



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

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

<b>Author's Name:</b> Christopher Aspila	<b>Report Date:</b> January 30, 2023
<b>Author's Phone:</b> 519 736-5408 ext. 2124	<b>Date to Council:</b> February 13, 2023
<b>Author's E-mail:</b> caspila@amherstburg.ca	<b>Resolution #:</b>

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

**Subject:** Request for Exemption from Interim Control

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

It is recommended that Council **EXEMPT** the property known as 7751 Howard Avenue from Interim Control By-law 2022-111.

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

On December 5, 2022, Council designated an Interim Control By-law Area for the Howard Industrial Park District Secondary Plan Area and passed Interim Control By-law 2022-111 (attached as Appendix 'A'). 7751 Howard Ave was identified by Administration as one of 4 properties impacted by the Interim Control By-law (ICBL), and meets with the exemption criteria set out in the ICBL.

Administration does not have the delegated authority from Council to execute the exemptions and therefore, any requests for exemption, even if they meet the criteria, must be considered by Council.

#### 3. **DISCUSSION:**

In the report to Council titled "Interim Control By-law – Howard Industrial Park District Secondary Plan Area" (ICBL) that was considered and passed by Council on December 5, 2022, the property known as 7751 Howard Avenue was identified as having Consent and Site Plan Control applications that would be delayed from obtaining approvals until completion of the Howard Industrial Park District Secondary Plan. As such exemptions were included in the ICBL should there be a need for the property to proceed in advance of the completion of the ICBL.

The applicant is proposing to sell part of the property to a company that intends to build and operate a concrete batch plant. The proponent of the batch plant indicates that the operation will result in over 40 permanent jobs in Amherstburg. The planned use for the site is consistent with the approved zoning amendment on the subject property.

Administration supports this request for exemption as the exemption criteria has been met and the property owners have identified a financial impact to them and Town if the sale and resulting development is delayed.

**4. RISK ANALYSIS:**

This Interim Control By-law cannot be appealed under the provisions of the Planning Act. The Interim Control By-law 2022-111 remains in effect through March 31, 2023.

**5. FINANCIAL MATTERS:**

N/A

**6. CONSULTATIONS:**

Applicant.

**7. CONCLUSION:**

Administration recommends that the property known as 7751 Howard Avenue be exempted from Interim Control By-law 2022-111.



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Christopher Aspila  
**Manager Planning Services**

## Report Approval Details

Document Title:	Request for Exemption from Interim Control.docx
Attachments:	- Appendix A - ICBL Exemption Letter 7751 Howard Ave.pdf
Final Approval Date:	Feb 8, 2023

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



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox