remainder of the drainage works and shall be calculated as follows:

Special Benefit Assessment for Concession Road 5 North =  $1.0176 \text{ (Net HST)} \times ((\text{All Costs under the two Move Offs} \times 96\% + \text{Culvert No. 8 Replacement and Enclosure Cost} + \frac{1}{2} \text{ of the Traffic Control}) \times 1.20 \text{ (For Engineering)} + \text{Section 29 Allowances to Parcel Numbers 5 and 7} + \frac{2}{3} \text{ of Section 30 Allowances to Parcel Numbers 5 and 7})$

3. The replacement of culverts has been assessed based on the average cost to provide a culvert providing a 6m top width (standard culvert). This standard culvert and the cleanout and/or engineering for future driveway and access culvert replacements has been assessed with 45% of the cost applied as benefit assessment to property, 10% applied as a benefit assessment to abutting road and the remainder of the cost assessed as an outlet assessment on upstream lands and roads based on equivalent hectares. The additional cost to provide special features (asphalt) or a wider access, as outlined below, have been assessed to the property as a special benefit assessment. Culvert #5 has been lengthened to provide a 7m top width as that will match the existing driveway. Culvert #12 and #15 have been lengthened to provide a 9m top width at the request of the owner. These items shall be prorated with the remainder of the drainage works.
  - a. Due to the Motor Vehicle Accident with Culvert #5, a separate assessment schedule has been produced for Culvert #5. The replacement of Culvert #5 (plus 20% for Engineering), shall be assessed and prorated in accordance with this schedule, less the special benefit assessment to Concession Road 5 North. Any insurance proceeds shall be credited against the assessments contained in this schedule at the discretion of the Engineer. Due to the Motor Vehicle Accident, there is and will be additional engineering and construction cost related to the assessment of the damage, professional reports, separate tenders, revisions to the report and schedules, inspection and separate mobilization and demobilizations. This additional engineering and construction amount has been assessed to Concession Road 5 North as a special benefit assessment.
4. The cost of trucking less the equivalent cost of levelling has been assessed as a special benefit to the adjacent property. This item shall be prorated with the remainder of the drainage works.
5. The open channel cleanout has been assessed with 40% of the cost applied as benefit assessment to the abutting property, 10% of the cost applied as a benefit assessment to the abutting road, and the remainder of the cost assessed as an outlet assessment to upstream lands and roads based on equivalent hectares.

All final costs included in the cost estimate of this report shall be pro-rated based on the Schedule of Assessment No. 1, with the exception of Culvert #5, unless otherwise outlined above. Any additional costs shall be assessed in a manner as determined by the Engineer.

#### Allowances

Under Section 29 of the Drainage Act, the Engineer in his report shall estimate and allow in money to the Owner of any land that it is necessary to use for the construction or improvement of a drainage works or for the disposal of material removed from drainage works. This shall be considered an allowance for right-of-way.

Under Section 30 of the Drainage Act, the Engineer shall determine the amount to be paid to persons entitled thereto for damage, if any, to ornamental trees, lawns, fences, land and crops occasioned by the disposal of material removed from a drainage works. This shall be considered an allowance for damages.

Allowances have been made, where appropriate, as per Section 29 of the Drainage Act for right-of-way for the potential re-sloping that would increase the area occupied by the drain and as per Section 30 of the Drainage Act for damages to lands and crops. Allowances for right of way are based on a land value of \$50,000.00 per hectare (approximately \$20,000.00 per acre). Allowances for crop loss are based on \$2,000.00 per hectare for the first year and \$1,000.00 for the second year (\$3,000.00 per hectare total). Allowances were paid for trees on parcel number 7 as part of the drain move off. The allowance given per tree was \$500.

#### Access and Working Area

Access to the work site for construction and future maintenance of the drain shall be from adjacent roadways and along the length of the drainage works from the nearest culvert. Access to the drain between Station 1+913 and 2+401 shall be from the culvert approximately 40m south of the drain on Concession Road 6 South and from the existing driveway on parcel number 10 off of Alma Street.

The working area for the drain move offs shall extend 25m past the existing bank opposite the roadway. All other construction and all future maintenance shall be restricted to a width of 12m from the top of bank where the work is taking place and 4m from the top of bank on the opposite side. Unless otherwise noted, the excavation shall generally be done from the field side, except across finished lawns. Across finished lawns the drain shall be cleaned from the road side with the excavated material being disposed offsite. The working side for the drain downstream of Texas Road shall be on the west side of the channel. The main working side for the drain between Station 1+919 and

2+150 shall be the north/east side. The main working side for the drain between Station 2+150 and 2+401 shall be the south side. The working area shall extend to the other side of the drain if required for brushing or bank repairs.

The working area at each culvert shall extend 10 metres from the bank on both sides and for 10 metres along the channel on either side of the culvert.

Any damage caused to gain access to the site shall be restored to its pre-construction state at the expense of the Contractor.

#### Restrictions

No trees and shrubs shall be planted nor shall permanent structures be erected within 10 metres of the proposed drain without prior written permission of Council.

Attention is also drawn to Sections 80 and 82 of the Drainage Act, which refer to the removal of obstructions in a drain and damage caused to a drain.

#### Agricultural Grant

If available, it is recommended that application for subsidy be made for eligible agricultural properties. Any assessments against non-agricultural properties are shown separately in the Schedule of Assessment.

#### Maintenance

The Deslippe Drain shall be maintained and repaired with the specifications and drawings contained in this Engineer's Report and in the same relative proportions as contained in the Schedule of Maintenance contained in this Engineer's Report. Maintenance and repair of the rip rap required due to the channel move off (just south of Culvert #1, north of Culvert #2, south of Culvert #7, north and south of Culvert #8 and north of Culvert # 9) shall be paid for by the road authority of Concession Road 5 North.

The access culverts shall be maintained and repaired with a culvert length required to have a 6m top width and a granular surface. With the culverts shown on the profile, including rip rap end walls for access and driveway culverts, they shall be assessed in the following manner:

<b>Culvert Number</b>	<b>Road Authority</b>	<b>Benefitting Property</b>	<b>Upstream Properties Based on Equivalent Hectares as Contained in SoM</b>
1, 7, 9, 11, 16 & 17	100%		
2, 3, 4, 6		40%	60%

Culvert Number	Road Authority	Benefitting Property	Upstream Properties Based on Equivalent Hectares as Contained in SoM
8	70%	15%	15%
10, 13, 14		55%	45%
5		43%	57%
12		60%	40%
15		26% to Parcel Number 18 26% to Parcel Number 17	48%
18		65%	35%

If any owner requests an additional length of culvert beyond that included in the report or an asphalt travel surface the extra cost shall be borne by the Landowner making the request including the future maintenance and repair. The location of the 6m top width shall be determined by the Drainage Superintendent and shall generally be in the primary access location.

The additional costs as a result of a road or utility shall be assessed to the owner of the road or utility as per Section 26 of the Drainage Act.

A secondary access on a property shall be constructed, maintained and repaired with 100% of the cost assessed to the benefitting property.

Properties that wish to have the excavated material trucked shall be assessed the cost of trucking (including any cost associated with testing and disposal of the material) less the cost of levelling. The cost of levelling will form part of the drain maintenance cost.

Yours truly,

Josh Warner, P. Eng.  
R. Dobbin Engineering Inc.



Deslippe Drain  
Town of Amherstburg  
February 14, 2025

### ALLOWANCES

Allowances have been made as per Sections 29 & 30 of the Drainage Act for Right of Way and damages to lands and crops.

Conc.	Lot or or part	Parcel Number	Owner	Section 29 (\$)	Section 30 (\$)	Total (\$)
4	Pt. Lot 2	2	E. & D. Wismer	380	450	830
	Pt. Lot 2	3	E. Wismer	380	450	830
	N 1/2 Lot 2	4	J. Mailloux	900	900	1,800
	Pt. Lot 3	5	L. & D. Mailloux	27,000	4,500	31,500
	Pt. Lot 2	21	J. D'Alimonte & C. Reynolds	-	100	100
	Pt. Lot 2	22	D. & P. Renaud	-	100	100
	Pt. Lot 2	23	D. Tessier	-	100	100
5	Pt. Lot 1 & Pt. Lot 2	7	Mailloux Farms Ltd	34,450	4,050	38,500
	Pt. Lot 1	26	J. Mailloux & C. Holmes	600	450	1,050
	Pt. Lot 44	9	D. & C. Chemello	490	1,460	1,950
6	Pt. Lot 76	40	C. Dou	20	30	50
	Pt. Lot 76	19	Mcguire Farms Inc	200	600	800
	Pt. Lot 76	39	2497622 Ontario Inc.	120	170	290
	Pt. Lot 76	38	R. Teves & T. Giglione	40	50	90
	Pt. Lot 76	18	C. Mcguire	170	510	680
	Pt. Lot 75	17	R. & C. Mcguire	490	1,460	1,950
	Pt. Lot 75	37	S. Atkinson	100	150	250
	Pt. Lot 74	33	A. & J. Pelan	20	30	50
	Pt. Lot 74	16	B. Renaud	280	840	1,120
	Pt. Lot 74	32	R. & B. Meloche	60	140	200
	Pt. Lot 74	15	D. & R. Deslippe	160	490	650
TOTAL ALLOWANCES				\$65,860	\$17,030	\$82,890

### Estimate of Cost

<b><u>Item Description (Supply and Install New)</u></b>	<b><u>Quantity</u></b>	<b><u>Unit</u></b>	<b><u>Unit Cost (\$)</u></b>	<b><u>Total (\$)</u></b>
Pre-Construction Meeting	1	LS	500	500
Traffic Control	1	LS	8,000	8,000
Remove and Reinstall Fences, Signs and Mailboxes	1	LS	800	800
Locate and Work Around Utilities	1	LS	3,000	3,000
Silt Fence	3	each	500	1,500
General Project Restoration/Seeding	1	LS	5,000	5,000
<b>Open Channel Move Off (Station 0+064 to 0+683)</b>				
Brushing and Tree Removal	1	LS	8,000	8,000
Strip and Place Topsoil for New Channel Alignment	619	m	5	3,095
Strip and Place Topsoil in Existing Open Channel	619	m	7	4,333
Excavation of New Open Channel	619	m	70	43,330
Fill in Existing Open Channel	619	m	20	12,380
Dispose of Excess Excavated Material (Provisional)	100	cu.m	50	5,000
Importing Additional Material to Fill Channel (Provisional)	100	cu.m	50	5,000
Reconnect Existing Tile Outlets	4	each	100	400
Extend Existing 450mm dia. Outlet Pipes from East c/w	2	each	1,500	3,000
Rodent Grate				
Remove and Reinstall Existing Rip Rap	1	LS	2,000	2,000
Supply and Install Rip Rap	150	tonne	110	16,500
Side Slope Hydroseeding	5800	sq.m	3	17,400
Boulevard Topsoil and Hydroseeding	1	LS	8,000	8,000
Supply & Install 100% Crushed Granular 'A' for Shouldering	80	tonne	50	4,000
Provisional: Installation of Tile Headers	210	m	40	8,400
<b>Cleanout Culvert #2 (Parcel Number 4, J. Mailloux)</b>	8	m	50	400
<b>Open Channel Cleanout (Station 0+683 to 1+295)</b>				
Brushing and Tree Removal	1	LS	2,000	2,000
Open Channel Excavation (Bottom Cleanout Only)	562	m	8	4,496
Open Channel Excavation (Bottom Cleanout and Resloping)	50	m	12	600
Levelling of Excavated Material	432	m	5	2,160
Trucking of Excavated Material	180	m	10	1,800
Reconnect Existing Tile Outlets	5	each	100	500
Side Slope Hydroseeding	125	sq.m	3	375
Rip Rap in East toe along the West Side of Concession Road 5 North	50	tonne	110	5,500
Additional Rip Rap as Required	20	tonne	110	2,200



<b><u>Item Description (Supply and Install New)</u></b>	<b><u>Quantity</u></b>	<b><u>Unit</u></b>	<b><u>Unit Cost (\$)</u></b>	<b><u>Total (\$)</u></b>
<b>Cleanout Culvert #6 (Parcel Number 3, F. Wismer)</b>	20	m	40	800
<b>Cleanout Culvert #7 (Concession Road 5 North)</b>	12	m	80	960
<b>Open Channel Move Off (Station 1+295 to 1+900)</b>				
Brushing and Tree Removal	1	LS	8,000	8,000
Locate and Work Around Gas Service	1	LS	500	500
Strip and Place Topsoil for New Channel Alignment	605	m	5	3,025
Strip and Place Topsoil in Existing Open Channel	605	m	7	4,235
Excavation of New Open Channel	545	m	70	38,150
Fill in Existing Open Channel	605	m	20	12,100
Dispose of Excess Excavated Material (Provisional)	100	cu.m	50	5,000
Importing Additional Material to Fill Channel (Provisional)	100	cu.m	50	5,000
Reconnect Existing Tile Outlets	3	each	100	300
Supply and Install Rip Rap	150	tonne	110	16,500
Side Slope Hydroseeding	5400	sq.m	3	16,200
Topsoil and Hydroseeding: Boulevard and Lawn at Parcel Number 26	1	LS	6,000	6,000
Supply & Install 100% Crushed Granular 'A' for Shouldering and Restoration of Driveway Crossing	100	tonne	50	5,000
Proposed 450mm dia. Catch Basin c/w Cast Iron Grate	1	each	2,500	2,500
Tie Existing Tile into CB	1	LS	400	400
30m of 300mm HDPE c/w Rodent Grate and 45 Degree Elbow	1	LS	4,000	4,000
Provisional: Installation of Tile Headers	370	m	40	14,800
<b>Culvert #8 (Parcel Number 26, J. Mailoux &amp; C. Holmes)</b>				
Remove and Salvage Existing Rip Rap on North End Wall	1	LS	500	500
Supply & Install 1600mm dia. CSP c/w Bedding	45	m	1,400	63,000
Backfill with Excavated Material	1	LS	4,000	4,000
Reinstall Salvaged Rip Rap	1	LS	400	400
Supply and Install Additional Rip Rap	5	tonne	110	550
Topsoil and Hydroseeding (Restoration)	1	LS	2,000	2,000
Work Around Hydro Pole	1	LS	1,500	1,500
<b>Cleanout Culvert #9 (Alma Street)</b>	18	m	80	1,440
<b>Open Channel Cleanout (Station 1+920 to 4+054)</b>				
Brushing and Tree Removal	1	LS	12,000	12,000
Open Channel Excavation (Bottom Cleanout Only)	1502	m	8	12,016
Open Channel Excavation (Bottom Cleanout and Resloping)	500	m	12	6,000
Levelling of Excavated Material	1575	m	5	7,875
Trucking of Excavated Material	427	m	10	4,270
Reconnect Existing Field Tile	50	each	100	5,000
Side Slope Hydroseeding	1250	sq.m	3	3,750
Rip Rap in west toe along the East Side of Concession Road 6 South	80	tonne	110	8,800
Additional Rip Rap as Required	80	tonne	110	8,800

<b><u>Item Description (Supply and Install New)</u></b>	<b><u>Quantity</u></b>	<b><u>Unit</u></b>	<b><u>Unit Cost (\$)</u></b>	<b><u>Total (\$)</u></b>
<b>Completed Construction Cost for Emergency Replacement of Culvert #3 (Parcel Number 21, J. D'Alimonte &amp; C. Reynolds)</b>	1	LS	43,200	43,200
<b>Completed Construction Cost for Emergency Replacement of Culvert #4 (Parcel Number 22, D. &amp; P. Renaud)</b>	1	LS	38,900	38,900
<b>Culvert #5 (Parcel Number 23, D. Tessier)</b>				
Removal of existing structure and Unsuitable Material	1.0	LS	3,000	3,000
Supply & install 2200mm dia. CSP c/w Bedding	16.0	m	1,800	28,800
Supply and install Granular 'B' Type II	180.0	tonne	40	7,200
Supply & install 100% Crushed Granular 'A'	25.0	tonne	50	1,250
Supply & install rip rap endwalls	30.0	tonne	110	3,300
<b>Culvert #10 (Parcel Number 9, D. &amp; C. Chemello)</b>				
Removal of existing structure and Unsuitable Material	1.0	LS	1,500	1,500
Supply & install 1630x1120mm dia. CSPA c/w Bedding	11.0	m	1,200	13,200
Supply and install Granular 'B' Type II	60.0	tonne	40	2,400
Supply & install 100% Crushed Granular 'A'	20.0	tonne	50	1,000
Supply & install rip rap endwalls	20.0	tonne	110	2,200
<b>Culvert #11 (Concession Road 6 South)</b>				
Sawcut Asphalt c/w Milling and Tac Coat	1.0	LS	800	800
Removal of existing structure and Unsuitable Material	1.0	LS	3,000	3,000
Supply & install 1800mm dia. CSP c/w Bedding	13.0	m	1,600	20,800
Supply & install 100% Crushed Granular 'A'	200.0	tonne	50	10,000
Supply & install rip rap endwalls	40.0	tonne	110	4,400
Supply and Install HL4	15.0	tonne	200	3,000
Supply and Install HL3	15.0	tonne	200	3,000
Restoration/Line Painting and Ditch Re-Grading	1.0	LS	1,000	1,000
<b>Culvert #12 (Parcel Number 19, McGuire Farms Inc.)</b>				
Removal of existing structure and Unsuitable Material	1.0	LS	1,500	1,500
Supply & install 1200mm dia. Sanitite Pipe c/w Bedding	16.0	m	1,200	19,200
Supply and install Granular 'B' Type II	90.0	tonne	40	3,600
Supply & install 100% Crushed Granular 'A'	25.0	tonne	50	1,250
Supply & install rip rap endwalls	20.0	tonne	110	2,200
<b>Culvert #15 (Parcel Number 18 &amp; 17, C. McGuire &amp; R. &amp; C. McGuire)</b>				
Removal of existing structure and Unsuitable Material	1.0	LS	1,500	1,500
Supply & install 1200mm dia. Sanitite Pipe c/w Bedding	16.0	m	1,200	19,200
Supply and install Granular 'B' Type II	90.0	tonne	40	3,600
Supply & install 100% Crushed Granular 'A'	25.0	tonne	50	1,250
Supply & install rip rap endwalls	20.0	tonne	110	2,200
<b>Completed Construction Cost for Emergency Replacement of Culvert #16 (Essex County Road #18) including Watermain</b>	1	LS	132,100	132,100

<b><u>Item Description (Supply and Install New)</u></b>	<b><u>Quantity</u></b>	<b><u>Unit</u></b>	<b><u>Unit Cost (\$)</u></b>	<b><u>Total (\$)</u></b>
<b>Completed Construction Cost for Emergency Replacement of Culvert #17 (Concession Road 6 South Crossing just south of</b>	1	LS	32,500	32,500
<b>Culvert #18 (Parcel Number 32, R. &amp; B. Meloche)</b>				
Removal of existing structure and Unsuitable Material	1.0	LS	1,500	1,500
Supply & install 600mm dia. HDPE Pipe c/w Bedding	12.0	m	700	8,400
Supply and install Granular 'B' Type II	50.0	tonne	40	2,000
Supply & install Granular 'A'	25.0	tonne	50	1,250
Supply & install rip rap endwalls	20.0	tonne	110	2,200
Contingency				44,710
Sub Total				937,150
Allowances				82,890
Engineering				90,800
Additional Engineering and Construction Cost for Culvert No. 5 Replacement due to Motor Vehicle Accident				8,300
Schedule of Maintenance Update				2,500
Future Culvert Design				7,500
Daylighting and Surveying				6,500
Completing AODA Compliant Document				1,500
Estimate for Tendering, Inspection and Contract				66,000
ERCA Fee				800
<b>Total Estimate excluding HST</b>				<b>1,203,940</b>
Non-Recoverable HST (1.76%)				19,720
<b>Total Estimate</b>				<b>\$ 1,223,660</b>

**SCHEDULE OF ASSESSMENT NO.1 (ALL WORK EXCEPT CULVERT NO. 5)**

Conc.	Lot or Part	Affected Hecatares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
<b>Utilities</b>								
				Gas Utility				
				Enbridge Gas		5,560	-	5,560
				Water Utility	18,773	2,310	-	21,083
				Telecom Utility Road		2,310	-	2,310
					18,773	10,180	-	28,953
<b>Public Lands</b>								
				Concession 5 N	487,236	31,522	2,667	521,425
		3.90		Town of Amherstburg				
				Texas Road		1,500	14	1,514
		0.50		Town of Amherstburg				
				Alma Street	1,760	1,500	2,403	5,663
		2.12		Town of Amherstburg				
				Concession 6 S	102,290	42,245	10,492	155,027
		3.57		Town of Amherstburg				
				Essex County Road 18	143,317	-	5,843	149,160
		2.26		County of Essex				
					734,603	76,767	21,419	832,789
<b>Agricultural Lands</b>								
4	Pt. Lot 1	19.21	1	Mailloux Farms Ltd		-	6,422	6,422
	Pt. Lot 2	4.30	2	E. & D. Wismer		2,484	1,399	3,883
	Pt. Lot 2	4.15	3	E. Wismer		3,600	1,287	4,887
	N 1/2 Lot 2	3.26	4	J. Mailloux		3,529	941	4,470
	Pt. Lot 3	12.95	5	L. & D. Mailloux		9,308	14	9,322

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
5	Pt. Lot 1	19.07	6	1830011 Ontario Limited		-	4,878	4,878
	Pt. Lot 1 & Pt. Lot 2	12.80	7	Mailloux Farms Ltd		8,694	3,996	12,690
	Pt. Lot 44	2.02	8	M. & S. Mailloux		-	762	762
	Pt. Lot 44	6.14	9	D. & C. Chemello		19,897	2,703	22,600
	Pt. Lot 44	8.90	10	R. & A. Wismer		-	3,679	3,679
	Pt. Lot 44	11.33	11	Mailloux Farms Ltd		-	4,696	4,696
	Pt. Lot 45	21.00	12	G. & B. Wismer		-	8,694	8,694
	Pt. Lot 45	7.15	13	R. & M. Wismer		-	6,514	6,514
	Pt. Lot 46	12.79	14	P. & P. Jobin		-	17,048	17,048
6	Pt. Lot 74	5.86	15	D. & R. Deslippe	602	2,334	10,745	13,681
	Pt. Lot 74	18.92	16	B. Renaud		4,340	19,367	23,707
	Pt. Lot 75	34.86	17	R. & C. Mcguire		14,288	30,119	44,407
	Pt. Lot 76	13.37	18	C. Mcguire		9,020	8,572	17,592
	Pt. Lot 76	12.46	19	Mcguire Farms Inc	4,275	16,471	7,474	28,220
					4,877	93,965	139,310	238,152

**Non Agricultural Lands**

4	Pt. Lot 1	0.22	20	S. Crawford & W. & M. Mailloux		-	125	125
	Pt. Lot 2	0.14	21	J. D'Alimonte & C. Reynolds		14,034	14	14,048
	Pt. Lot 2	0.19	22	D. & P. Renaud		14,658	52	14,710
	Pt. Lot 2	0.38	23	D. Tessier		2,096	170	2,266
	Pt. Lot 4	0.00	23A	T. Stuebing		273	-	273
5	Pt. Lot 1	0.40	24	D. & J. Trombley		-	272	272
	Pt. Lot 1	0.30	25	C. Gillies		-	208	208
	Pt. Lot 1	0.52	26	J. Mailloux & C. Holmes		614	281	895
	Pt. Lot 44	0.74	27	J. Meloche-O' Gorman		-	330	330
	Pt. Lot 45	0.54	28	J. Meloche		-	698	698
	Pt. Lot 45	2.43	29	Belwood Poultry Limited		-	2,956	2,956
	Pt. Lot 46	0.42	30	M. Kilgallin		-	592	592
	Pt. Lot 46	0.40	31	A. & G. Amlin		-	1,042	1,042

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
6	Pt. Lot 74	0.62	32	R. & B. Meloche	319	11,384	1,015	12,718
	Pt. Lot 74	0.10	33	A. & J. Pelan	190	464	143	797
	Pt. Lot 74	0.23	34	C. Vultaggio		-	329	329
	Pt. Lot 74	0.19	35	A. Sharma		-	264	264
	Pt. Lot 74	0.15	36	R. & J. Masse		-	215	215
	Pt. Lot 75	1.00	37	S. Atkinson	602	1,706	1,366	3,674
	Pt. Lot 76	0.41	38	R. Teves & T. Giglione	172	614	385	1,171
	Pt. Lot 76	1.40	39	2497622 Ontario Inc.	657	1,556	1,292	3,505
	Pt. Lot 76	0.72	40	C. Dou	92	314	545	951
					2,032	47,713	12,294	62,039
Total Utilities					28,953			
Total Non Agricultural Lands					62,039			
Total Agricultural Lands					238,152			
Total Public Lands					832,789			
Total Assessment					\$1,161,933			



**SCHEDULE OF ASSESSMENT NO. 2 (CULVERT NO. 5 REPLACEMENT)**

Conc.	Lot or Part	Affected Hecatares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
<b>Public Lands</b>								
	Concession 5 N	3.90		Town of Amherstburg	8,300	4,774	1,013	14,087
	Texas Road	0.50		Town of Amherstburg		-	-	-
	Alma Street	2.12		Town of Amherstburg		-	826	826
	Concession 6 S	3.57		Town of Amherstburg		-	1,391	1,391
	Essex County Road 18	2.26		County of Essex		-	881	881
					8,	4,774	4,111	17,185
<b>Agricultural Lands</b>								
4	Pt. Lot 1	19.21	1	Mailloux Farms Ltd		-	2,495	2,495
	Pt. Lot 2	4.30	2	E. & D. Wismer		-	558	558
	Pt. Lot 2	4.15	3	E. Wismer		-	539	539
	N 1/2 Lot 2	3.26	4	J. Mailloux		-	-	-
	Pt. Lot 3	12.95	5	L. & D. Mailloux		-	-	-

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
5	Pt. Lot 1	19.07	6	1830011 Ontario Limited		-	1,647	1,647
	Pt. Lot 1 & Pt. Lot 2	12.80	7	Mailloux Farms Ltd		-	1,435	1,435
	Pt. Lot 44	2.02	8	M. & S. Mailloux		-	262	262
	Pt. Lot 44	6.14	9	D. & C. Chemello		-	930	930
	Pt. Lot 44	8.90	10	R. & A. Wismer		-	1,156	1,156
	Pt. Lot 44	11.33	11	Mailloux Farms Ltd		-	1,472	1,472
	Pt. Lot 45	21.00	12	G. & B. Wismer		-	2,727	2,727
	Pt. Lot 45	7.15	13	R. & M. Wismer		-	929	929
	Pt. Lot 46	12.79	14	P. & P. Jobin		-	1,661	1,661
6	Pt. Lot 74	5.86	15	D. & R. Deslippe		-	761	761
	Pt. Lot 74	18.92	16	B. Renaud		-	2,457	2,457
	Pt. Lot 75	34.86	17	R. & C. Mcguire		-	4,528	4,528
	Pt. Lot 76	13.37	18	C. Mcguire		-	1,736	1,736
	Pt. Lot 76	12.46	19	Mcguire Farms Inc		-	1,618	1,618
					-	-	26,911	26,911

**Non Agricultural Lands**

4	Pt. Lot 1	0.22	20	S. Crawford & W. & M. Mailloux		-	43	43
	Pt. Lot 2	0.14	21	J. D'Alimonte & C. Reynolds		-	-	-
	Pt. Lot 2	0.19	22	D. & P. Renaud		-	-	-
	Pt. Lot 2	0.38	23	D. Tessier	2,250	13,373	-	15,623
	Pt. Lot 4	0.00	23A	T. Stuebing		-	-	-
5	Pt. Lot 1	0.40	24	D. & J. Trombley		-	78	78
	Pt. Lot 1	0.30	25	C. Gillies		-	58	58
	Pt. Lot 1	0.52	26	J. Mailloux & C. Holmes		-	101	101
	Pt. Lot 44	0.74	27	J. Meloche-O' Gorman		-	112	112
	Pt. Lot 45	0.54	28	J. Meloche		-	105	105
	Pt. Lot 45	2.43	29	Belwood Poultry Limited		-	421	421
	Pt. Lot 46	0.42	30	M. Kilgallin		-	82	82
	Pt. Lot 46	0.40	31	A. & G. Amlin		-	69	69

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Special Benefit (\$)	Benefit (\$)	Outlet (\$)	Total (\$)
6	Pt. Lot 74	0.62	32	R. & B. Meloche		-	121	121
	Pt. Lot 74	0.10	33	A. & J. Pelan		-	19	19
	Pt. Lot 74	0.23	34	C. Vultaggio		-	45	45
	Pt. Lot 74	0.19	35	A. Sharma		-	37	37
	Pt. Lot 74	0.15	36	R. & J. Masse		-	29	29
	Pt. Lot 75	1.00	37	S. Atkinson		-	195	195
	Pt. Lot 76	0.41	38	R. Teves & T. Giglione		-	80	80
	Pt. Lot 76	1.40	39	2497622 Ontario Inc.		-	273	273
	Pt. Lot 76	0.72	40	C. Dou		-	140	140
					2,250	13,373	2,008	17,631
Total Utilities					-			
Total Non Agricultural Lands					17,631			
Total Agricultural Lands					26,911			
Total Public Lands					17,185			
Total Assessment					\$61,727			

### Estimated Net Assessment

Net assessment subject to OMAFRA ADIP Policy and actual construction costs.

Conc.	Lot or Part	Affected Hecatares	Parcel Number	Owner	Total Assessment (\$)	Estimated Grant (\$)	Allowances (\$)	Estimated Net Assessment (\$)
<b>Utilities</b>								
	Gas Utility			Enbridge Gas	560			5,560
	Water Utility			Town of Amherstburg	2183			21,083
	Telecom Utility Road			Bell Telecom	210			2,310
<b>Public Lands</b>								
	Concession 5 N	3.90		Town of Amherstburg	53512			535,512
	Texas Road	0.50		Town of Amherstburg	114			1,514
	Alma Street	2.12		Town of Amherstburg	689			6,489
	Concession 6 S	3.57		Town of Amherstburg	15618			156,418
	Essex County Road 18	2.26		County of Essex	15041			150,041
<b>Agricultural Lands</b>								
4	Pt. Lot 1	19.21	1	Mailloux Farms Ltd	8,917	2,972		5,945
	Pt. Lot 2	4.30	2	E. & D. Wismer	4,441	1,480		2,961
	Pt. Lot 2	4.15	3	E. Wismer	5,426	1,809		3,617
	N 1/2 Lot 2	3.26	4	J. Mailloux	4,470	1,490	1,800	1,180
	Pt. Lot 3	12.95	5	L. & D. Mailloux	9,322	3,107	31,500	(25,285)

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Total Assessment (\$)	Estimated Grant (\$)	Allowances (\$)	Estimated Net Assessment (\$)
5	Pt. Lot 1	19.07	6	1830011 Ontario Limited	6,525	2,175		4,350
	Pt. Lot 1 & Pt. Lot 2	12.80	7	Mailloux Farms Ltd	14,125	4,708	38,500	(29,083)
	Pt. Lot 44	2.02	8	M. & S. Mailloux	1,024	341		683
	Pt. Lot 44	6.14	9	D. & C. Chemello	23,530	7,843	1,950	13,737
	Pt. Lot 44	8.90	10	R. & A. Wismer	4,835	1,612		3,223
	Pt. Lot 44	11.33	11	Mailloux Farms Ltd	6,168	2,056		4,112
	Pt. Lot 45	21.00	12	G. & B. Wismer	11,421	3,807		7,614
	Pt. Lot 45	7.15	13	R. & M. Wismer	7,443	2,481		4,962
	Pt. Lot 46	12.79	14	P. & P. Jobin	18,709	6,236		12,473
6	Pt. Lot 74	5.86	15	D. & R. Deslippe	14,442	4,814	650	8,978
	Pt. Lot 74	18.92	16	B. Renaud	26,164	8,721	1,120	16,323
	Pt. Lot 75	34.86	17	R. & C. Mcguire	48,935	16,312	1,950	30,673
	Pt. Lot 76	13.37	18	C. Mcguire	19,328	6,443	680	12,205
	Pt. Lot 76	12.46	19	Mcguire Farms Inc	29,838	9,946	800	19,092

**Non Agricultural Lands**

4	Pt. Lot 1	0.22	20	S. Crawford & W. & M. Mailloux	168			168
	Pt. Lot 2	0.14	21	J. D'Alimonte & C. Reynolds	14,048		100	13,948
	Pt. Lot 2	0.19	22	D. & P. Renaud	14,710		100	14,610
	Pt. Lot 2	0.38	23	D. Tessier	17,889		100	17,789
	Pt. Lot 4	0.00	23A	T. Stuebing	273			273
5	Pt. Lot 1	0.40	24	D. & J. Trombley	350			350
	Pt. Lot 1	0.30	25	C. Gillies	266			266
	Pt. Lot 1	0.52	26	J. Mailloux & C. Holmes	996		1,050	(54)
	Pt. Lot 44	0.74	27	J. Meloche-O' Gorman	442			442
	Pt. Lot 45	0.54	28	J. Meloche	803			803
	Pt. Lot 45	2.43	29	Belwood Poultry Limited	3,377			3,377
	Pt. Lot 46	0.42	30	M. Kilgallin	674			674
	Pt. Lot 46	0.40	31	A. & G. Amlin	1,111			1,111

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Total Assessment (\$)	Estimated Grant (\$)	Allowances (\$)	Estimated Net Assessment (\$)
6	Pt. Lot 74	0.62	32	R. & B. Meloche	12,839		200	12,639
	Pt. Lot 74	0.10	33	A. & J. Pelan	816		50	766
	Pt. Lot 74	0.23	34	C. Vultaggio	374			374
	Pt. Lot 74	0.19	35	A. Sharma	301			301
	Pt. Lot 74	0.15	36	R. & J. Masse	244			244
	Pt. Lot 75	1.00	37	S. Atkinson	3,869		250	3,619
	Pt. Lot 76	0.41	38	R. Teves & T. Giglione	1,251		90	1,161
	Pt. Lot 76	1.40	39	2497622 Ontario Inc.	3,778		290	3,488
	Pt. Lot 76	0.72	40	C. Dou	1,091		50	1,041
					1,223,660	88,353	81,230	1,054,077



**SCHEDULE OF MAINTENANCE**  
To Maintain the Open Channel Portion of the Deslippe Drain

Conc.	Lot or Part	Affected Hecatares	Parcel Number	Owner	Benefit (\$)	Outlet (\$)	Total (\$)	Equivalent Hectares
<b>Public Lands</b>								
	Concession 5 N	3.90		Town of Amherstburg	4.88	0.50	5.38	3.51
	Texas Road	0.50		Town of Amherstburg	-	0.01	0.01	0.45
	Alma Street	2.12		Town of Amherstburg	-	0.57	0.57	1.91
	Concession 6 S	3.57		Town of Amherstburg	5.19	2.78	7.97	3.21
	Essex County Road 18	2.26		County of Essex	-	1.75	1.75	2.03
					10.	5.61	15.68	
<b>Agricultural Lands</b>								
4	Pt. Lot 1	19.21	1	Mailloux Farms Ltd	-	1.11	1.11	5.76
	Pt. Lot 2	4.30	2	E. & D. Wismer	1.82	0.22	2.04	1.29
	Pt. Lot 2	4.15	3	E. Wismer	1.82	0.18	2.00	1.25
	N 1/2 Lot 2	3.26	4	J. Mailloux	1.93	0.09	2.02	0.98
	Pt. Lot 3	12.95	5	L. & D. Mailloux	6.82	0.01	6.83	3.89
5	Pt. Lot 1	19.07	6	1830011 Ontario Limited	-	1.20	1.20	4.04
	Pt. Lot 1 & Pt. Lot 2	12.80	7	Mailloux Farms Ltd	6.37	0.86	7.23	3.32
	Pt. Lot 44	2.02	8	M. & S. Mailloux	-	0.18	0.18	0.61
	Pt. Lot 44	6.14	9	D. & C. Chemello	4.78	0.64	5.42	2.15
	Pt. Lot 44	8.90	10	R. & A. Wismer	-	1.03	1.03	2.67
	Pt. Lot 44	11.33	11	Mailloux Farms Ltd	-	1.32	1.32	3.40
	Pt. Lot 45	21.00	12	G. & B. Wismer	-	2.44	2.44	6.30
	Pt. Lot 45	7.15	13	R. & M. Wismer	-	1.67	1.67	2.15
	Pt. Lot 46	12.79	14	P. & P. Jobin	-	5.67	5.67	3.84

Conc.	Lot or Part	Affected Hectares	Parcel Number	Owner	Benefit (\$)	Outlet (\$)	Total (\$)	Equivalent Hectares
6	Pt. Lot 74	5.86	15	D. & R. Deslippe	1.71	3.00	4.71	1.76
	Pt. Lot 74	18.92	16	B. Renaud	3.18	5.98	9.16	5.68
	Pt. Lot 75	34.86	17	R. & C. Mcguire	5.57	6.94	12.51	10.46
	Pt. Lot 76	13.37	18	C. Mcguire	1.71	2.10	3.81	4.01
	Pt. Lot 76	12.46	19	Mcguire Farms Inc	2.27	1.58	3.85	3.74
					37.98	36.22	74.20	
<b>Non Agricultural Lands</b>								
4	Pt. Lot 1	0.22	20	S. Crawford & W. & M. Mailloux	-	0.03	0.03	0.10
	Pt. Lot 2	0.14	21	J. D'Alimonte & C. Reynolds	0.34	0.01	0.35	0.06
	Pt. Lot 2	0.19	22	D. & P. Renaud	0.68	0.01	0.69	0.09
	Pt. Lot 2	0.38	23	D. Tessier	1.14	0.02	1.16	0.17
	Pt. Lot 4	0.00	23A	T. Stuebing	0.20	-	0.20	0.00
5	Pt. Lot 1	0.40	24	D. & J. Trombley	-	0.05	0.05	0.18
	Pt. Lot 1	0.30	25	C. Gillies	-	0.04	0.04	0.14
	Pt. Lot 1	0.52	26	J. Mailloux & C. Holmes	0.45	0.06	0.51	0.23
	Pt. Lot 44	0.74	27	J. Meloche-O' Gorman	-	0.08	0.08	0.26
	Pt. Lot 45	0.54	28	J. Meloche	-	0.16	0.16	0.24
	Pt. Lot 45	2.43	29	Belwood Poultry Limited	-	0.76	0.76	0.97
	Pt. Lot 46	0.42	30	M. Kilgallin	-	0.16	0.16	0.19
	Pt. Lot 46	0.40	31	A. & G. Amlin	-	0.32	0.32	0.16

Conc.	Lot or Part	Affected Hecatares	Parcel Number	Owner	Benefit (\$)	Outlet (\$)	Total (\$)	Equivalent Hectares
6	Pt. Lot 74	0.62	32	R. & B. Meloche	0.74	0.34	1.08	0.28
	Pt. Lot 74	0.10	33	A. & J. Pelan	0.34	0.04	0.38	0.05
	Pt. Lot 74	0.23	34	C. Vultaggio	-	0.09	0.09	0.10
	Pt. Lot 74	0.19	35	A. Sharma	-	0.07	0.07	0.09
	Pt. Lot 74	0.15	36	R. & J. Masse	-	0.06	0.06	0.07
	Pt. Lot 75	1.00	37	S. Atkinson	1.25	0.35	1.60	0.45
	Pt. Lot 76	0.41	38	R. Teves & T. Giglione	0.45	0.09	0.54	0.18
	Pt. Lot 76	1.40	39	2497622 Ontario Inc.	1.14	0.29	1.43	0.63
	Pt. Lot 76	0.72	40	C. Dou	0.23	0.13	0.36	0.32
					6.96	3.16	10.12	
Total Non Agricultural Lands					10.12			
Total Agricultural Lands					74.20			
Total Public Lands					15.68			
Total Assessment					100.00			

Deslippe Drain  
Town of Amherstburg  
February 14, 2025

## **SPECIFICATION OF WORK**

### **1. Location**

The location of the proposed and future work outlined in this specification is in Lot 74 to 76, Concession 6, Lot 44 and 1, Concession 5 and Lot 1 to 4, Concession 4 in the Town of Amherstburg.

### **2. Scope of Work**

The work to be included in this specification includes, but is not limited to, the following:

- Open Channel Improvements including a move off
- Culvert Replacements

### **3. General**

Each tenderer must inspect the site prior to submitting their tender and satisfy themselves by personal examination as to the local conditions that may be encountered during this project. The Contractor shall make allowance in their tender for any difficulties which they may encounter. Quantities or any information supplied by the Engineer is not guaranteed and is for reference only.

All work and materials shall be to the satisfaction of the Drainage Superintendent who may vary these specifications as to minor details but in no way decrease the proposed capacity of the drain.

The Contractor shall provide all labour, equipment, and supervision necessary to complete the work as shown in the Plans and described in these specifications. Any work not described in these specifications shall be completed according to the Ontario Provincial Standard Specifications and Standard Drawings.

Any equivalents shall be approved in writing by the Engineer or Drainage Superintendent prior to ordering.

The Contractor is responsible for ensuring flows are maintained during construction so lands are not negatively impacted by the works.

#### **4. Health and Safety**

The Contractor at all times shall be responsible for health and safety on the worksite including ensuring that all employees wear suitable personal protective equipment including safety boots and hard hats.

The Contractor shall be responsible for traffic control as per the Ontario Traffic Manual Book 7 – Temporary Conditions (latest revision) when working on public road allowances. A copy of a traffic control plan shall be submitted to the Engineer, Drainage Superintendent and kept on site at all times. The Contractor shall maintain suitable barricades, warning lights, and temporary traffic notices, at his expense, in their proper position to protect the public both day and night. Flagmen are the responsibility of the Contractor when working on the road allowance and when entering or exiting a worksite onto a roadway.

The Contractor shall be responsible to ensure that all procedures are followed under the Occupational Health and Safety Act to ensure that work sites are safe and that accidents are prevented. In the event of a serious or recurring problem, a notice of noncompliance will be issued. The Contractor will be responsible for reacting immediately to any deficiency and correcting any potential health and safety risk. Continuous disregard for any requirement of the Occupational Health and Safety Act could be cause for the issuance of a stop work order or even termination of the contract.

They shall also ensure that only competent workmen are employed onsite and that appropriate training and certification is supplied to all employees.

#### **5. MNRF Drain Registration**

The Contractor is advised that the Town of Amherstburg has conducted an "Endangered Species Act Review" and has registered it's drainage activities with the Ministry of Natural Resources and Forestry.

The Town of Amherstburg, in pursuant to the Endangered Species Act Municipal Agreement, has identified the potential presence of certain species within the project area. It is the responsibility of the Contractor to make certain that necessary provisions are undertaken to ensure the protection of all species at risk and their habitats throughout the course of construction. It is also the responsibility of the Contractor to make itself familiar with the following documents:

1. Town of Amherstburg – Complete Mitigation Documents

2. Town of Amherstburg - Additional Mitigation Measures for Snakes Species
3. Town of Amherstburg - Additional Mitigation Measures for Turtle Species
4. Snakes of Ontario Identifier Guide
5. Turtles of Ontario Identifier Guide

These documents will be provided to the successful bidder.

The Contractor will be responsible for providing the necessary equipment and materials required by the mitigation plans and shall contact the Town of Amherstburg Drainage Superintendent immediately if any endangered species are encountered during construction.

## **6. Utilities**

The Contractor is responsible for organizing locates and exposing all the utilities along the length of the drainage works. If any utilities interfere with the proposed drainage works in a manner not shown on the accompanying Estimate of Cost or profile the Contractor shall notify the Drainage Superintendent and Engineer.

The Contractor is responsible for coordinating the replacement of additional utilities with the utility company if they interfere with the proposed drain. All costs for the utility to replace their services will be outside of this report and shall be borne by the utility as per Section 26 of the Drainage Act.

The utilities at Culvert #8 have not been daylighted.

All additional costs to work around and organize replacement of the utilities not included in the estimate shall be tracked separately and the cost plus a portion of the engineering (20% of the cost) shall be borne by that utility.

## **7. Pre-Construction Meeting**

There is a requirement for a pre-construction meeting to be held prior to any construction taking place. The meeting will be scheduled by the Contractor with notices sent out by the Town. The Contractor shall notify all parties at least two weeks prior to wanting to hold a pre-construction meeting.



## **8. Benchmarks**

The benchmarks are based on geodetic elevations. Elevations are available at the locations shown on the Profile drawing. Where these elevations are on existing structures to be replaced, they shall be transferred by the Contractor prior to the removal.

The Contractor is required to complete a benchmark loop prior to construction to verify the benchmarks. If discrepancies exist the Contractor must notify the Drainage Superintendent and Engineer prior to completing any work.

## **9. Traffic Control**

Access and driveways to private properties shall not be obstructed longer than the minimum time necessary for the work and shall be reinstated as soon as possible all to the satisfaction of the Engineer. The Contractor shall schedule any obstruction of existing driveways and accesses with the owners at least two full working days in advance. The Traffic Plan must be approved by the Town prior to the commencement of any road closures.

- a) The Contractor shall supply, erect and maintain all detour signs and special signs necessary for detours to divert traffic from the area under construction as directed by the Drainage Superintendent or Engineer. All this work shall be at the Contractor's expense.
- b) The Contractor shall be responsible for supplying, erecting and maintaining all signs, supports, barricades, flashers, cones, etc. in the construction area and at the boundaries of the work as part of the above detours, all to the satisfaction of the Engineer or Drainage Superintendent. All this work shall be done by the Contractor at their own expense.
- c) The Contractor shall not be allowed to proceed with construction activities unless proper signage and flagmen are present. Flagging procedures, signage and detours shall conform to the recommendations of Book 7, Temporary Conditions, Ontario Traffic Manual, issued by the Ministry of Transportation. Conformance shall be enforced by the Ministry of Labour Inspector.

## **10. Access and Working Area**

Access to the work site for construction and future maintenance of the drain shall be from adjacent roadways and along the length of the drainage works from the nearest culvert.

Access to the drain between Station 1+913 and 2+401 shall be from the culvert approximately 40m south of the drain on Concession Road 6 South and from the existing driveway on parcel number 10 off of Alma Street.

The working area for the drain move offs shall extend 25m past the existing bank opposite the roadway. All other construction and all future maintenance shall be restricted to a width of 12m from the top of bank where the work is taking place and 4m from the top of bank on the opposite side. Unless otherwise noted, the excavation shall generally be done from the field side, except across finished lawns. Across finished lawns the drain shall be cleaned from the road side with the excavated material being disposed offsite. The working side for the drain downstream of Texas Road shall be on the west side of the channel. The main working side for the drain between Station 1+919 and 2+150 shall be the north/east side. The main working side for the drain between Station 2+150 and 2+401 shall be the south side. The working area shall extend to the other side of the drain if required for brushing or bank repairs.

The working area at each culvert shall extend 10 metres from the bank on both sides and for 10 metres along the channel on either side of the culvert.

Any damage caused to gain access to the site shall be restored to its pre-construction state at the expense of the Contractor.

## **11. Removals**

The culverts and any native backfill material, when required, shall be removed in their entirety. The culvert, backfill, footings and the concrete rubble shall be disposed offsite at the expense of the Contractor. Any broken concrete or rip rap (concrete bags) from the existing structures shall be disposed offsite at the expense of the Contractor unless determined re-usable by the Drainage Superintendent or Engineer.

The Contractor shall work around the existing fences and signs if they are able to. If the existing fences and signs are required to be removed, they shall be removed and re-installed in the same location with the existing materials. All work in connection with fences and signs shall be carried out in a careful manner so they are replaced in as good a condition as the existing materials permit.

Where the culverts are to be removed, the Contractor shall restore the channel in these sections with 2:1 side slopes, a 1.0m bottom and shall restore them in accordance with the restoration specification.

## **12. Brushing and Tree Removal**

For construction and future maintenance of the drain, all brush, stumps, trees, vegetation, etc. within the working area, the drain bottom, along the bank where the work is taking place and on the opposite side where impeding the flow of the drain, as determined by the Drainage Superintendent or Engineer, shall be removed. The drain shall be brushed from top of bank to top of bank from Station 1+913 to 2+430.

A mechanical grinder attached to an excavator shall be used for the removal of brush and trees. Any brush and trees too large to grind shall be close cut. The Contractor shall stockpile the trees and brush in a single pile on the property in which they were removed or dispose of the trees and brush offsite. Where brush and trees are removed within a bush section of the drain the trees and brush shall be disposed of within the bush at the limits of the working area. The Contractor is responsible for the burning of the trees and brush not in the bush sections. The Contractor is responsible for obtaining all necessary permits for any disposal sites. Burning of the trees and brush is subject to local bylaws and guidelines of the Ministry of the Environment Conservation and Parks.

Certain trees may be left in place at the direction of the Drainage Superintendent or Engineer. Trees may be limbed and piled for firewood, instead of burned, at the request of a Landowner.

## **13. Strip and Place Topsoil**

The topsoil shall be stripped in the existing channel and along the proposed channel route. The topsoil shall be placed at the edge of the working allowance. Once the excavated material has been placed and compacted in maximum 300mm lifts in the existing channel the topsoil shall be placed over the backfill. This item is only to be done as part of the improvement project and not maintenance.

## **14. Excavation of Open Channel**

For construction and future maintenance, the open channel shall be excavated and maintained to the depths and grades as per the profile and drawings as contained in this Engineers Report. The channel shall be excavated to the proper depth using a laser or similar approved device with a labourer onsite to ensure correctness of grade and to confirm location of tile ends.

The excavated material shall generally be cast on the side it is being excavated from, except across finished lawns or where trees are on the field side do not provide a suitable area to the level the material. In these areas the excavated material shall be trucked.

Excavated material shall be cast at least 1.5 metres clear of the bank. Excavated material shall not be placed in low runs or swales out letting surface water to the channel. The excavated material shall be levelled to a maximum depth of 150mm and left in a condition suitable for cultivation. This shall include the removal of any rocks larger than 10cm in diameter and any debris/wood that could damage or plug farm equipment. Leveling shall occur when the material is dry enough to do so as determined by the Drainage Superintendent or Engineer. All high spots above grade shall be removed. The sediment shall be removed leaving a rounded bottom with the intent not to undercut the existing side slopes. All material unfit for placing on farmlands shall be disposed of offsite by the Contractor. Where the channel is being moved off the excavated material shall be utilized to fill in the existing channel. Any excess material shall be disposed of offsite at the expense of the Contractor. The excavated material shall be placed in a maximum of 300mm lifts and shall be compacted to 95% SPD. The Contractor shall be responsible for maintaining a dry working area where the drain is being filled in.

It is R. Dobbin Engineering's opinion that the drainage improvements for this project are exempt from Section 8 of O.Reg 406/19 as per Schedule 2, Item 3.4 of the Regulation. The drain move off is intended to re-use all of the soil to fill in the existing channel.

The bottom width identified in the profile drawings represents the original design bottom width. The intent is to match this at a minimum where possible. If matching this width would cause undermining of the banks or road the drain bottom width shall be reduced at the discretion of the Engineer or Drainage Superintendent.

Where, determined by the Drainage Superintendent or Engineer, the banks are unstable the banks shall be re-sloped to 2:1.

### **15. Cleaning Out Culverts**

The culverts shall be cleaned out with a method determined by the Contractor. The Contractor shall ensure the footings are not undermined on the culverts.

The excavated material from the road culverts shall be disposed offsite.

The excavated material from the access/driveway culverts shall be levelled in the adjacent field.

### **16. Installation of Culverts**

The Contractor is required to notify the Landowner forty-eight (48) hours prior to the removal of a culvert.

The Contractor shall supply, install, and backfill aluminized corrugated steel pipe (CSP) with a minimum wall thickness of 2.8mm. Culverts under roadways shall have a minimum wall thickness of 3.5mm. All corrugation profiles shall be of helical lock seam manufacture using 68 x 13mm corrugations for 1600mm dia. pipe and smaller and 125 x 25mm corrugations for 1800mm dia. pipe and larger. Pipe with 125 x 25mm corrugations shall be used if 68 x 13mm corrugations are not available.

The high-density polyethylene (HDPE) smooth wall pipe (320 kPa) shall be CSA Approved with bell and spigot joints.

Sanitite Pipe shall be SaniTite HP with 320kPa and bell and spigot joints or approved equivalent. The exposed ends of the SaniTite culverts shall be wrapped in filter cloth to prevent UV damage.

The culverts designated to be replaced in the future under this report shall be examined after any cleanout of the open channel as to its condition. If it is found to be in disrepair (i.e. there are holes corroded in the bottom or sides) it shall be replaced as per these specifications.

The culverts shall be installed generally in the same location or as approved by the Drainage Superintendent or Engineer. The culverts shall be installed with the invert 10% (minimum 150mm) below the original channel bottom elevation unless otherwise shown in order to achieve the minimum cover. It is the Contractors responsibility to ensure that the minimum cover is achieved when backfilling the culverts. The minimum cover for CSP under Highway Loading shall be 1/6 of the span, and shall be no less than 300mm.

Any tile outlets extended as a result of a culvert shall be extended at the landowner's expense. The pipes that shall be extended upstream or downstream of the proposed culvert shall be done with non-perforated HDPE agricultural tubing with a manufactured coupling, elbow and rodent grate.

#### **Access Culverts:**

The bottom of the excavation shall be excavated to a minimum of 100mm below the proposed invert. When the pipe has been installed to the proper grade and depth, the excavation shall be backfilled with  $\frac{3}{4}$ " clear stone and wrapped in filter fabric from the bottom of the excavation to the spring line of the pipe, this is considered the bedding. Care shall be taken to ensure that the backfill on either side of the culvert does not differ by more than 300mm so that the pipe is not displaced. The access culverts shall be backfilled from the spring line to within 150mm of finished grade with Granular "B"

Type II. Where no vehicular traffic is proposed to cross the culvert, the culvert may be backfilled with select native material. The top 150mm shall be backfilled with compacted 100% crushed granular “A” material to finished grade. In sections where no vehicular traffic is proposed to cross the culvert, the top 150mm shall be topsoil and seeded as per the restoration specification. If asphalt is proposed, the asphalt shall be HL3 and shall match the existing thickness. In these cases, the compacted granular “A” shall occupy 150mm below the proposed asphalt.

### **Road Culverts:**

The bottom of the excavation shall be excavated to a minimum of 100mm below the proposed invert. When the pipe has been installed to the proper grade and depth, the excavation shall be backfilled with  $\frac{3}{4}$ ” clear stone and wrapped in filter fabric from the bottom of the excavation to the spring line of the pipe, this is considered the bedding. For concrete box culverts the clear stone shall extend from the bottom of the culvert to 200mm below. Care shall be taken to ensure that the backfill on either side of the culvert does not differ by more than 300mm so that the pipe is not displaced. The pipe shall be backfilled above the clear stone with OPS 100% crushed imported Granular “A”.

Asphalt Road: The asphalt shall be HL4 and HL3 at depths to match the existing thickness, with a minimum of 50mm of HL4 and 50mm of HL3. Lifts shall not be greater than 75mm.

Gravel Road: The top 200mm shall be OPS Granular “M”, produced from 100% crushed dolomite, and shall be mechanically compacted to 100% modified standard proctor density.

All culverts included in the profile have been specified with rip rap end walls, except Culvert No. 1. Should the end wall specified change the culvert length shall be altered to accommodate the change.

If rip rap end walls are used, they shall consist of 150mm x 300mm quarry stone or approved equal. The area to receive the rip rap shall be graded to a depth of 400mm below finished grade. Filter fabric (Mirafi P150 or approved equal) shall then be placed with any joints overlapped a minimum 600mm. The quarry stone shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance.

If concrete block end walls are used, they shall consist of concrete blocks with dimensions of approx. 600mm x 600mm x 1200mm, 600mm x 600mm x 2400mm or 300mm x 600mm x 1200mm as required. 600mm x 600mm x 2400mm concrete blocks will be paid at twice the unit price established per block, all others will be at a unit of 1.



The top of the culvert shall govern block elevation. The correct block shall be set with the top of the block equal to the top of the culvert. 2400mm wide concrete blocks shall be used as the top block on arch and larger round pipes in order to span between the culvert top and the supporting block. The blocks shall be set at each end of the culvert so that each row of blocks will be offset approx. 100mm from the row below. The bottom row shall consist of one block placed parallel to the culvert. The blocks shall be imbedded a minimum of 300mm into each bank and shall extend into the drain bottom to match the pipe invert or below. Erosion protection shall be placed on the banks next to the end walls. The erosion protection shall consist of 150mm x 300mm quarry stone over filter fabric (Mirafi P150 or approved equal). It shall extend 500mm upstream or downstream and from top of bank to top of bank at each end wall.

The blocks shall be placed over a layer of filter fabric (Mirafi P150 or approved equal). The culvert shall be backfilled in conjunction with the placement of the blocks. The gaps between the culvert and the blocks shall be filled with concrete cinder blocks/bricks and mortar to give the end wall a finished appearance.

It is the Contractors responsibility to ensure that adequate cover is obtained prior to crossing the culvert in accordance with the manufacturer's recommendations.

## **17. Maintenance**

The Contractor shall be responsible for maintenance of the drain, including access culverts for a period of one year after their installation. This will include repairing any settlement areas on the travel surface with Asphalt, Granular "A" and/or topsoil and seed.

## **18. Basin and Tile at Parcel Number 26**

A basin shall be installed at the approximate location shown on the plans on parcel number 26. The basin shall be a 450mm dia. HDPE pipe set vertically. The pipe shall be set on a patio stone and shall have a cast iron grate.

The catch basin shall be set at the final elevations as directed by the Drainage Superintendent or Engineer. The catch basin shall be set on a layer of clear stone. The clear stone shall be extended up to the spring line of the inlet and outlet pipe connections. The catch basin shall have a 300mm sump.

This item shall include any grading required in the vicinity of the catch basins.

The existing tile at parcel number 26 shall be connected to the proposed catch basin.

Approximately 30m of 300mm dia. HDPE, c/w a 45-degree elbow, shall be installed from the catch basin to the upstream end of Culvert #8. Downstream of the basin location is the Landowners septic system. The HDPE pipe shall be CSA Approved (320 kPa) with bell and spigot joints and shall be bedded with  $\frac{3}{4}$ " clear stone to the spring line. Within the driveway the drain shall be backfilled with 100% crushed Granular "A", outside of this native material may be used. All areas shall be restored with screened topsoil and hydroseed. The outlet of the pipe shall have a manufactured rotating rodent grate.

### **19. Provisional: Installation of Tile Headers**

It is the intent to have the private tile drains adjacent the channel move offs relocated prior to the construction in this report. However, if this is not the case this shall be completed as part of the report by a licensed tile contractor.

### **20. Subsurface Drainage**

All existing subsurface drains encountered during construction of the open channel shall be reconnected or extended to the open channel unless otherwise noted on the drawings or as directed by the Drainage Superintendent or Engineer.

A suitable length of equivalent sized PE agricultural tubing shall be used to connect the drain to the open channel. Manufactured fittings shall connect the PE tile to the existing drain. The connections shall be carefully backfilled to ensure there is adequate support under the pipe and large clumps of clay do not displace the tile.

Tile outlets larger than 150mm in diameter, or as determined by the Drainage Superintendent or Engineer at the time of construction, require erosion protection and rodent grates. The erosion protection made up of rip rap and filter fabric shall be installed on the embankment slope from 0.3m above the tile outlet to the channel bottom. The erosion protection shall be 1.0m wide. Rip rap shall be made up of 150mm to 300mm quarry stone or approved equal. The area to receive the rip rap shall first be graded to allow the placement of the rip below finished grade. After grading, a layer of filter fabric (Mirafi P270 or approved equal) is to be placed with any joints overlapped a minimum of 600mm. Rip rap shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance.

### **21. Rip Rap**

Erosion protection shall be installed at the direction of the Drainage Superintendent or Engineer. The Contractor shall ensure that the rip rap is separated from any soil prior to

final placement. Rip rap shall be made up of 150mm to 300mm quarry stone or approved equal. Rip rap larger than 300mm will be rejected. The area to receive the rip rap shall first be graded to allow the placement of the rip rap to a depth of 400mm below finished grade. After grading, a layer of filter fabric (Mirafi P150 or approved equal) is to be placed with any joints overlapped a minimum of 600mm. Rip rap shall then be placed with the smaller pieces placed in the gaps and voids to give it a uniform appearance. The rip rap along the toe shall be placed in order to ensure proper support for the side slope and continue to allow proper drainage through the channel. The rip rap shall be keyed into the bottom of the channel a minimum of 400mm

## **22. Seeding/Restoration**

All areas disturbed by construction shall be restored to their pre-construction state. Accesses, working areas, lawns, boulevards and all others previously grassed shall be restored with 100mm of screened topsoil and hydroseed. The side slopes shall be restored with Bonded Fibre Matrix Hydroseed. Farmers fields shall be left in a state that is suitable to cultivation.

## **23. Environmental Considerations**

The Contractor shall take care to adhere to the following considerations.

- Operate machinery in a manner that minimizes disturbance to the banks of the watercourse.
- Erosion and sediment control measures must be installed prior to construction to prevent sediment from entering the water body.
- Material shall not be placed in areas regulated by the Conservation Authority or Ministry of Natural Resources.
- All granular and erosion control materials shall be stockpiled a minimum of 3.0m from the top of the bank or excavation. Material shall not be placed in surface water runs or open inlets that enter the channel.
- All activities, including maintenance procedures, shall be controlled to prevent the entry of petroleum products, debris, rubble, concrete, or other deleterious substances into the water. Vehicle and equipment refuelling and maintenance shall be conducted away from the channel, any surface water runs, or open inlets. All waste materials shall be stockpiled well back from the top of the bank and all surface water runs and open inlets that enter the drain.
- When possible, all construction within the open channel shall be carried out during periods of low flow or in dry conditions.
- The Contractor shall conduct regular inspections and maintain erosion and sediment control measures and structures during the course of construction.

- The Contractor shall repair erosion and sediment control measures and structures if damage occurs.
- The Contractor shall remove non-biodegradable erosion and sediment control materials once site is stabilized.
- Remove all construction materials from site upon project completion.

Light duty silt fencing shall be installed down-gradient of the work for the duration of construction.

The light duty silt fencing shall be supplied and installed in accordance with OPSS 805 and OPSD 219.110. The light duty silt fencing shall be removed once the disturbed area has been re-vegetated.

## Best Management Practices – Culvert Replacements in Municipal Drains

This document describes the conditions on which one may proceed with a culvert replacement in a municipal drain without DFO approval/notification. All municipal, provincial, or federal legislation that applies to the work being proposed must be respected. If the conditions/requirements below cannot be met, please complete the drain notification form and submit it to the Fisheries Protection Program form review at: [FisheriesProtection@dfo-mpo.gc.ca](mailto:FisheriesProtection@dfo-mpo.gc.ca).

### Potential Impacts to Fish Habitat

- Infilling fish habitat by encroachment of the water crossing footprint or channel realignment to accommodate culvert
- Harmful substrate alteration of fish habitat (e.g. blockage of groundwater upwellings, critical SAR habitat, spawning areas)
- Removal of riparian vegetation and cover along the banks of the municipal drain
- Removal of edge habitat (e.g. undercut bank, shallower areas with lower velocity, aquatic vegetation) creation of barriers to fish movement (e.g. perched crossings, velocity barriers, alteration of the natural stream gradient)
- Alteration of channel flow velocity and/or depth (e.g. oversized culvert resulting in insufficient depth for fish passage at low flow or undersized culvert resulting in a flow velocity barrier at high flow)
- Alteration of channel morphology and sediment transport processes caused by the physical structure of the crossing resulting in upstream and downstream sediment aggradation/erosion
- Re-entry of sediment that was removed/stockpiled into the watercourse
- Erosion downstream from sudden release of water due to the failure of site isolation
- Stranding of fish in isolated ponds following de-watering of the site
- Impingement or entrainment of fish when de-watering pumps are used
- Short term or chronic transport of deleterious substances, including sediment, into fish habitat from construction or road drainage

### Requirements

The following requirements must be met:

- There are no aquatic Species at Risk present in the work zone or impact zone. To confirm there are no aquatic Species at Risk present, refer to the document, A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario which can be found at: <http://www.dfo-mpo.gc.ca/Library/356763.pdf>. Links for Ontario Conservation Area specific fish and mussel maps that include critical habitat extents and a list of aquatic Species at Risk found within the conversation authority boundary can be found on Page 5 of A Guide for Interpreting Fish and Mussel Species at Risk Maps in Ontario.
- The culvert is embedded into the streambed and must allow for the free passage of fish.
- The work involves like-for-like replacements of existing road or private access culverts on all drain types without SAR.
- On C and F Drains only, this can also include replacements with extensions and end walls for the purposes of providing the property or road with safe access, but the project permanent footprint will not increase more than 250 m<sup>2</sup> below the high water mark.
- The project does not involve replacing a bridge or arch with one or more culverts installed in parallel or a larger-diameter culvert with more than one culvert installed in parallel.

- The project does not involve building more than one culvert installed in parallel on a single watercourse crossing site (e.g. twin culvert).
- The project does not involve temporarily narrowing the watercourse to an extent or for a duration that is likely to cause erosion, structural instability or fish passage problems.
- The municipal drain has no flow/low flow or is frozen to the bottom at the time of the replacement.
- In-water work is scheduled to respect timing windows (Tables 1 and 2) to protect fish, including their eggs, juveniles, spawning adults, and/or the organisms upon which they feed.
- The work can be conducted using the Culvert Removal Method described below and Standard Measures to Avoid Causing Serious Harm to Fish will be implemented when required.

Note: If your project must be conducted without delay in response to an emergency (e.g. the project is required to address an emergency that poses a risk to public health or safety or to the environment or property), you may apply for an Emergency Authorization (<http://www.dfo-mpo.gc.ca/asp/forceDownload.asp?FilePath=/pnw-ppe/reviews-revues/Emergency-Authorizations-Autorisations-Urgences-eng.pdf>).

### Culvert Removal Methodology

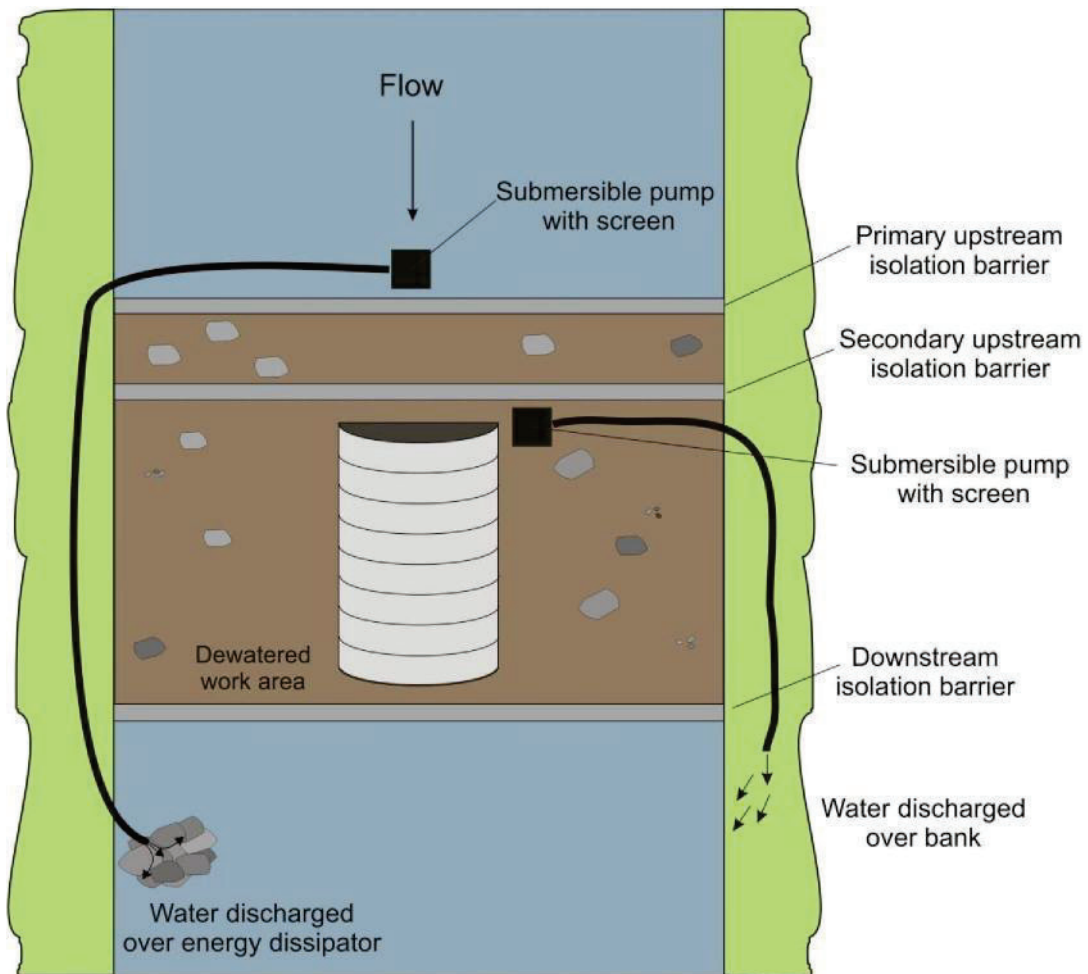
- Plan/manage the work site in a manner that prevents sediment from entering the municipal drain by installing sediment and erosion control materials where required. Ensure that a sediment and erosion control plan is developed and modified as necessary for the site.
- Where required, install effective erosion and sediment control measures before starting work to prevent sediment from entering the municipal drain.
- Implement site isolation measures when in-water work is required.
  - Install an impervious barrier upstream of the work area (Figure 1). If possible, install a secondary barrier upstream of the work area for added protection.
  - Attempt to drive out the fish from the work area and then install the impervious barrier downstream of the work area. This may reduce or eliminate the need for a fish salvage.
  - When the drain is flowing, maintain downstream flows (e.g. bypass water around the work site using pumps or flume pipes; Figure 2). Provide temporary energy dissipation measures (e.g. rip-rap) at discharge point of the hose or temporary outlet pipe when required. Routinely inspect bypass pump and hose or pipe to ensure proper operation. Inspect discharge point for erosion and reposition hose/pipe or install additional temporary energy dissipation material as needed.
  - Dewater the isolated work area. The hose for a pump may discharge along the top of the bank into existing vegetation; however, the area should be monitored for signs of erosion. Reposition the hose or install additional temporary energy dissipation material as needed.
  - A fish screen with openings no larger than 2.54 mm (0.10 inches) should be equipped on any pump used during the operation. Note: Additional information regarding fish screens can be found in the DFO Freshwater Intake End-of-Pipe Fish Screen Guideline document (<http://www.dfo-mpo.gc.ca/Library/223669.pdf>).
  - Collect any fish present in the isolated work area and relocate them downstream.
  - Fish salvage operations must be conducted under a license issued by the Ontario Ministry of Natural Resources and Forestry (MNRF). The MNRF should be contacted well in advance of any work to obtain the required fish collection license.
- Install the culvert so that it is embedded into the streambed; ensure the culvert remains passable (e.g. does not become perched) by fish and wildlife.



- ☐ Decommission the site isolation in a manner that minimizes the introduction of sediment. The downstream isolation barrier shall gradually be removed first, to equalize water levels inside and outside of the isolated area and to allow suspended sediments to settle.
- ☐ Stabilize and remove waste from the site.
- ☐ Where required, maintain effective erosion and sediment control measures until complete re-vegetation of disturbed areas is achieved.



**Figure 2. Isolation of Site**



**Figure 3. Isolation and Bypass Diversion when Working In-Water**

## Timing Windows

Figure 1 and Tables 1 and 2 can be used to determine the Restricted Activity period for the drain based on its classification. Note: Timing windows identified on [Conservation Authority](#) permits or [Ministry of Natural Resources](#) (Government of Ontario) work permits may differ and take precedence.



**Figure 1. Ontario's Northern and Southern Region boundaries for determining application of restricted activity timing windows.**

**Table 1. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Northern Region. Dates represent when work should be avoided.**

DRAIN TYPE	RESTRICTED ACTIVITY PERIOD
A	SEPTEMBER 1 TO JULY 15
B	SEPTEMBER 1 TO JULY 15
C	APRIL 1 TO JULY 15
D	SEPTEMBER 1 TO JULY 15
E	APRIL 1 TO JULY 15

**Table 2. Restricted Activity timing windows for the protection of spawning fish and developing eggs and fry in the Southern Region. Dates represent when work should be avoided.**

DRAIN TYPE	RESTRICTED ACTIVITY PERIOD
A	SEPTEMBER 15 TO JULY 15
B	MARCH 15 TO JULY 15
C	MARCH 15 TO JULY 15
D	OCTOBER 1 TO JULY 15
E	MARCH 15 TO JULY 15

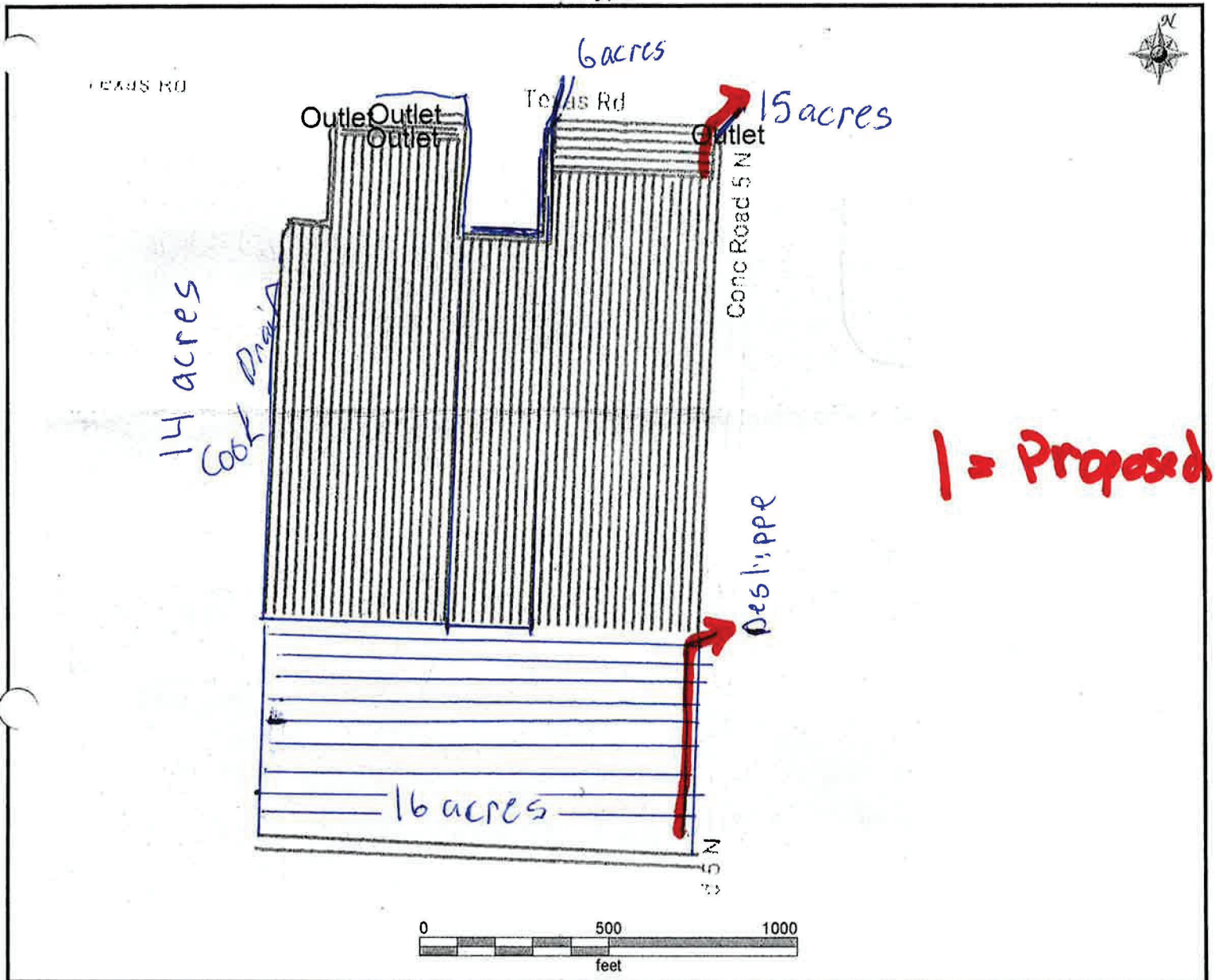
### Standard Measures to Avoid Causing *Serious Harm to Fish*

When implementing a culvert removal project in a municipal drain, the *Fisheries Act* still requires an individual/company to ensure they avoid causing *serious harm to fish* during any activities in or near water. The following advice will help one avoid causing harm and comply with the *Act* (for additional information see <http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>).

1. Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
2. Whenever possible, operate machinery on land above the high water mark or on ice and in a manner that minimizes disturbance to the banks and bed of the municipal drain.
  - ☐ Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks.
  - ☐ Limit machinery fording of the municipal drain to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the municipal drain are required, construct a temporary crossing structure.
  - ☐ Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.
  - ☐ Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
3. Install effective sediment and erosion control measures before starting work to prevent sediment from entering the municipal drain. Inspect them regularly during the course of construction and make all necessary repairs if any damage occurs.
4. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the municipal drain and runoff water is clear.
5. Undertake all in-water activities in isolation of open or flowing water while maintaining the natural flow of water downstream and avoid introducing sediment into the municipal drain.
6. Ensure applicable permits for relocating fish are obtained and relocate any fish that become trapped in isolated pools or stranded in newly flooded areas to the main channel of the watercourse.
7. Ensure that the water that is being pumped/diverted from the site is filtered (sediment remove) prior to being released (e.g. pumping/diversion of water to a vegetated area).
8. Implement measures for containing and stabilizing waste material (e.g. dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry.
9. Stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
10. If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
11. Remove all construction materials from site upon project completion.



# SW corner 5th & Texas Rd Type



Client: Josh Mailoux  
 Farm: 4761 Texas Rd  
 Field: SW corner 5th & Texas Rd  
 Name: Drainage - Completed  
 Spacing 25'  
 2023

■ Lateral  
 ■ Main

CONC. 4

CONC. 5

CONC. 6

LOT 4

LOT 3

LOT 2

LOT 1

LOT 43

LOT 42

LOT 41

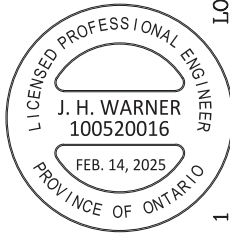
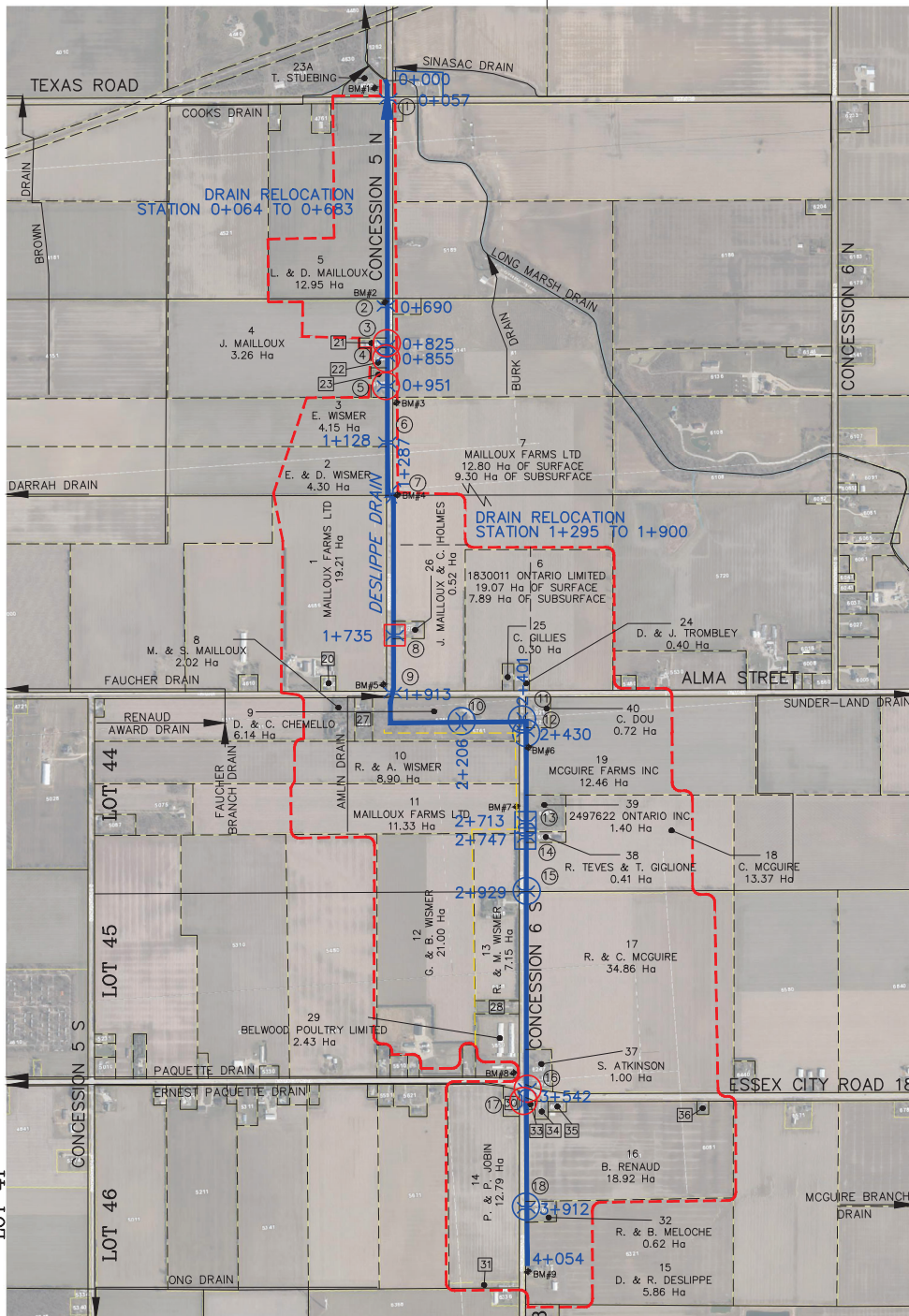
LOT 40

LOT 47

LOT 46

LOT 45

LOT 44



### LEGEND

- EXISTING CULVERT
- DRAINAGE AREA
- DESLIPPE DRAIN
- MUNICIPAL DRAIN
- CULVERT REPLACED OR INSTALLED UNDER EMERGENCY DESIGNATION
- CULVERT REPLACED UNDER RC SPENCER REPORT
- EXISTING CULVERT TO BE REPLACED THROUGH DOBBIN REPORT
- EXISTING CULVERT TO BE EXTENDED THROUGH DOBBIN REPORT

### OWNERS INDEX

21 J. D'ALIMONTE & C. REYNOLDS 0.14 Ha	20 S. CRAWFORD & W. & M. MAILLOUX 0.22 Ha	30 M. KILGALLIN 0.42 Ha	34 C. VULTAGGIO 0.23 Ha
22 D. & P. RENAUD 0.19 Ha	27 J. MELOCHE-O'GORMAN 0.74 Ha	31 A. & G. AMLIN 0.40 Ha	35 A. SHARMA 0.19 Ha
23 D. TESSIER 0.38 Ha	28 J. MELOCHE 0.54 Ha	33 A. & J. PELAN 0.10 Ha	36 R. & J. MASSE 0.15 Ha

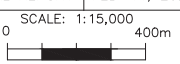


4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Plan

PROJECT No.  
2023-1559

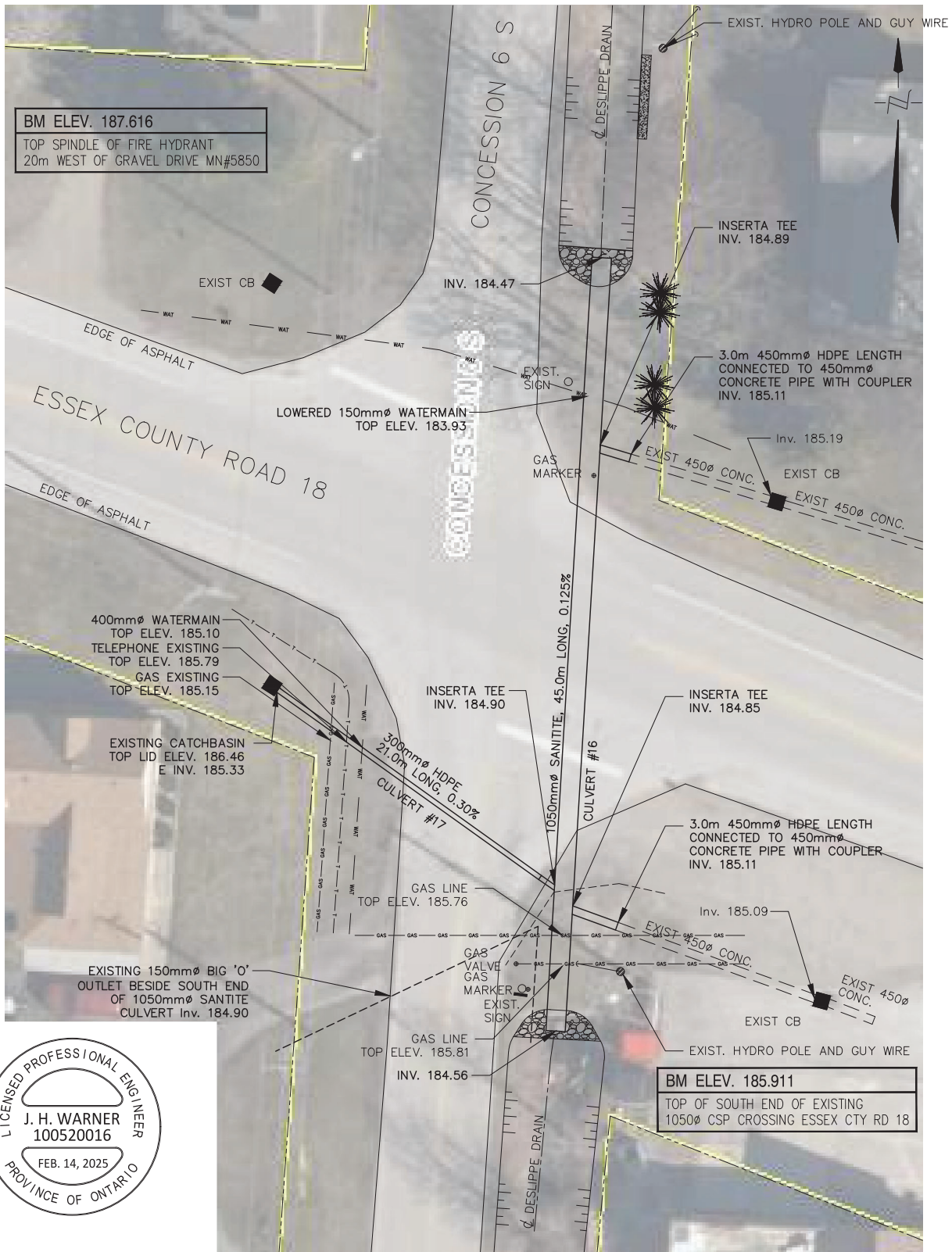
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J. WARNER				
CHECKED				
B. VAN RUITENBURG	1	FINAL REPORT	FEB. 14, 2025	CS
DRAWN				
C. SAUNDERS				



TOWN of AMHERSTBURG  
DESLIPPE DRAIN  
PLAN

1  
OF 14





#### CONSTRUCTION NOTES

1. WORK SHOWN COMPLETED UNDER EMERGENCY DESIGNATION.
2. LINE PAINTING DONE BY COUNTY OF ESSEX.
3. EXISTING ROAD SIGNS REMOVED TO FACILITATE CONSTRUCTION THEN REINSTALLED UPON COMPLETION.



4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Detail Plan - Essex City Road 18 Culvert Replacement

PROJECT No.  
2023-1559

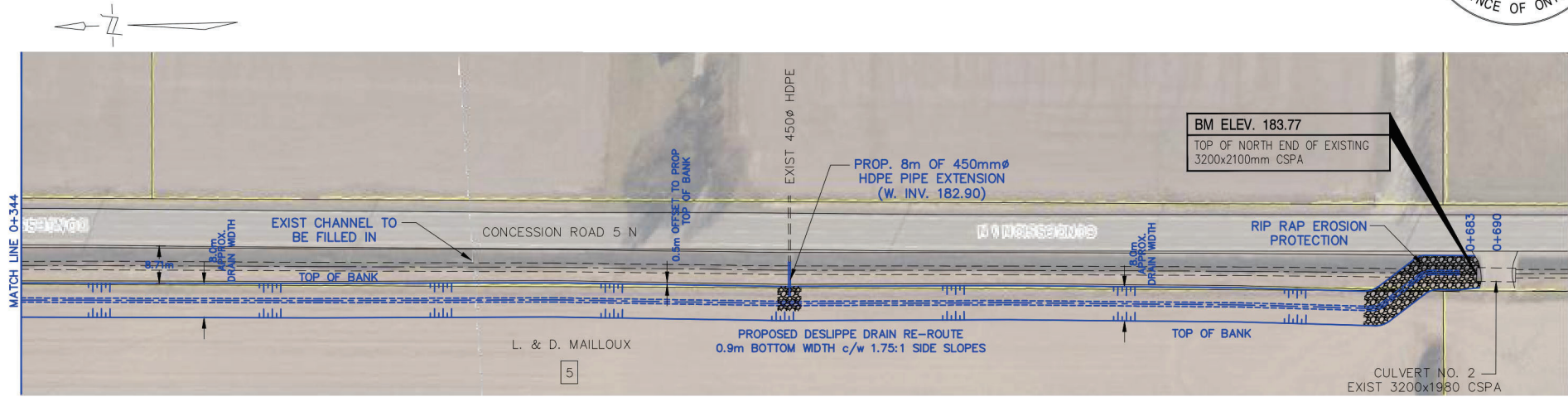
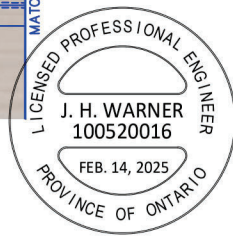
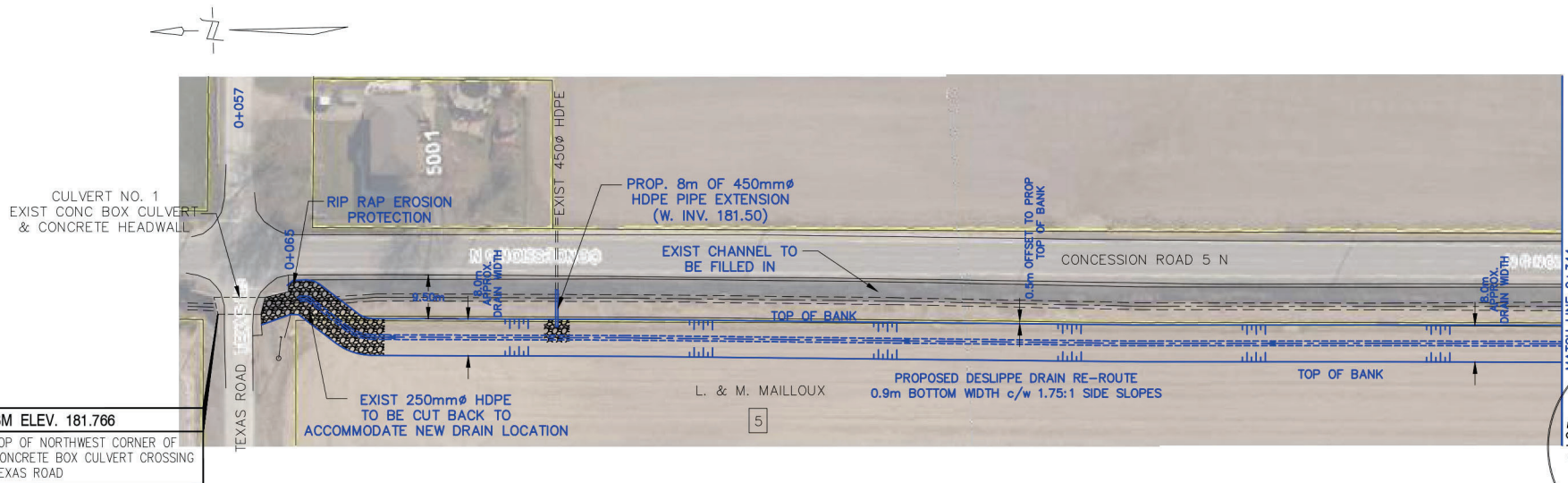
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J. WARNER				
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DRAWN				
C. SAUNDERS				

SCALE: 1:250  
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**TOWN of AMHERSTBURG**  
**DESLIPPE DRAIN**  
**DETAIL PLAN - ESSEX CITY ROAD 18 CULVERT REPLACEMENT**  
**Page 574**

**2**  
**OF 14**

Last Updated: February 14, 2025



4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
General Drain Detail Plan 1

PROJECT No.  
2023-1499

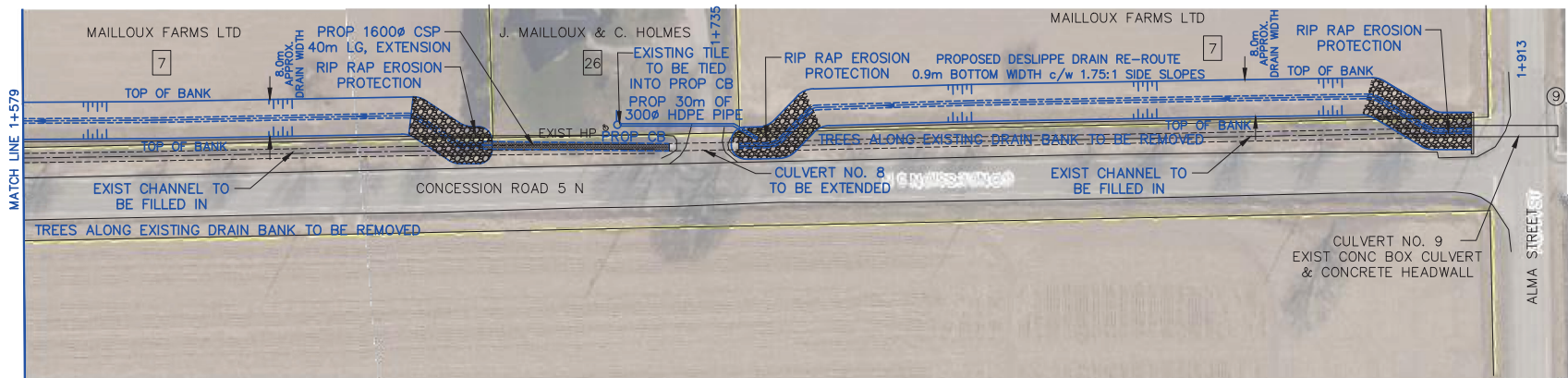
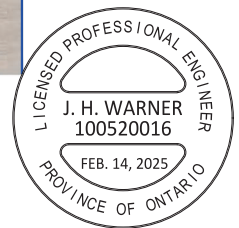
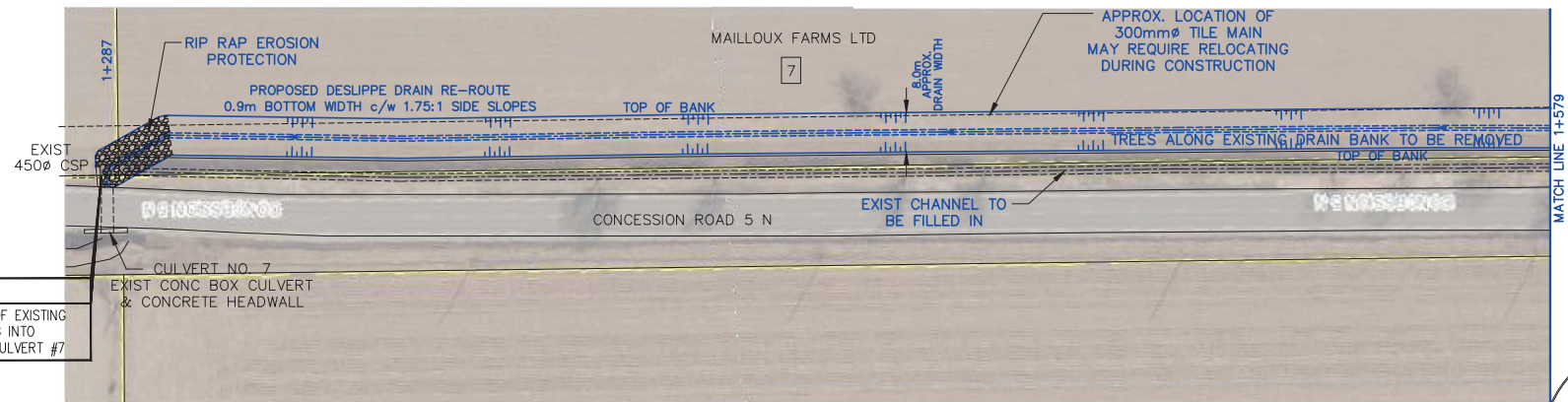
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J. WARNER				
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B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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# TOWN of AMHERSTBURG DESLIPPE DRAIN RELOCATION PLAN 1

3  
OF 14





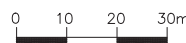
4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
General Drain Detail Plan 2

PROJECT No.  
2023-1499

APPROVED	NO.	REVISIONS	DATE	BY
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CHECKED	1	FINAL REPORT	FEB. 14, 2025	CS
B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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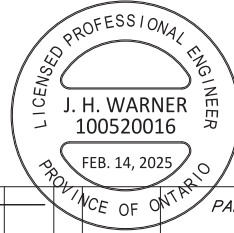
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OF 14

Last Updated: February 14, 2025

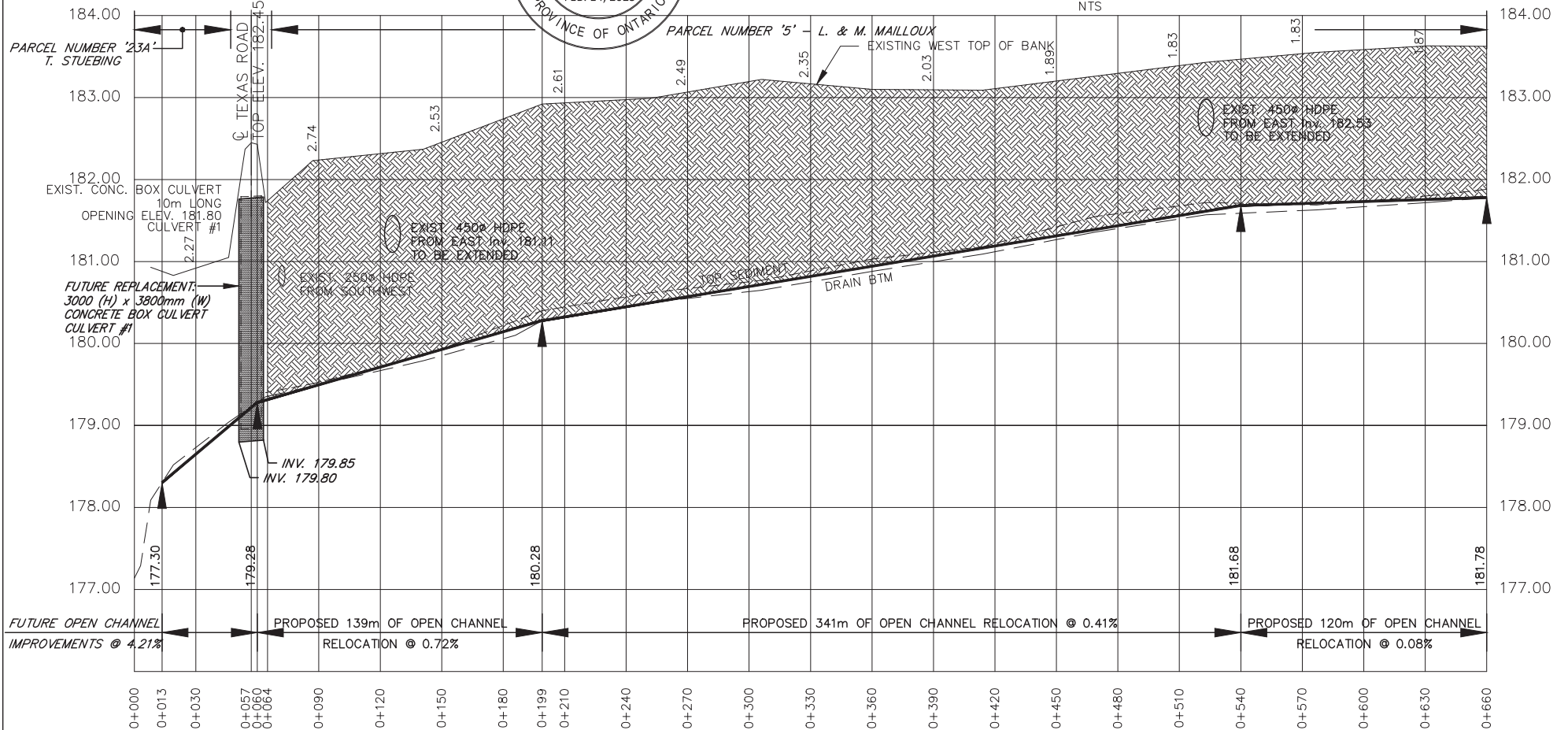
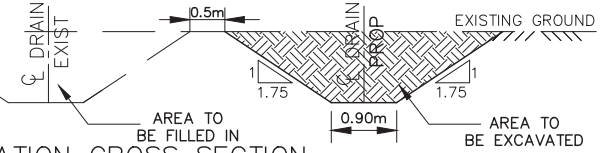
## GENERAL NOTES

- BENCHMARK No.1 ELEV. 181.766  
TOP OF NORTHWEST CORNER OF CONCRETE  
BOX CULVERT CROSSING TEXAS ROAD
- UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.



DRAIN EXCAVATION

## TYPICAL RELOCATION CROSS SECTION



4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 1

PROJECT No.  
2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
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B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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TOWN of AMHERSTBURG  
DESLIPPE DRAIN  
PROFILE

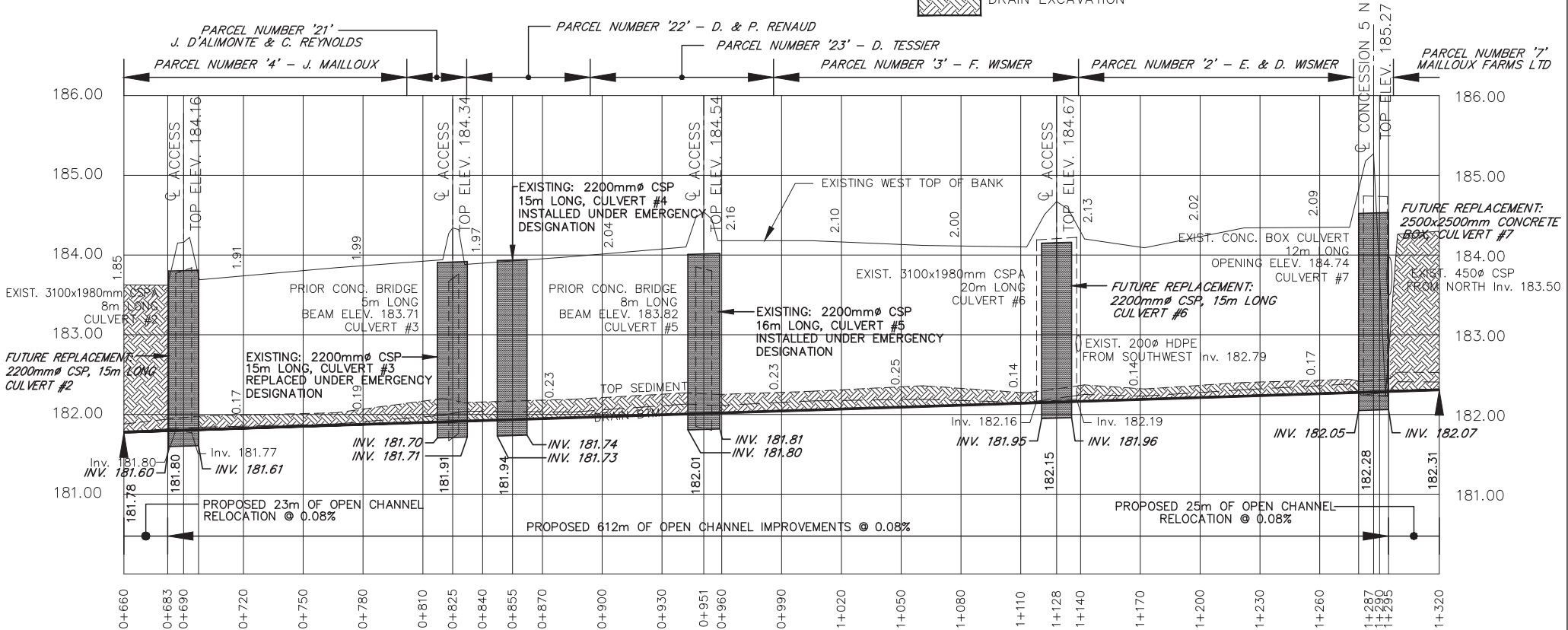
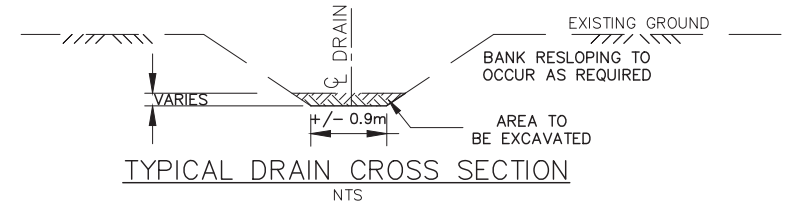
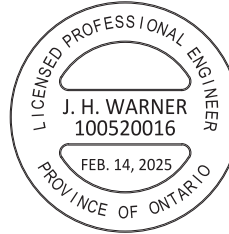
5  
of 14

## GENERAL NOTES

1. BENCHMARK No.2 ELEV. 183.77  
TOP NORTH END OF EXISTING  
3200x1980mm DIA. CSPA  
CULVERT #2

BENCHMARK No.3 ELEV. 185.153  
TOP SPINDLE OF FIRE HYDRANT ON  
EAST SIDE OF CONCESSION 5 N  
40m SOUTH OF CULVERT #5

2. UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.  
3. LOWER NUMBERS ARE DEPTH FROM EXISTING  
CHANNEL BOTTOM TO PROPOSED GRADE



4218 Oil Heritage Road  
Pettola Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 2

PROJECT No.  
2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
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B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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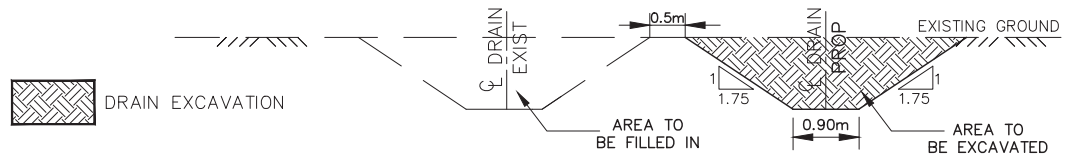
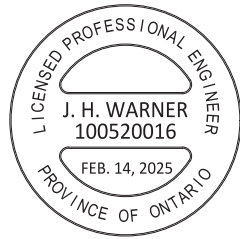
**TOWN of AMHERSTBURG**  
**DESLIPPE DRAIN**  
**PROFILE**

**6**  
**of 14**

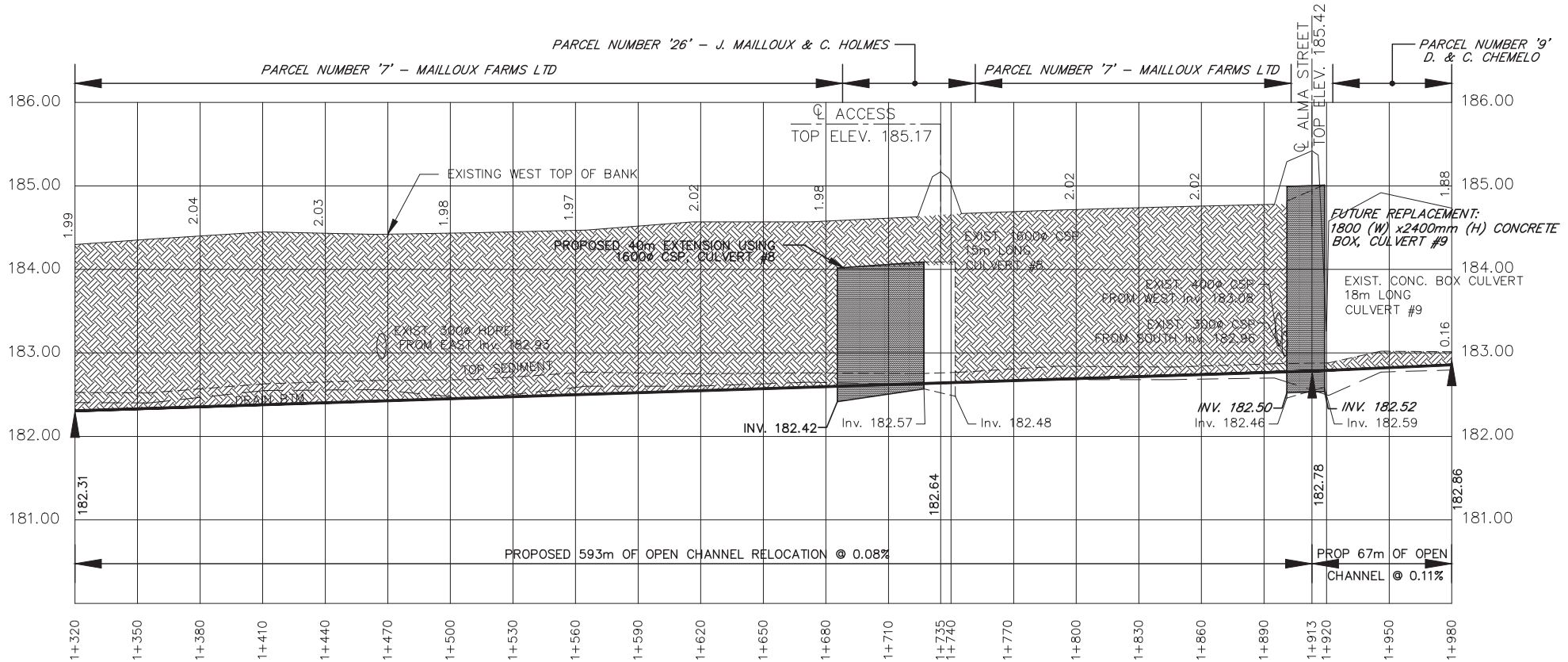
Last Updated: February 14, 2025

## GENERAL NOTES

1. BENCHMARK No.4 ELEV. 183.968  
TOP OF SOUTH END OF EXIST. 450Ø CSP  
IN EAST ROADSIDE DITCH OUTLETING AT  
CROSSING AT CONCESSION 5 N.
2. UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.



TYPICAL RELOCATION CROSS SECTION



**R Dobbin**  
Engineering Inc.

4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 3

PROJECT No.  
2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
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B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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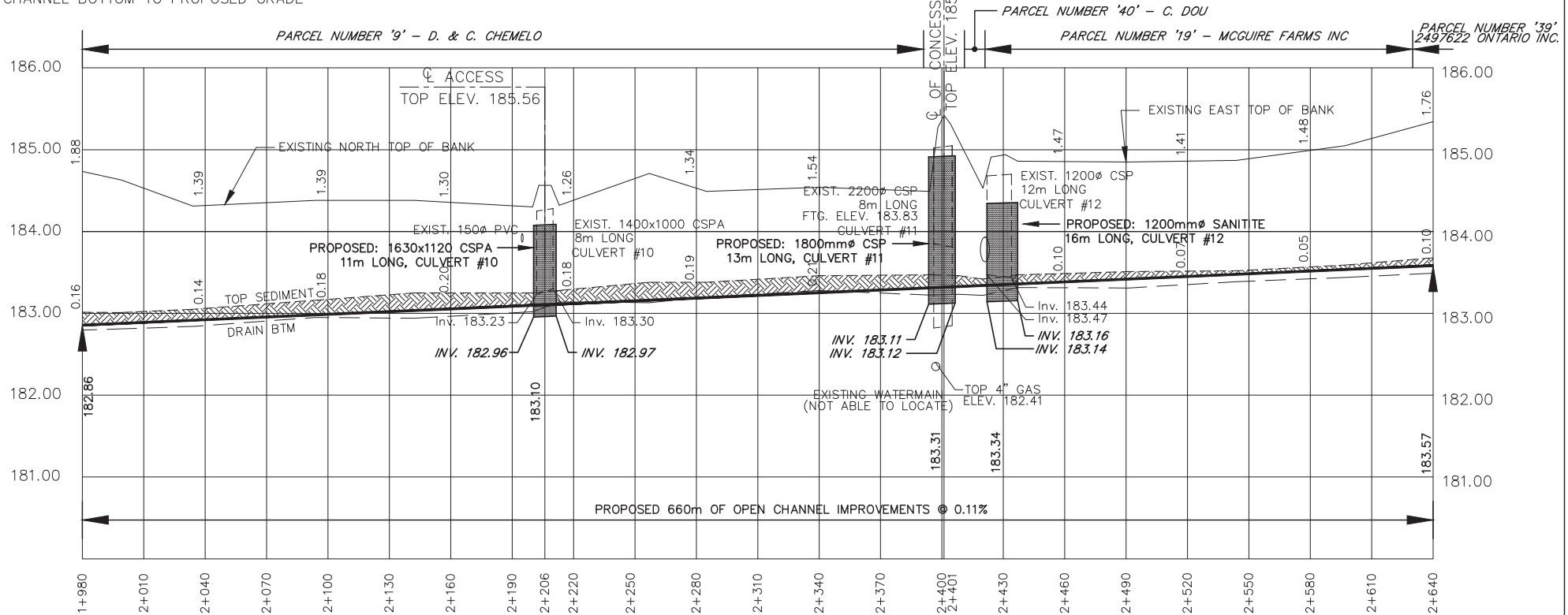
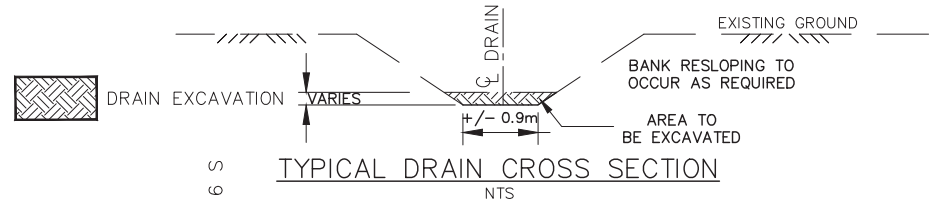
TOWN of AMHERSTBURG  
DESLIPPE DRAIN  
PROFILE

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of 14



## GENERAL NOTES

- BENCHMARK No.5 ELEV. 185.841  
TOP SPINDLE OF FIRE HYDRANT LOCATED  
AT THE NORTHWEST CORNER OF THE INTERSECTION  
OF CONCESSION 5 N AND ALMA STREET.  
BENCHMARK No.6 ELEV. 184.70  
TOP SOUTH END OF EXISTING 1200mm DIA,  
CSP, CULVERT #12
- UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.
- LOWER NUMBERS ARE DEPTH FROM EXISTING  
CHANNEL BOTTOM TO PROPOSED GRADE



**R Dobbin**  
Engineering Inc.

4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 4

PROJECT No.  
2023-1559

APPROVED  
J. WARNER

CHECKED  
B. VAN RUITENBURG

DRAWN  
C. SAUNDERS

NO.	REVISIONS	DATE	BY
1	FINAL REPORT	FEB. 14, 2025	CS

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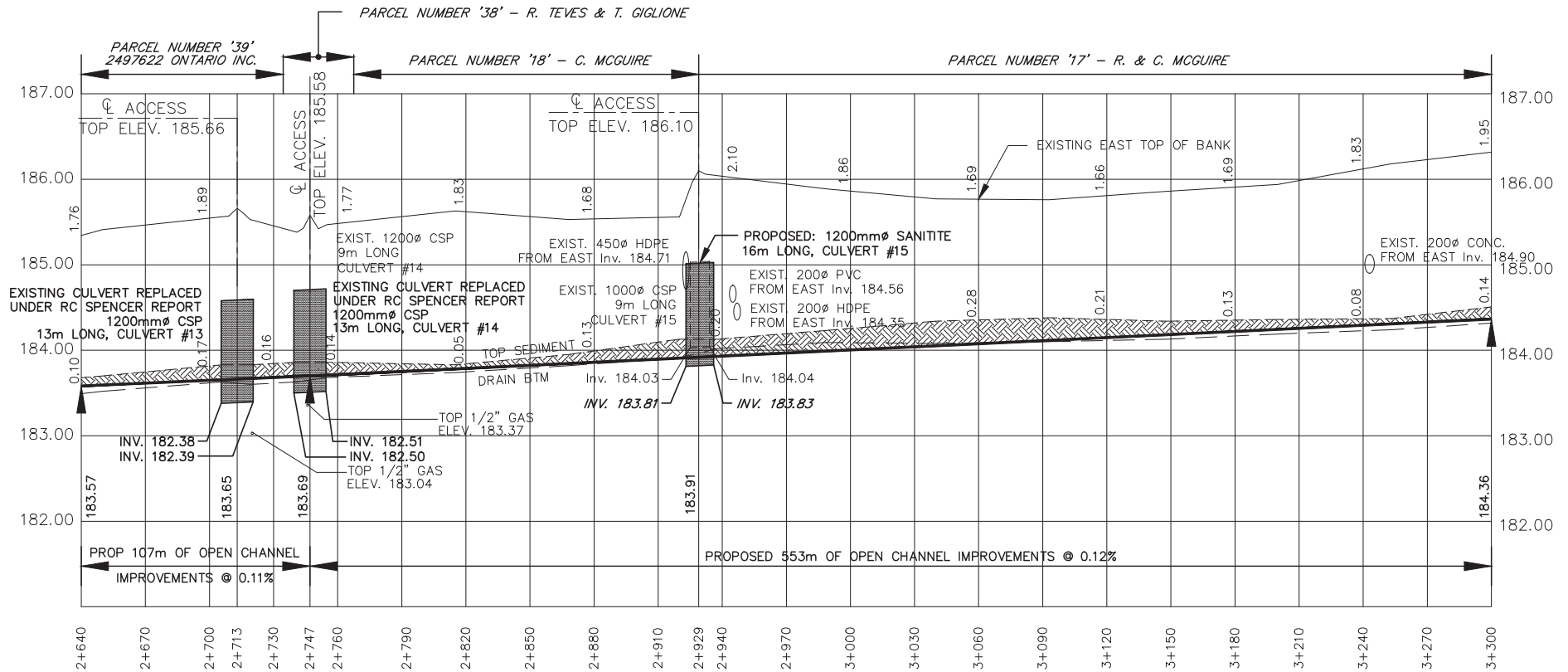
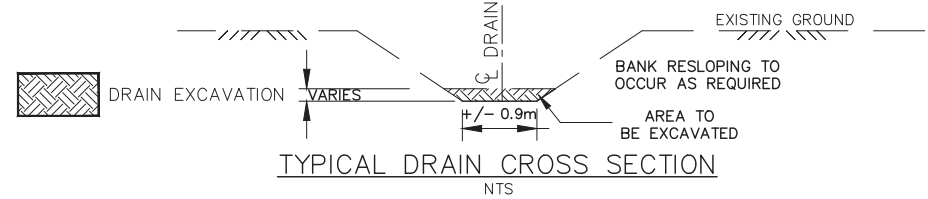
**TOWN of AMHERSTBURG**  
DESLLIPPE DRAIN  
PROFILE

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of 14

Last Updated: February 14, 2025

## GENERAL NOTES

- BENCHMARK No.7 ELEV. 185.936  
TOP OF NAIL IN UTILITY POLE ON  
WEST SIDE OF CONCESSION 6 S.  
NORTH OF MN# 6087
- UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.
- LOWER NUMBERS ARE DEPTH FROM EXISTING  
CHANNEL BOTTOM TO PROPOSED GRADE



4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 5

PROJECT No.  
2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
CHECKED	1	FINAL REPORT	FEB. 14, 2025	CS
B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

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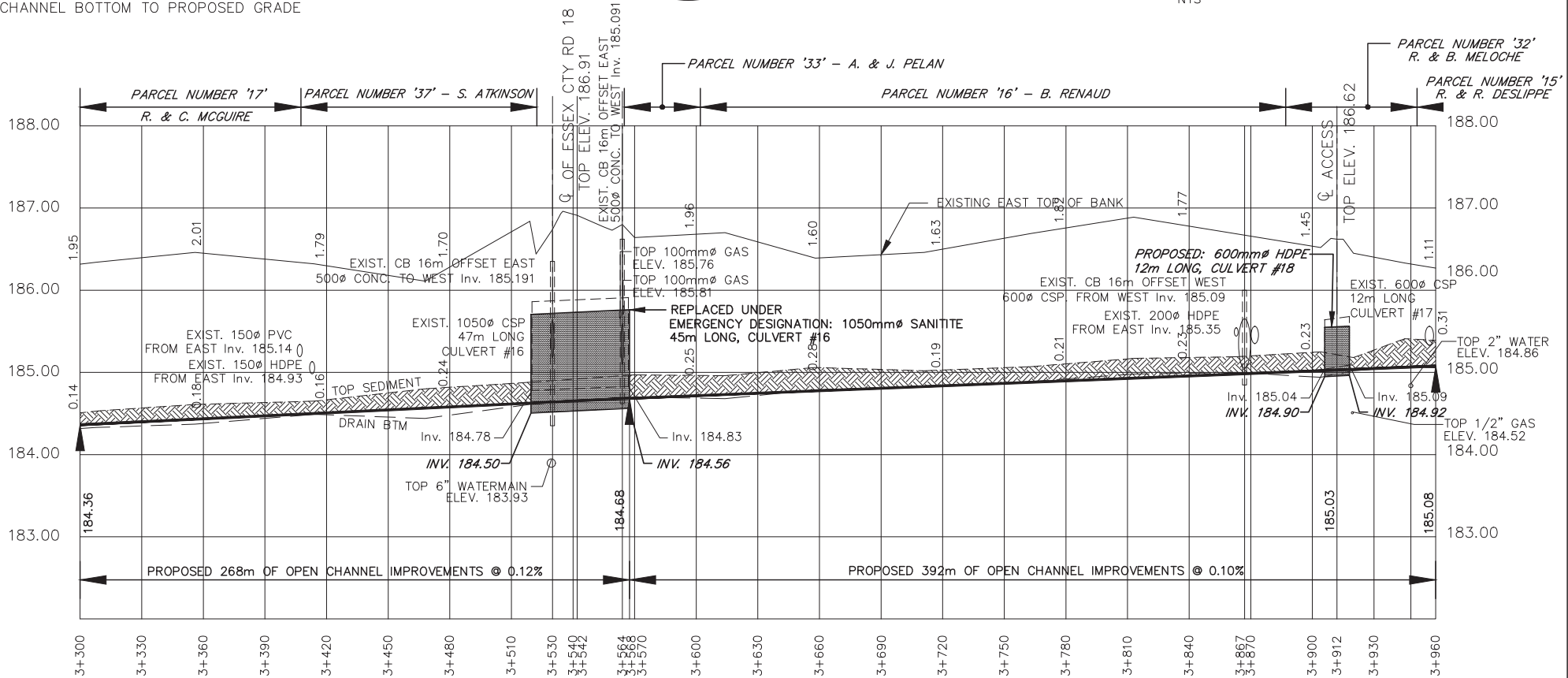
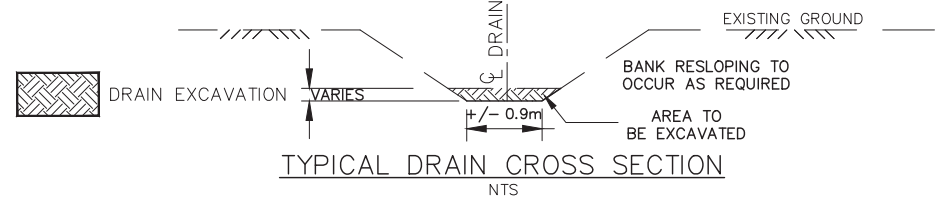
TOWN of AMHERSTBURG  
DESLIPPE DRAIN  
PROFILE

9  
of 14

Last Updated: February 14, 2025

## GENERAL NOTES

1. BENCHMARK No.8 ELEV. 187.617  
TOP SPINDLE OF FIRE HYDRANT  
ON NORTHWEST CORNER OF INTERSECTION  
AT ESSEX COUNTY ROAD 18 AND CONCESSION 6 S.
2. UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.
3. LOWER NUMBERS ARE DEPTH FROM EXISTING  
CHANNEL BOTTOM TO PROPOSED GRADE



4218 Oil Heritage Road  
Petrolia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
Deslippe Drain Profile 6

PROJECT No.  
2023-1559

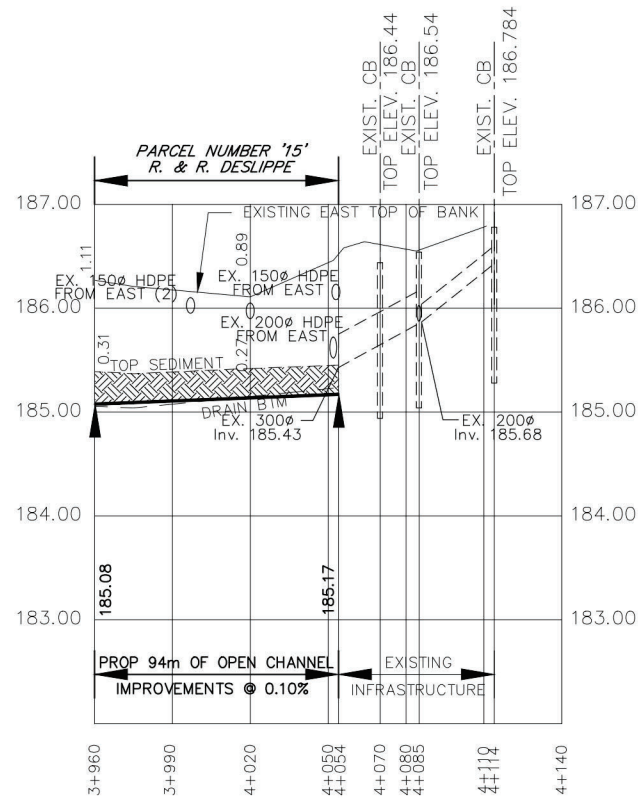
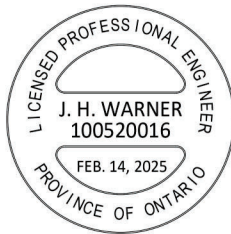
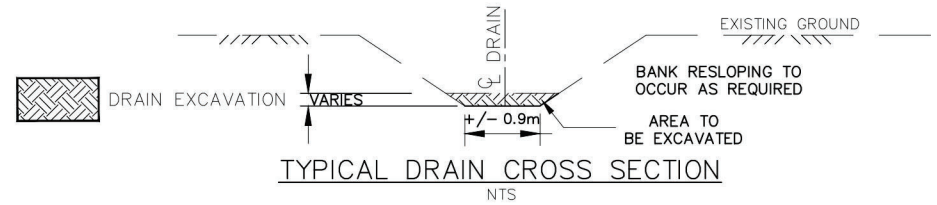
APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
CHECKED	1	FINAL REPORT	FEB. 14, 2025	CS
B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

SCALE: 1:2,000  
0 20 40 60m

TOWN of AMHERSTBURG  
DESPLIPPE DRAIN  
PROFILE

10  
of 14

1. BENCHMARK No.9 ELEV. 186.784  
TOP OF CATCHBASIN AT TOP END OF DESLIPPE DRAIN  
AT STATION 4+114
2. UPPER NUMBERS ARE DEPTH FROM TOP OF  
BANK TO PROPOSED CHANNEL BOTTOM.
3. LOWER NUMBERS ARE DEPTH FROM EXISTING  
CHANNEL BOTTOM TO PROPOSED GRADE



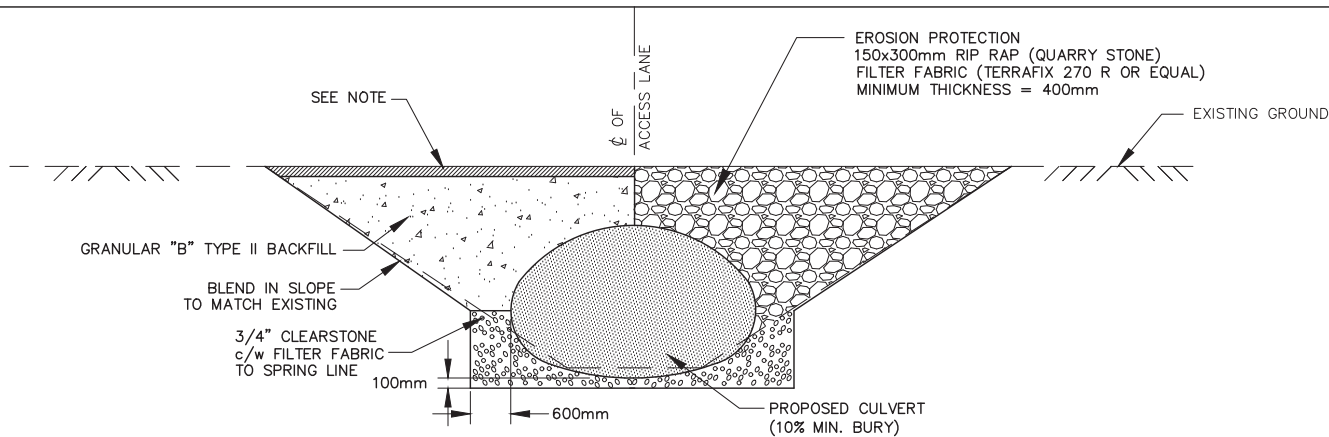
DRAWING NAME:  
Deslippe Drain Profile 7

PROJECT No.  
2023-1559

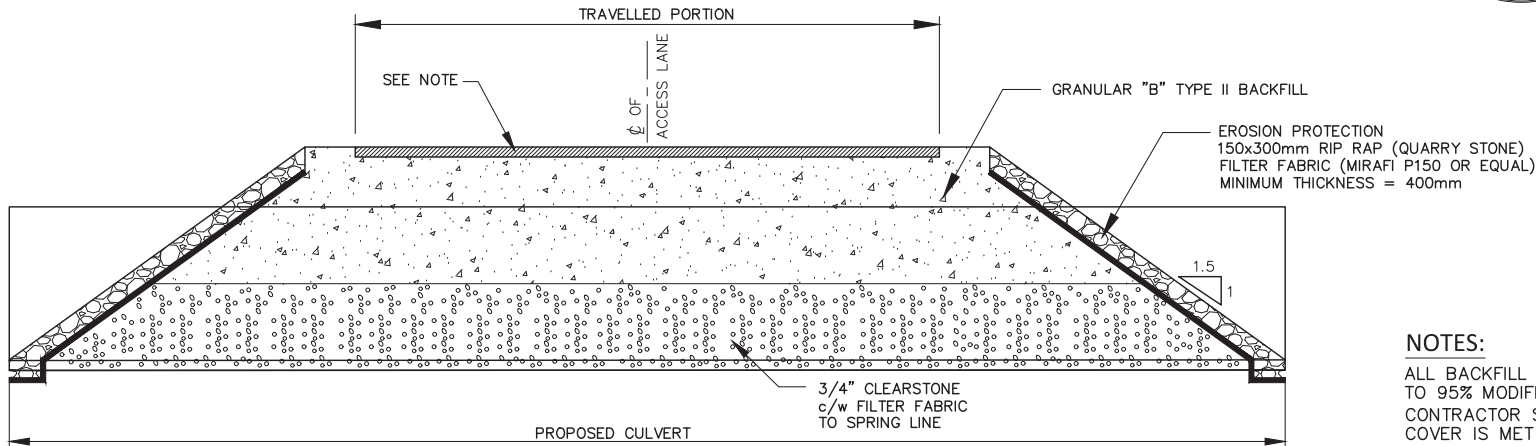
APPROVED J. WARNER	NO.	REVISIONS	DATE	B
CHECKED B. VAN RUITENBURG	1	FINAL REPORT	FEB. 14, 2025	C5
DRAWN C. SAUNDERS	SCALE: 1:2,000 			

TOWN of AMHERSTBURG  
DESILPPE DRAIN  
PROFILE

11  
of 14



PROPOSED PIPE END SECTION



PROPOSED CROSS-SECTION

**NOTES:**

ALL BACKFILL COMPACTED TO 95% MODIFIED PROCTOR DENSITY  
CONTRACTOR SHALL ENSURE MINIMUM COVER IS MET PRIOR TO CROSSING

**ACCESS CULVERT**

- 150mm OF 100% CRUSHED GRANULAR "A"
- HL3 ASPHALT TO MATCH EXISTING THICKNESS (IF SPECIFIED)



DRAWING NAME:  
Deslippe Drain Typical Culvert Detail

4218 Oil Heritage Road  
Petroliia Ontario, N0N 1R0  
Phone: (519) 882-0032 Fax: (519) 882-2233

PROJECT No.  
2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
CHECKED	1	FINAL REPORT	FEB. 14, 2025	CS
B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				

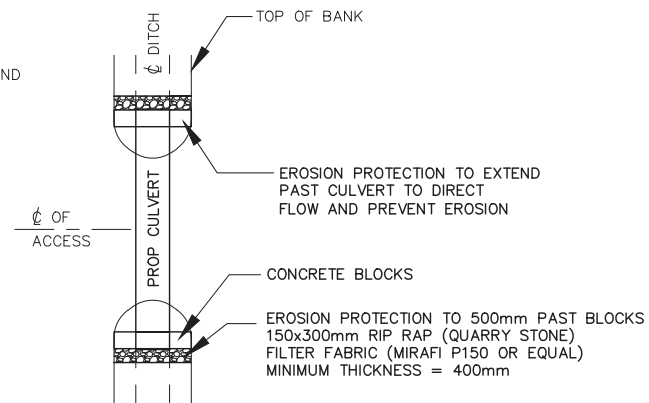
SCALE 1:75



**TOWN of AMHERSTBURG**

DESLIPE DRAIN  
TYPICAL CULVERT DETAIL

12  
OF 14

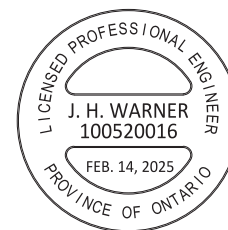


### TYPICAL CULVERT PLAN

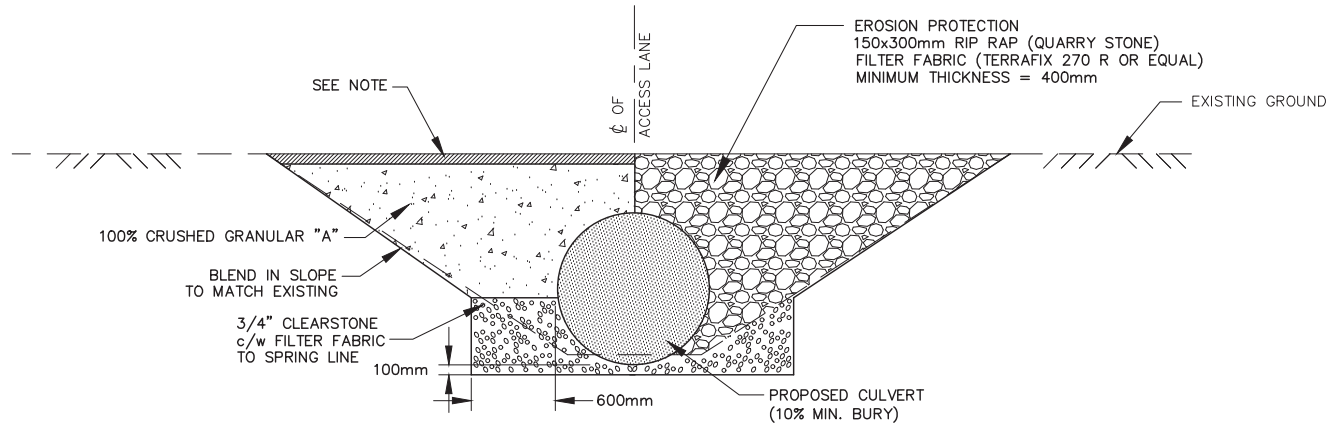
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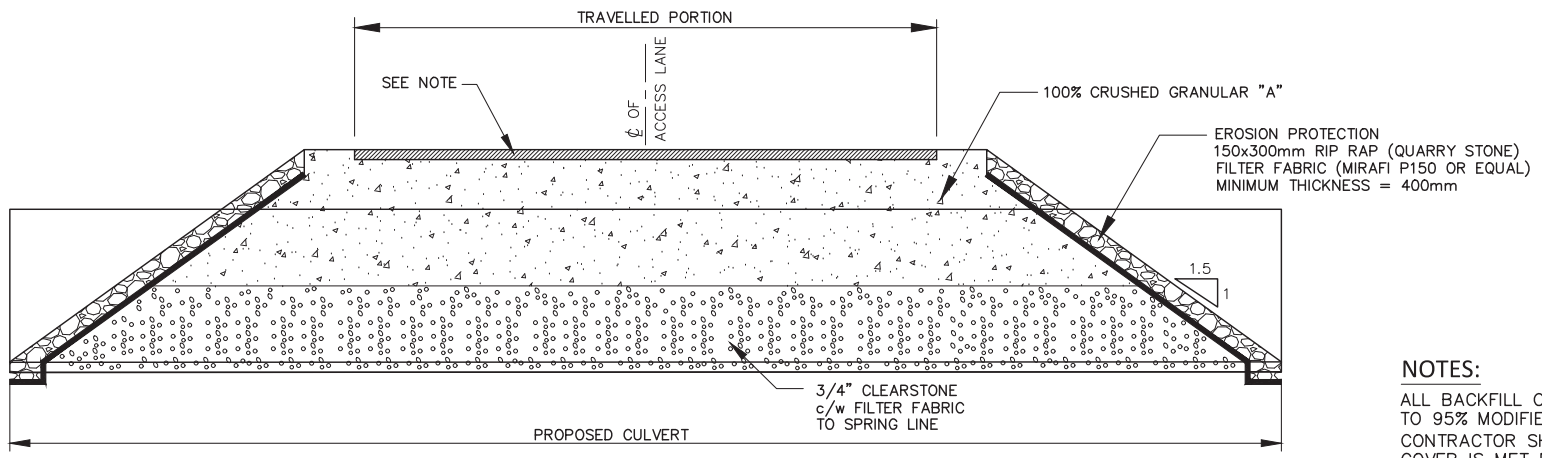
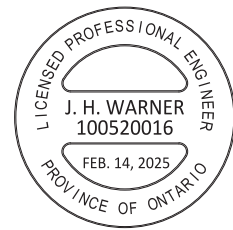
-200mm OF OPS GRANULAR "M"  
(CRUSHED DOLOMITE SOURCE)  
TO MATCH EXISTING ROAD WIDTH  
-300mm OF OPS GRANULAR "A"







PROPOSED PIPE END SECTION



PROPOSED CROSS-SECTION

**NOTES:**  
 ALL BACKFILL COMPACTED TO 95% MODIFIED PROCTOR DENSITY  
 CONTRACTOR SHALL ENSURE MINIMUM COVER IS MET PRIOR TO CROSSING  
ASPHALT ROAD  
 -HL3 AND HL4 TO MATCH EXISTING THICKNESS

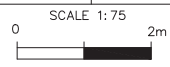


4218 Oil Heritage Road  
 Petrolia Ontario, N0N 1R0  
 Phone: (519) 882-0032 Fax: (519) 882-2233

DRAWING NAME:  
 Deslippe Drain Typical Road Crossing Round Culvert Detail

PROJECT No.  
 2023-1559

APPROVED	NO.	REVISIONS	DATE	BY
J. WARNER				
CHECKED	1	FINAL REPORT	FEB. 14, 2025	CS
B. VAN RUITENBURG				
DRAWN				
C. SAUNDERS				



**TOWN of AMHERSTBURG**  
**DESLIPPE DRAIN**  
**TYPICAL ROAD CROSSING - ROUND CULVERT DETAIL**

**14**  
**OF 14**

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2025-027**

**By-law to provide for the improvements to the Deslippe Drain (2025) based on the report of Josh Warner, P.Eng of R. Dobbin Engineering Inc.**

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**WHEREAS** a request for improvement of the Deslippe Drain (2025) was received under section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of an engineer's report for improvements to the Deslippe Drain (2025) Drain under Section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg has authorized Josh Warner, P.Eng., of R. Dobbin Engineering Inc., to prepare a report and said engineer's report dated February 14, 2025 entitled Deslippe Drain (2025) can be referenced as Schedule A, as attached hereto;

**WHEREAS** \$1,223,660.00 is the estimated cost provided for the new the drainage works;

**AND WHEREAS** the report was considered by the Amherstburg Drainage Board at the meeting held on April 4, 2025.

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

**1. AUTHORIZATION**

The attached drainage report is adopted and the drainage works is authorized and shall be completed as specified in the report.

**2. BORROWING**

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of \$1,223,660.00 being the estimated amount necessary for the improvements of the drainage works.

**3. DEBENTURE(S)**

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

- (a) Grants received under section 85 of the Drainage Act;
- (b) Monies paid as allowances;
- (c) Commuted payments made in respect of lands and roads assessed with the municipality;
- (d) Money paid under subsection 61(3) of the Drainage Act; and
- (e) Money assessed in and payable by another municipality.

**4. PAYMENT**

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

- (1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.

(2) All assessments of \$1000.00 or less are payable in the first year in which the assessments are imposed.

Read a first and second time and provisionally adopted this 28<sup>th</sup> day of April, 2025.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX

Read a third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2025.

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MAYOR – MICHAEL PRUE

---

CLERK – KEVIN FOX



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF ENGINEERING AND PUBLIC WORKS

**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: Sam Paglia	Report Date: March 12, 2025
Author's Phone: 519 736-3664 ext. 2318	Date to Drainage Board: April 1, 2025
Author's E-mail: <a href="mailto:spaglia@amherstburg.ca">spaglia@amherstburg.ca</a>	Resolution #: N/A

To: Members of the Drainage Board

Subject: Levying By-Law – 2024 Maintenance

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#### 1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Drainage Superintendent and Engineering Coordinator dated March 12, 2025 regarding the recovery of cost for money spent in 2024 to maintain and repair Municipal Drains **BE RECEIVED**;
2. That By-Law 2025-028 **BE READ 3 TIMES** to become the Levying By-Law to allow the collection of cost for maintenance performed by the Town in 2024.

#### 2. **BACKGROUND:**

The Town has the responsibility to perform maintenance and repairs to all Municipal Drains upon the requirement to do so, or the request to do so by an affected landowner.

Each calendar year, the Drainage Superintendent completes a summary of maintenance performed and prepares an application to the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) for Provincial Grant according to the Agricultural Drainage Infrastructure Program (ADIP) Policy. Grants are awarded to all Agricultural lands that are up to date with the Farm property class tax rate program or Farm Tax Credit (FTC). OMAFRA pays to the Town, 33% of all eligible drainage assessments for these lands.

Section 61 of the Drainage Act, requires that the Town of Amherstburg, who is required to raise the necessary funds in whole or any part for drainage works completed under the Act, shall by By-Law impose upon the lands assessed for the drainage works, the assessment with which it is chargeable, and the amount so imposed is payable in such instalments as the council may prescribe.

The Town has prepared the assessment to all affected lands and will add a line item on the respective tax account of each of the affected lands, for the amount chargeable to those lands.

### 3. **DISCUSSION:**

Unlike Capital Drain projects where an Engineer is appointed and invoices are sent to affected lands once the general ledger account is reconciled, and the grant application is submitted, maintenance costs are added to the tax bill of the lands assessed, and in the current year that the assessments are levied for maintenance, not the year the maintenance was performed.

### 4. **RISK ANALYSIS:**

There is risk in not maintaining Municipal Drains at the requests of landowners.

### 5. **FINANCIAL MATTERS:**

The Town administered \$178,655 of work on Municipal Drains for 2024, where \$165,706.79 was performed on maintenance and repair within the Town limits. Requests for maintenance were satisfied for a variety of reasons on several grantable and non-grantable projects. The Towns maintenance projects are summarized annually and submitted to the Ministry of Agriculture, Food and Agri Business (OMAFRA) and farm parcels may be eligible for a 33% grant on their drainage assessment through the Agricultural Drainage Infrastructure program Policy (ADIP). Of the \$146,080.51 of work on the following 12 projects the Town anticipates to recover \$25,801.96 from ADIP/OMAFRA and \$120,278.55 from affected landowners. The Towns share of liability on these projects is \$15,787.02. The Town utilizes the drain reserve fund to pay for drainage assessed to the Town.

2024 Town of Amherstburg maintenance works completed on a Municipal Drain - Grantable				
Drain	Total Assessment	Grant	Net Assessment	Town Portion
7th Conc. South	\$ 6,105.61	\$ 1,656.42	\$ 4,449.19	\$ 515.98
9th Concession Drain	\$ 2,289.60	\$ 634.77	\$ 1,654.83	\$ 224.36
Beaudoin Drain North Branch	\$ 625.82	\$ 177.98	\$ 447.84	\$ 91.88
Beaudoin Drain North	\$ 1,367.91	\$ 230.02	\$ 1,137.89	\$ 339.13
Beetham Drain	\$ 1,343.23	\$ 427.74	\$ 915.49	\$ 24.15
Charles Shepley Drain	\$ 18,313.28	\$ 4,067.58	\$ 14,245.70	\$ 4,905.92
Gore Atkins Drain	\$ 1,556.92	\$ 476.27	\$ 1,080.65	\$ 128.11
Hamel Bezaire Drain	\$ 1,831.68	\$ 502.40	\$ 1,329.28	\$ 188.11
Howie Drain	\$ 14,010.61	\$ 4,609.01	\$ 9,401.60	\$ -
Leo Beaudoin	\$ 86,509.81	\$ 11,547.93	\$ 74,961.88	\$ 7,468.47
McKee Drain	\$ 3,520.77	\$ 899.30	\$ 2,621.47	\$ -
Willow Beach Pump	\$ 8,605.27	\$ 572.54	\$ 8,032.73	\$ 1,900.90
Total	\$ 146,080.51	\$ 25,801.96	\$ 120,278.55	\$ 15,787.02

Eight (8) maintenance projects are non-grantable and seen below. \$8,616 is recovered from private landowners and \$11,010.28 is the Towns share of drainage for these projects. The Town utilizes the drain reserve fund to pay for drainage assessed to the Town.

2024 Town of Amherstburg maintenance works completed on a Municipal Drain - Non-Grantable				
Drain	Total Assessment	Grant	Net Assessment	Town Portion
7th Conc. South	\$ 6,105.61	0	\$ 6,105.61	\$ 6,105.61
Conc. 2 N	\$ 1,810.31	\$ -	\$ 1,810.31	\$ 1,810.31
Conc. 2 S	\$ 1,119.69	\$ -	\$ 1,119.69	\$ 282.01
Bailey Beach	\$ 3,114.63	\$ -	\$ 3,114.63	\$ 886.00
Lemay Cookson	\$ 2,184.86	\$ -	\$ 2,184.86	\$ 872.20
Lakewood #1	\$ 1,226.29	\$ -	\$ 1,226.29	\$ 256.22
Lakewood #2	\$ 544.12	\$ -	\$ 544.12	\$ 178.12
Mickle Pump	\$ 3,520.77	\$ -	\$ 3,520.77	\$ 619.81
Totals	\$ 19,626.28	\$ -	\$ 19,626.28	\$ 11,010.28

Two (2) projects were completed and funded by the Council of the Town of Essex, where \$9,829.93 is recoverable from privately owned landowners and \$3,118.28 is the Towns share of drainage for these projects and is taken from the drain reserve fund.

2024 Town of Essex maintenance works completed on a Municipal Drain and Billed to Town Amherstburg Lands. Non-Grantable				
Drain	Total Assessment	Grant	Net Assessment	Town Portion
Caya	\$ 12,649.47	\$ -	\$ 12,649.47	\$ 2,980.62
Charles Shepley Drain	\$ 298.74	\$ -	\$ 298.74	\$ 137.66
Totals	\$ 12,948.21	\$ -	\$ 12,948.21	\$ 3,118.28

The Town's total portion of drainage assessment for its use of the aforementioned drain maintenance works in 2024 is \$29,915.58.

6. **CONSULTATIONS:** N/A

7. **CONCLUSION:**

Administration is recommending that

1. That By-Law 2025-028 **BE READ 3 TIMES** to become the Levying By-Law to allow the collection of cost for maintenance performed by the Town in 2024.



Sam Paglia, P.Eng., - **Drainage Superintendent and Engineering Coordinator**



**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2025-028**

**By-law to provide for the Levying of costs spent in 2024 to maintain and repair  
Municipal Drains**

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**THAT** By-Law 2025-028 being a Levying By-Law to provide for the assessment upon the lands and roads liable for their contribution to drainage works that has been acted upon by Council, and for the recovery of costs for the completion of the drainage works for which Council was obligated to raise.

**WHEREAS** Collection of actual costs related to maintenance and repair of Municipal Drains in 2024, be given first, second and third reading;

**WHEREAS** \$165,706.79 was the actual costs of maintenance and repairs to Municipal Drains within the Town of Amherstburg.

**WHEREAS** \$12,948.21 is the actual cost to be recovered by lands and roads liable for their contribution of drainage works for works on drains in other municipalities.

**AND WHEREAS** The Council of the Corporation of the Town of Amherstburg, pursuant to the Drainage Act hereby enacts the following;

1. That the assessment schedules prepared for the purpose of assessing costs to affected lands and roads on each Municipal Drain that had repair and/or maintenance completed in the year 2024 be applied for the cost recovery of funds used respectively for the recovery of the cost furnished by Council in order to complete those works.

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

**1. AUTHORIZATION**

The assessment upon lands and roads liable for their contribution to the 2024 maintenance and/or repairs to Municipal Drains be levied as the actual costs that Council was obligated to raise and liable to recover.

Read a first, second and third time and fully adopted this 28th day of April, 2025.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX

## UNFINISHED BUSINESS LIST

Council Question #	Agenda Item	Assigned To	Description	Meeting Type	Meeting Date	Comments
CQ 23-28	NEW BUSINESS	Karly Kennedy, Antonietta Giofu, Eric Chamberlain	Resolution # 20230925-012 Moved By Councillor Allaire Seconded By Councillor Pouget That Administration BE DIRECTED to bring back a report to investigate the feasibility and costing of additions of recycling bins in our downtown core to be brought back before budget.	Regular Council Meeting	9/25/2023	Waiting on direction from EWSWA/pending new regulations
CQ 24-05	NEW BUSINESS	Antonietta Giofu, Eric Chamberlain, Karly Kennedy	Resolution: 20240610-011 Moved By Councillor McArthur Seconded By Councillor Crain That Administration BE DIRECTED to bring back a report to Council investigating the potential harmonization of speed limits on Concession Rd. 2.	Regular Council Meeting	6/10/2024	Q2 2025
CQ 24-11	Infrastructure Services (Budget)	Karly Kennedy, Antonietta Giofu, Eric Chamberlain	Resolution: 20241209-010 Moved By Mayor Prue Seconded By Councillor Pouget That staff REPORT BACK in 2025 on “shovel your own” walkway similar to other municipalities programs and an investigation into the snow angel program be brought back before next budget.	Special Council Meeting	12/9/2024	Q3 2025
CQ 24-12	Development Services (Budget)	Karly Kennedy, Jennifer Ibrahim, Heidi Baillargeon, Melissa Osborne	Resolution: 20241209-012 Moved By Councillor Allaire Seconded By Councillor Crain That: FAC 005-23 –Gordon House Improvements BE SUPPORTED. Administration be directed to come back with a report on future potential uses.	Special Council Meeting	12/9/2024	TBD - Pending Determination of Town Hall Proposal

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

UNFINISHED BUSINESS LIST

CQ25-01	NEW BUSINESS	Bill Tetler, Karly Kennedy	Resolution: 20250210-008 Moved By Councillor Pouget Seconded By Councillor Allaire That Administration BE DIRECTED to provide Council with a complete report regarding the by-law preventing the public of feeding wild animals and the TNR program regarding feral cats.	Regular Council Meeting	2/10/2025	Q2 2025 (May)
CQ25-02	Delegation	Kevin Fox, Heidi Baillargeon, Karly Kennedy	Resolution: 20250210-002 Moved By Councillor Pouget Seconded By Councillor Courtney That: Administration BE DIRECTED to provide Council with Toronto's latest shade policy with their shade guidelines that are AODA compatible; Administration BE DIRECTED to conduct dialogue with persons with disabilities and their caregivers along with the accessibility committee; Administration BE DIRECTED to investigate applying for a Canadian Dermatology Shade Structure Grant Program for the purpose of permanent shade structure; Administration BE DIRECTED to order and plant at least 5 large shade trees in both parks in strategic places in the interim until Council can deal with all reports dealing with permanent structures to be funded from the existing tree planting budge	Regular Council Meeting	2/10/2025	In Progress

**THE CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-031**

**By-law to Confirm the Proceedings of the Council  
of the Corporation of the Town of Amherstburg**

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**WHEREAS** pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council;

**WHEREAS** pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

**WHEREAS** it is deemed expedient that a By-law be passed to authorize the execution of agreements and other documents and that the Proceedings of the Council of the Corporation of the Town of Amherstburg at its meeting be confirmed and adopted by By-law; and,

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

1. THAT the action(s) of the Council of the Corporation of the Town of Amherstburg in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Town of Amherstburg, documents and transactions entered into during the and April 29, 2025 meetings of Council, are hereby adopted and confirmed, as if the same were expressly contained in this By-law;
2. THAT the Mayor and proper officials of the Corporation of the Town of Amherstburg are hereby authorized and directed to do all things necessary to give effect to the action(s) of the Council of the Corporation of the Town of Amherstburg during the said meetings referred to in paragraph 1 of this By-law;
3. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Town of Amherstburg to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 29<sup>th</sup> day of April, 2025.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX