

639 FRONT RD SUBDIVISION PLANNING JUSTIFICATION REPORT

January 18, 2023

Prepared for: Waterstone Anderdon Developments

Prepared by: Stantec Consulting Ltd.

Project Number:

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1.0 Introduction

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

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

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

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

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

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



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

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

Other documents in support of the comprehensive application package includes:

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

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

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

2.0 Subject Property Description

2.1 Description of Subject Lands

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





Figure 1: Location of Subject Lands

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

2.2 Surrounding Land Uses and Areas

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

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

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



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

2.3 Existing Land Use Controls

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

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

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



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

Table 1: Existing Land Use Controls & Policies

3.0 Land Use Policy Framework Overview

3.1 Provincial Planning Framework

3.1.1 Provincial Policy Statement (PPS), 2020

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

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



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The proposed subdivision would increase the efficient use of resources by optimizing the
utilization of surrounding public service facilities and infrastructure, such as public roads, schools, health clinics, municipal fire and police stations, etc.
The proposed development is considered infill, as it is the development of currently vacant lands within the settlement area boundary of Amherstburg. Infill is considered a form of intensification, and as such, the development would facilitate intensification and compact form with the proposition of higher density housing forms. There are no perceived, nor expected risks to public health and safety posed by the development of the proposed subdivision.
The proposed subdivision provides a significant mix and range of housing options, which would increase the mix of housing forms and densities within the immediate neighbourhood and broader community.
The development would support residential intensification through infill.
The proposed subdivision provides a range and mix of housing types, which includes higher density forms. Higher densities will promote a more efficient use of land. The property on which the proposed development will be located also has frontage onto an arterial road, which leads into the Town's downtown.



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

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

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

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

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

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

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



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

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

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

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

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

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

3.2 Local Planning Framework

3.2.1 County of Essex Official Plan

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

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

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



- To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities
- To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population
- To ensure that petroleum, minerals, and mineral aggregate resources are available for future use and that extraction operations are protected from activities that would hinder their expansion or continued use.
- To protect and enhance the quality and quantity of ground and surface water and the function of sensitive ground water recharge/discharge areas, highly vulnerable aquifers, headwaters and Intake Protection Zones.
- To ensure that Lake Erie, Lake St. Clair and the Detroit River are noted as significant areas
 for fishing and hunting and that future land use decisions are made with regard to maintaining
 access to these resources.

The vision and purpose, as stated by the County Official Plan is to "direct the majority of future growth and development into the Primary Settlement Areas in order to strengthen the County's settlement structure, focus public and private investment in fewer areas and to preserve the lands designated "Agricultural" and "Natural Environment"" (Policy 3.2.1).

Further to this, the County has established its goals for Settlement Areas within their Official Plan. Notable goals include the intent to promote development within Primary Settlement Areas that is "compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds" (3.2.2. c). As detailed in the County Official Plan, all efforts will be made to promote residential intensification and affordable housing opportunities within Primary Settlement Areas (Policies 3.2.2. I and j, respectively). Moreover, the "efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools" (3.2.2. e) will also be required by the County.

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

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



- All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.
- Downtown/Uptown areas should maintain and/or enhance the existing character of these
 areas. Mixed-use development and an accessible pedestrian oriented streetscape are
 encouraged. The preparation of Community Improvement Plans are also encouraged.
- Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

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

3.2.2 Town of Amherstburg Official Plan

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

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

In regard to the vacant areas in various Residential Designations that are proposed for residential development – which is the case with the Subject Lands, the Town's Official Plan states that a "suitable mix of housing types should be provided while ensuring that the overall density restrictions are not exceeded and that conflicts do not occur between housing types" (4.2.3. 4). To further build on this policy, new residential developments and areas should ensure the provision of a range of housing types, sizes, price and tenure arrangements to accommodate for households of various socioeconomic status (4.2.3. 4).



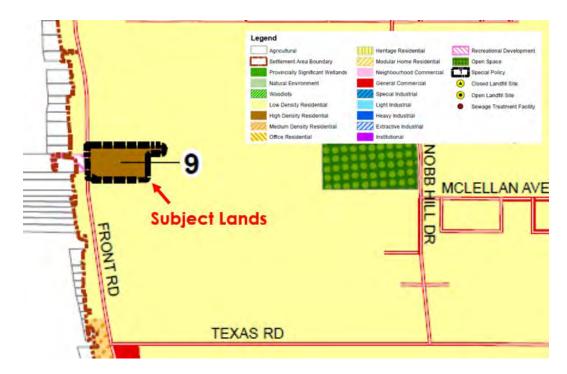


Figure 2: Town of Amherstburg Official Plan Land Use Designation

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

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

3.2.3 Town of Amherstburg Zoning By-law

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

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

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



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

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

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

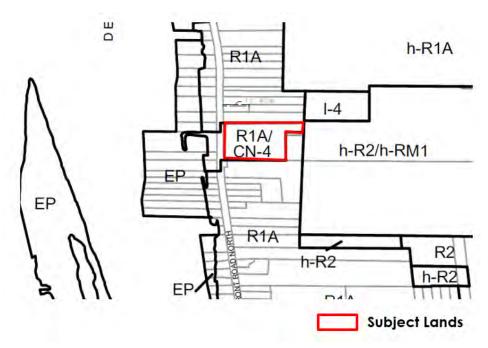


Figure 3: Existing Zoning for Subject Lands



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

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

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

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

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



4.0 Development Proposal

4.1 Overview

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

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

4.2 Draft Plan of Subdivision

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

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

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

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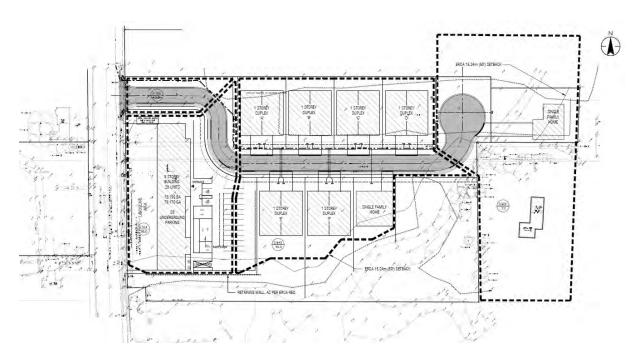


Figure 4: Draft Plan of Subdivision

4.3 Zoning By-Law Amendment

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

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

Residential Multiple Second Density (RM2)	Residential Second Density (R2)	
Multiple dwelling;	Single detached dwelling;	
Continuum-of-care facility;	Semi-detached dwelling;	
Home occupation;	Duplex dwelling;	
Accessory uses;	Home occupation;	
Public use.	Accessory uses;	
	Public use.	
	Supportive community home	

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

Zoning Regulations	Required	Provided
Permitted Uses	Multiple Dwelling, Continuum- of-Care Facility, Home Occupation, Accessory Use, Public Use	Apartment, considered a Multiple Dwelling according to By-law definitions
Minimum Lot Area	840.0m²	5718.8m²
Minimum Lot Frontage	30.0m	95.4m
Minimum Front Yard Depth	25m	16.0m
Minimum Interior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5m
Minimum Exterior Side Yard Width	6.0m or half to height of the building, whichever is greater 10 m (based on assumed height of 20 m)	7.5m
Minimum Rear Yard Depth	7.5m	35.5m
Maximum Lot Coverage	40.0% (2287.5m)	22.9% (1309.9m)
Minimum Landscaped Open Space	30.0% (1715.6m)	47.2% (2699.8m)
Minimum Dwelling Area		
1) Bachelor dwelling unit	35.0m²	Information Provided at Site Plan Stage
Dwelling unit containing one bedroom	50.0m²	Information Provided at Site Plan Stage

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Dwelling unit containing two	65.0m²	
bedrooms		Information Provided at Site Plan Stage
Dwelling unit containing three bedrooms	80.0m²	Information Provided at Site Plan Stage
5) Dwelling unit containing more than three bedrooms	80.0m² plus 10.0m² for each additional room	Information Provided at Site Plan Stage
Maximum Height	22.0m	Information Provided at Site Plan Stage
Minimum Privacy Yards	A privacy yard shall be provided adjoining each exterior wall of every dwelling unit that contains habitable room windows = 7.0m	7.5m
Minimum Building Separation		
Between two primary windows	15.0m	N/A
Between a primary window and a secondary window	12.0m	N/A
Between a primary window and an ancillary window	9.0m	N/A
Between a primary window and a blank wall	7.5m	N/A
5) Between two secondary windows	9.0m	N/A
Between a secondary window and an ancillary window	6.0m	N/A
Between a secondary window and a blank wall	4.0m	N/A
Off-street Parking	28 Spaces (1 Space Per Unit)	56 Spaces
Barrier Free Parking	2 Spaces (1 Type 'A' Space, 1 Type 'B' Space)	2 Spaces

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

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



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

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

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

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



Project Number:

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

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

4.4 Proposed Site Specific Regulations

4.4.1 Permitted Uses

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

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

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



4.4.2 Setbacks and Lot Coverage

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

For the Apartment Building

Minimum Interior Side Yard Width: 7.5 m

Minimum Exterior Side Yard Width: 7.5 m

For Single Detached Dwellings

Maximum Lot Coverage: 42 %

For Semi-Detached Dwellings

Minimum Exterior Side Yard Width: 4.1 m

Maximum Lot Coverage: 56%

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

4.4.3 Draft Zoning By-law

Proposed Specialized RM2 and R2 Zone for 639 Front Road:

Permitted Uses:

The following shall also be permitted:

Residential Multiple Second Density (RM2)	Residential Second Density (R2)
Multiple dwelling;	Single detached dwelling;Semi-detached dwelling;

Regulation for Multiple Dwellings

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

Minimum Interior Side Yard Width

7.5 metres

Minimum Exterior Side Yard Width



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7.5 metres

Regulation for Single Detached Dwellings

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

Maximum Lot Coverage

42%

Regulation for Semi-Detached Dwellings

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

Maximum Lot Coverage

56%

Minimum Exterior Side Yard Width

4.1 m

4.5 Proposed Lot Frontage

The following table provides the specification for each lot:

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

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5.0 Planning Justification

5.1 Provincial Considerations

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

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

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

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

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

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



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

5.2 County Consideration

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

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

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

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



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

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

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

5.3 Local Considerations

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

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

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

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



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

6.0 Supporting Studies

6.1 Infrastructure & Public Service Facilities

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

6.1.1 Transportation

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

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

6.1.2 Other Public Services

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

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



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

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

6.2 Cultural & Environmental Impacts

6.2.1 Flood Prone Area

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

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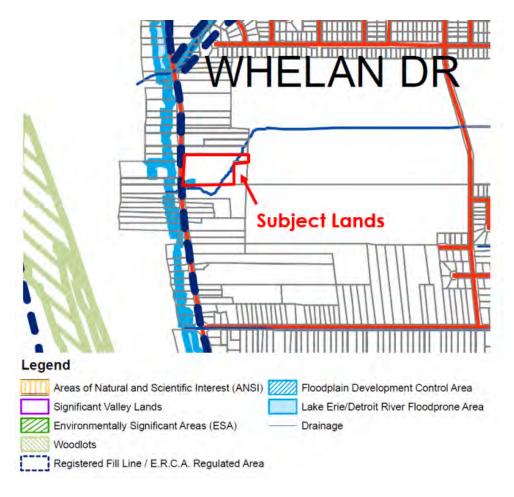


Figure 5: Natural Features According to the Town's Official Plan



Figure 6: ERCA Regulated Flood Line



6.2.2 Drainage

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

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



Figure 7: ERCA Interactive Mapping - Drainage Identification

6.2.3 Natural Resources

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

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



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



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

6.2.4 Natural Heritage

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

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

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

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

6.2.5 Source Water Protection and Intake Protection Zone

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

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

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

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

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



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

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

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

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

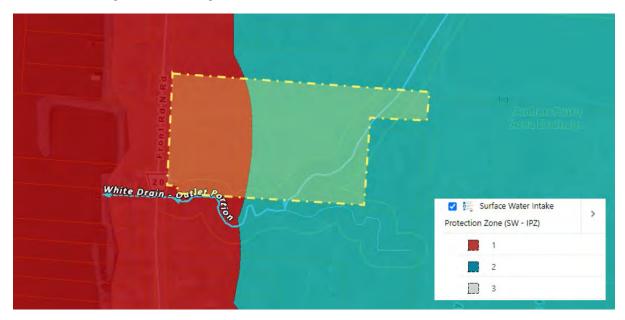


Figure 10: ERCA Classified Intake Protection Zones



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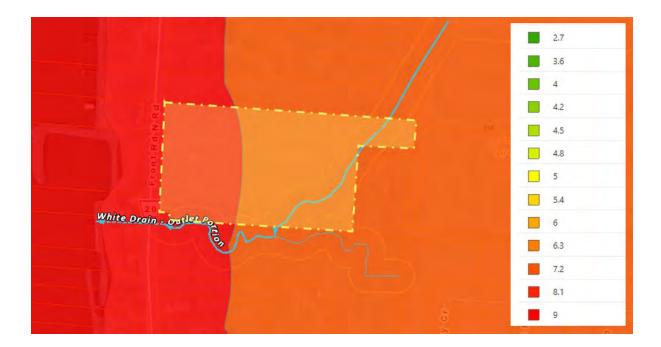


Figure 11: ERCA Vulnerability Scoring Area for Surface Water

6.2.6 Archeological Resources

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

6.3 Other Supporting Studies

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

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

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



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7.0 Conclusions

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

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

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

8.0 Recommendations

It is our professional planning opinion and recommendation that:

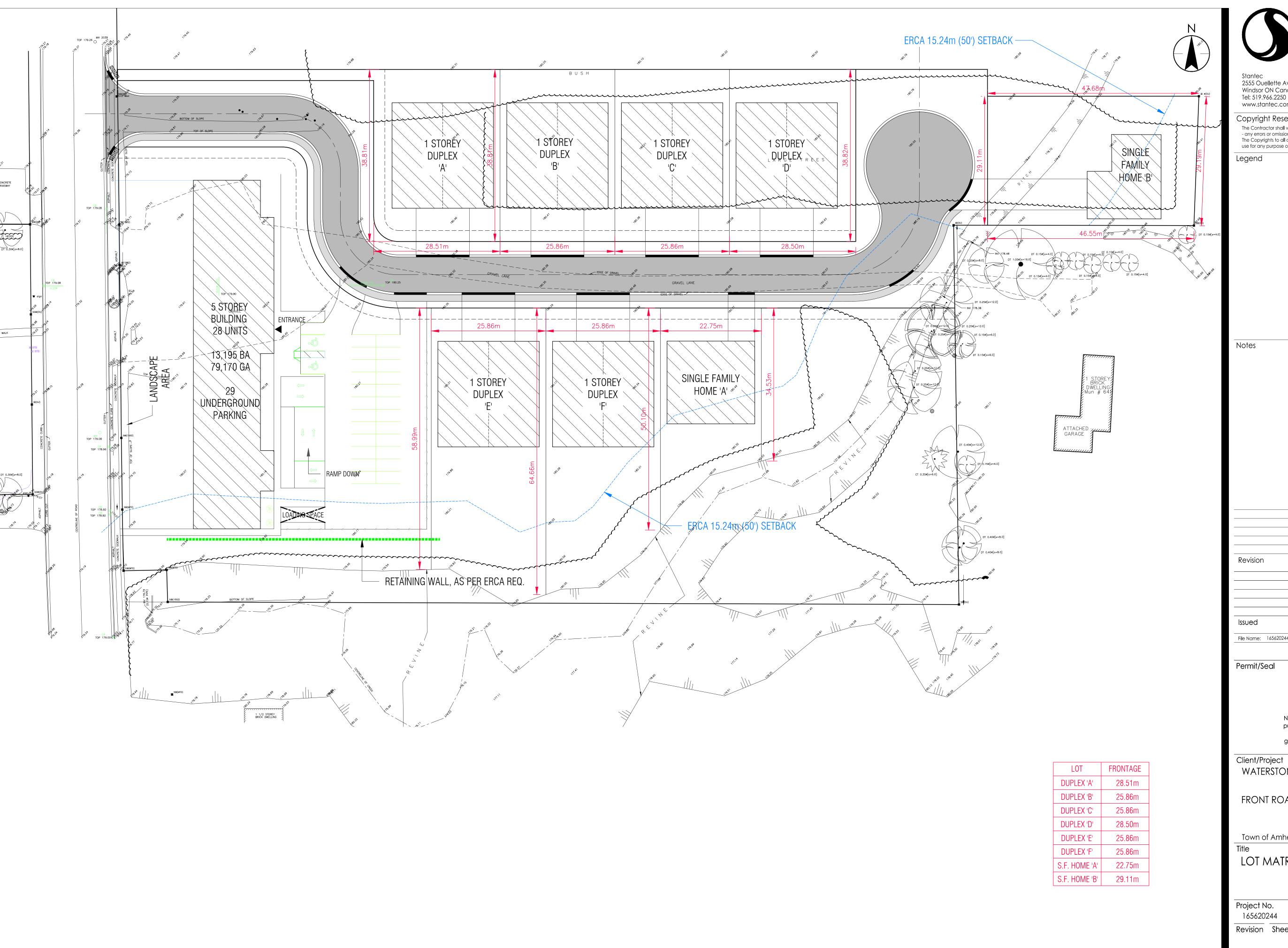
- This report together with the supporting materials, application, plans and drawings should be deemed as a "Complete Application" and be circulated appropriately;
- This report together with the other supporting studies, application, plans and drawings should be made available to the Planning Review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

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Project Number:

XXXV

APPENDIX A: DRAFT PLAN OF SUBDIVISION CONCEPT





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File Name: 165620244_C_001-3	 Chkd.		2020. YY.MM.DI

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WATERSTONE ANDERDON DEVELOPMENT

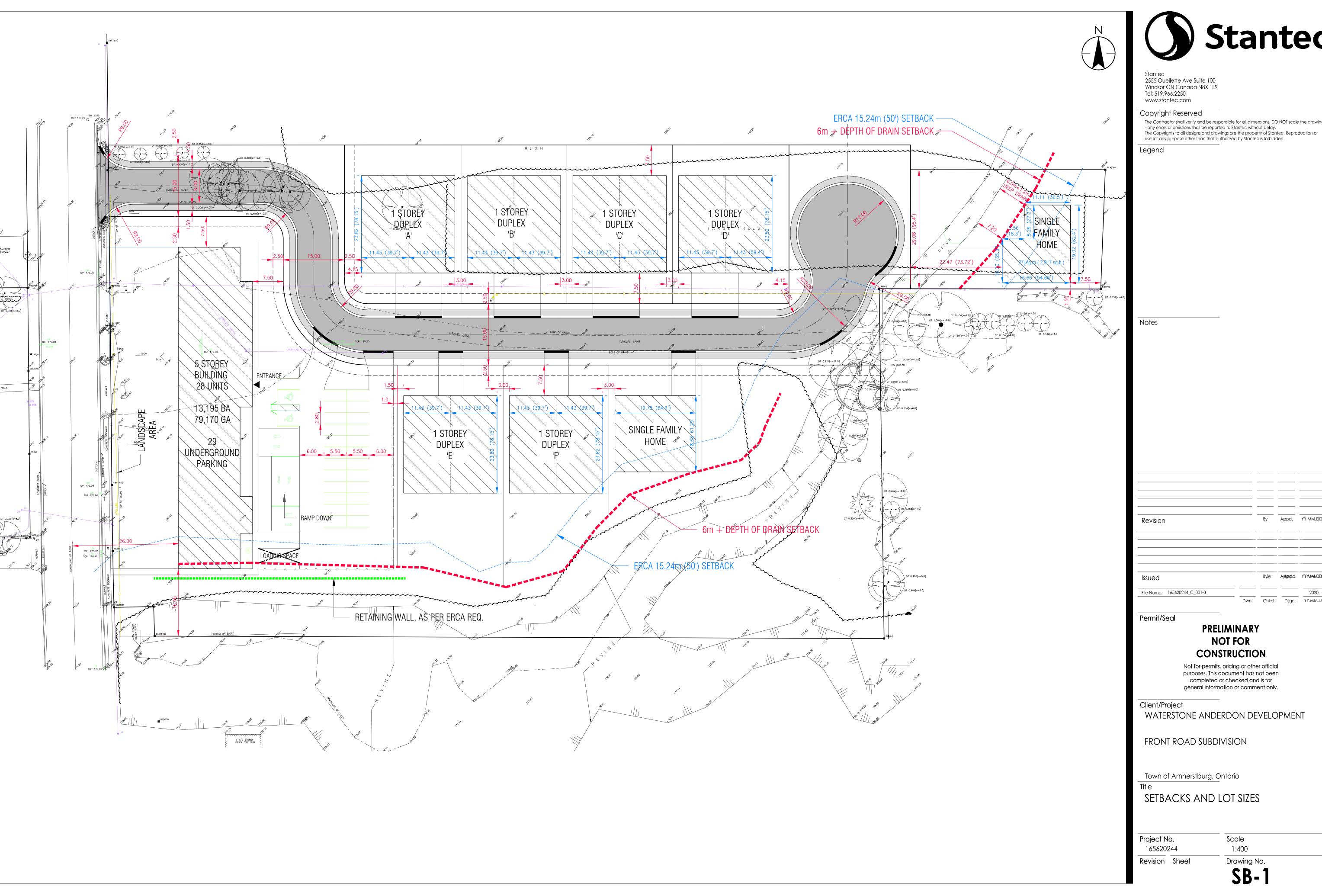
front road subdivision

Town of Amherstburg, Ontario LOT MATRIX

Scale Project No. 165620244 1:400 Drawing No. Revision Sheet

LM-1

PPENDIX B: SERVICING CAPACITY & PHYSICAL CONSTRAINTS



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WATERSTONE ANDERDON DEVELOPMENT



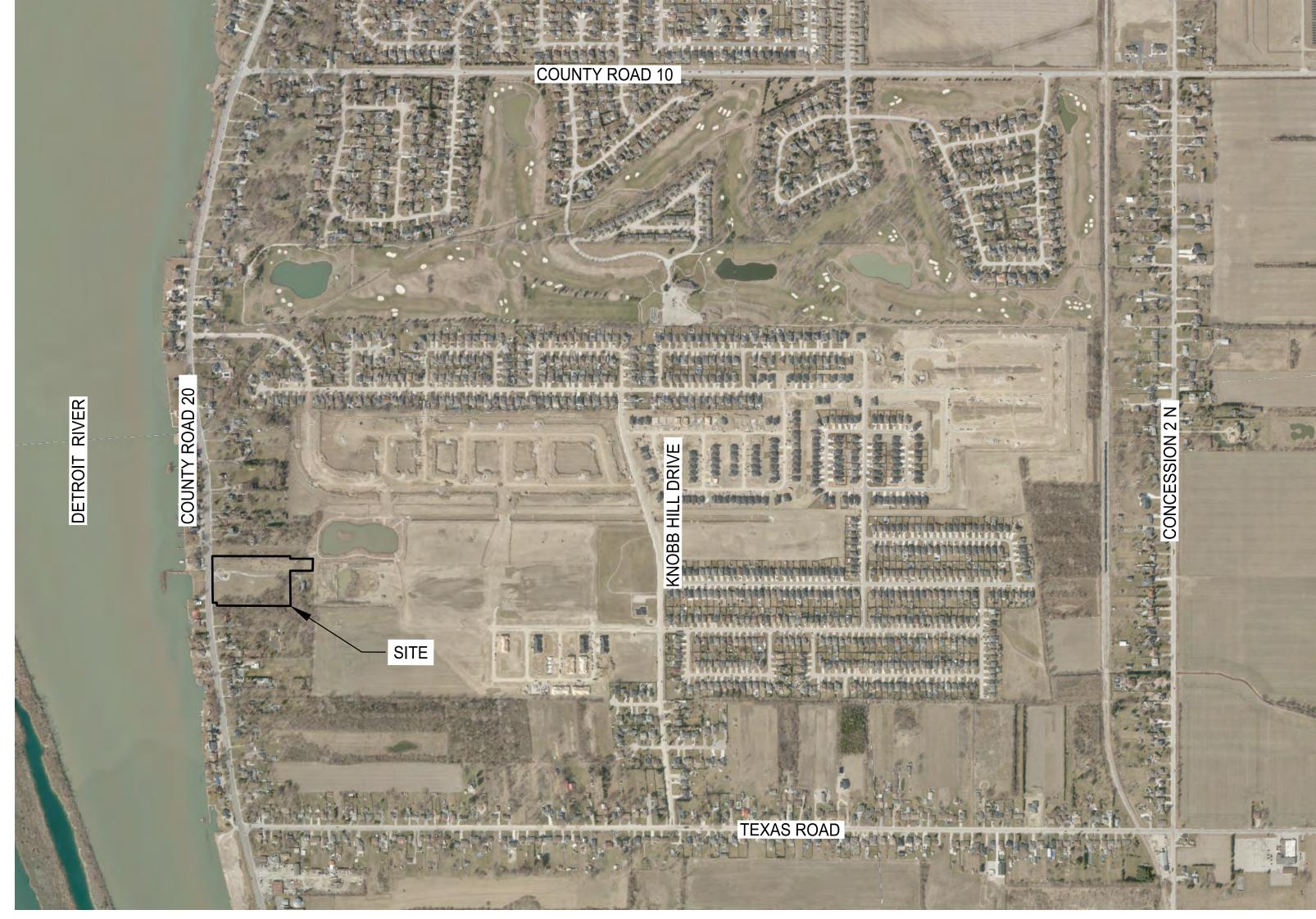
WATERSTONE ANDERDON DEVELOPMENTS

FRONT ROAD SUBDIVISION IN THE TOWN OF AMHERSTBURG

FEBRUARY 2022

Project Number: 165620244





SITE PLAN SCALE = 1:7,500

LEGEND

SAN ST ST ST ST ST ST ST TO ST TV TV TV	Sanitary Sewer Storm Sewer Combined Sewer Watermain Gasmain Buried Bell Cable Buried Hydro Cable Buried Television Cable Buried Traffic Light Cable Property Line Wire Fence or Chain Link Fence Wood Fence	C.M. S.I.B. I.B. R.I.B. C.C. H&TRANS H&LS H B GP T	Concrete Monument Standard Iron Bar Iron Bar Round Iron Bar Cut Cross Hydro Pole & Transformer Hydro Pole & Light Standard Hydro Pole & Guy Wire Hydro Pole Bell Telephone Pole Guy Pole Telegraph Pole	HMH □ CB HYD WV WSV WM ⊗ GV S GM B TB A MB S CTV B S	Hydro Manhole Catch Basin Hydrant Water Valve Water Service Valve Water Meter Gas Valve Gas Meter Bell Telephone Box Cable Television Box Mail Box Sign
T 	Buried Television Cable Buried Traffic Light Cable Property Line Wire Fence or Chain Link Fence	H H B	Hydro Pole & Guy Wire Hydro Pole Bell Telephone Pole Guy Pole	SOGM ⊠BTB △CTV □MB	Gas Meter Bell Telephone Box Cable Television Box Mail Box

Asphalt Drive Concrete Drive

ASPH DR



INDEX TO DDAMINGS

	INDEX TO DRAWINGS
G-001	COVER SHEET
u 002	3 7
G-002	SITE PLAN, KEY PLAN, LEGEND, NOTES AND INDEX TO DRAWINGS
C-001	OVERALL SANITARY SEWER LAYOUT
C-002	OVERALL STORM SEWER LAYOUT
C-003	OVERALL WATERMAIN LAYOUT
C-004	LOT GRADING PLAN
C-005	REMOVALS
CU-001	STREET 'A' - STA. 0+000 TO STA. 0+130
CU-002	STREET 'A' - STA. 0+130 TO STA. 0+260
-C-107	HIGH VOLTAGE DISTRIBUTION AND TRANSFORMER LAYOUT
-C-108	SECONDARY DISTRIBUTION AND STREETLIGHTING
-C-109	DUCT LINE
-C-110	ELECTRICAL DETAILS
-C-111	ELECTRICAL TRANSFORMER DETAILS
-C-112	ELECTRICAL MVI DETAILS
-C-113	ELECTRICAL DETAILS
C-301	TYPICAL CROSS SECTION
C-501	STANDARD DETAILS
C-502	STANDARD DETAILS
C-503	STANDARD DETAILS
C-504	STANDARD DETAILS
-C-701	REFERENCE DRAWING - LEGAL SURVEY PLAN

BENCHMARK:

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

SITE BENCH MARK

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



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Legend

THE LOCATIONS OF UTILITIES AS SHOWN ON THE DRAWINGS ARE IN ACCORDANCE WITH THE MOST CURRENT INFORMATION AVAILABLE FROM THE VARIOUS UTILITIES AND ARE NOT CERTIFIED TO BE ACCURATE. THE ONUS LIES UPON THE TENDERER (AND AFTER ACCEPTANCE OF ANY TENDER, UPON THE CONTRACTOR) TO ASCERTAIN, AT HIS OWN EXPENSE, THE EXACT LOCATION OF EACH UTILITY, AND TO NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS. NO EXTRA TO THE WORK, OR CLAIM FOR COMPENSATION WILL BE ALLOWED IF IT SHOULD BE DISCOVERED THAT ANY UTILITY IS ACTUALLY LOCATED IN A SITE, LINE OR GRADE THAT IS AT VARIANCE WITH THE SITE, LINE OR GRADE AS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE AND REMAIN RESPONSIBLE TO THE OWNER OF ANY UTILITY FOR DAMAGE DONE TO THAT UTILITY ARISING OUT OF ANY ACT OR NEGLECT BY THE CONTRACTOR, OR ANYONE ACTING UNDER HIS AUTHORITY, DURING THE COURSE OF THE WORK.

Revision		By	Appd.	YY.MM.
Issued		Ву	Appd.	YY.MM.
File Name: 165620244_G_001-2	K.F.F.	C.R.G.J. Chkd.	C.R.G.J. Dsgn.	2019.09 YY.MM.

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Client/Project WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

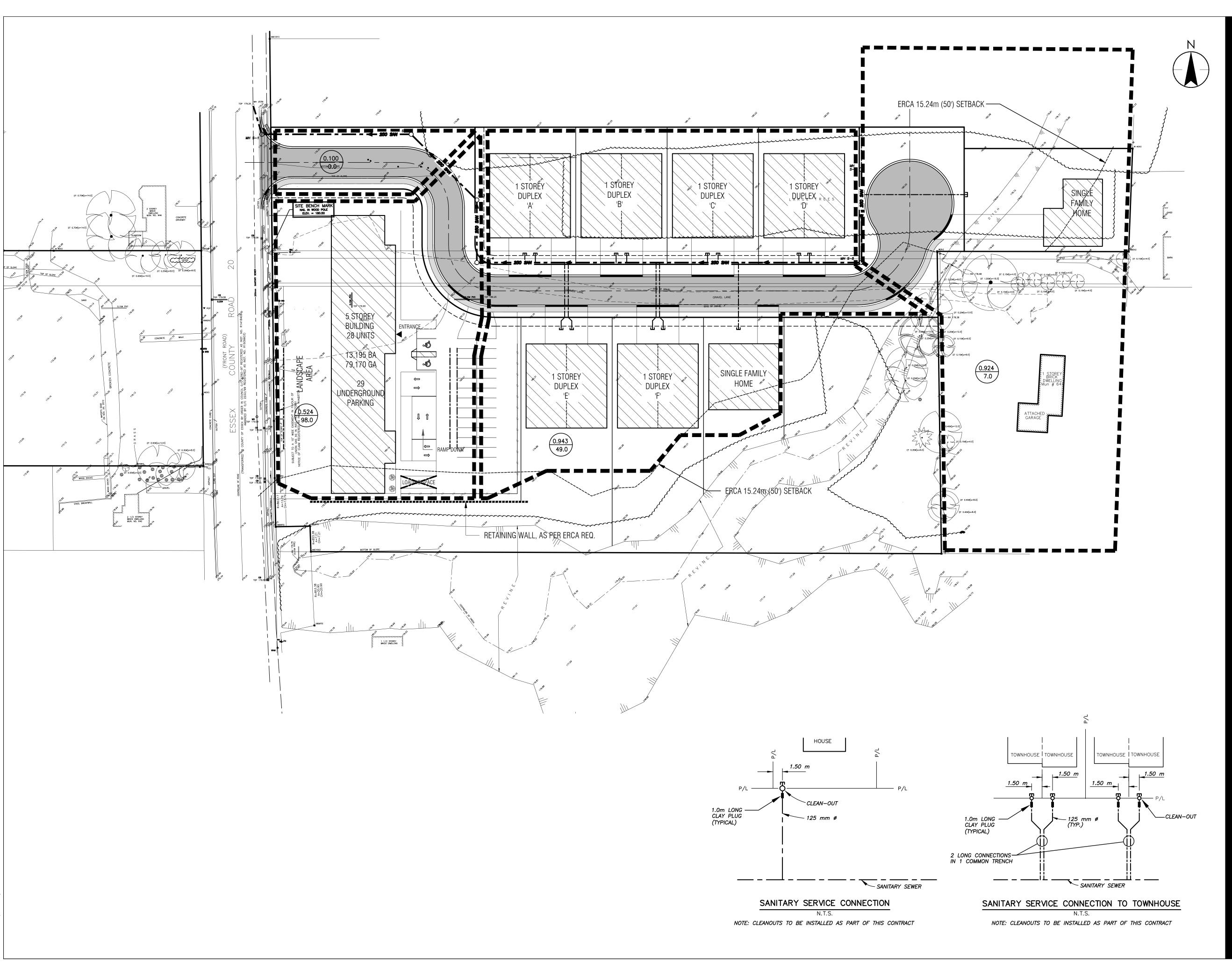
Town of Amherstburg, Ontario

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

Project No. 165620244

Revision Sheet

Scale SCALE Drawing No.





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- 250 -- DENOTES SIZE OF EXISTING SANITARY SEWER -300 - - DENOTES SIZE OF PROPOSED SANITARY SEWER

DENOTES SIZE OF FUTURE SANITARY SEWER

— — MH S-2
DENOTES MANHOLE AND MANHOLE NUMBER

DENOTES NUMBER OF PEOPLE

DENOTES AREA IN HECTARES

Notes

By Appd. YY.MM.DD Revision

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File Name: 165620244_C_001-3

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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

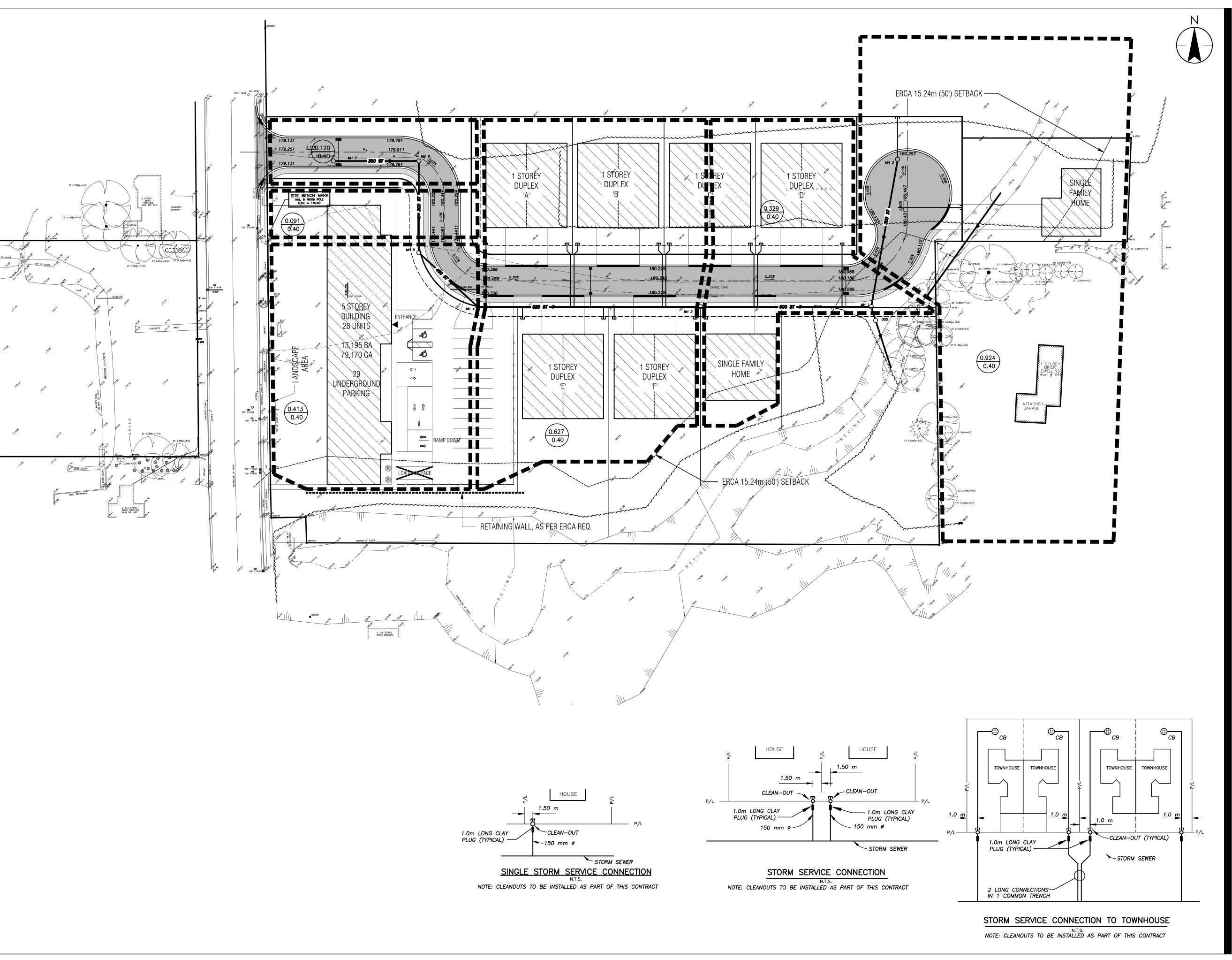
OVERALL SANITARY SEWER PLAN

Project No. 165620244

Revision Sheet

Scale 1:500

> Drawing No. C-001





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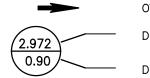
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Legend

DENOTES SIZE OF EXISTING STORM SEWER

375 ST DENOTES SIZE OF PROPOSED STORM SEWER

MH 4
DENOTES MANHOLE AND MANHOLE NUMBER



OVERLAND FLOW ROUTE

DENOTES AREA IN HECTARES

DENOTES RUNOFF COEFFICIENT

Notes

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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

OVERALL STORM SEWER PLAN

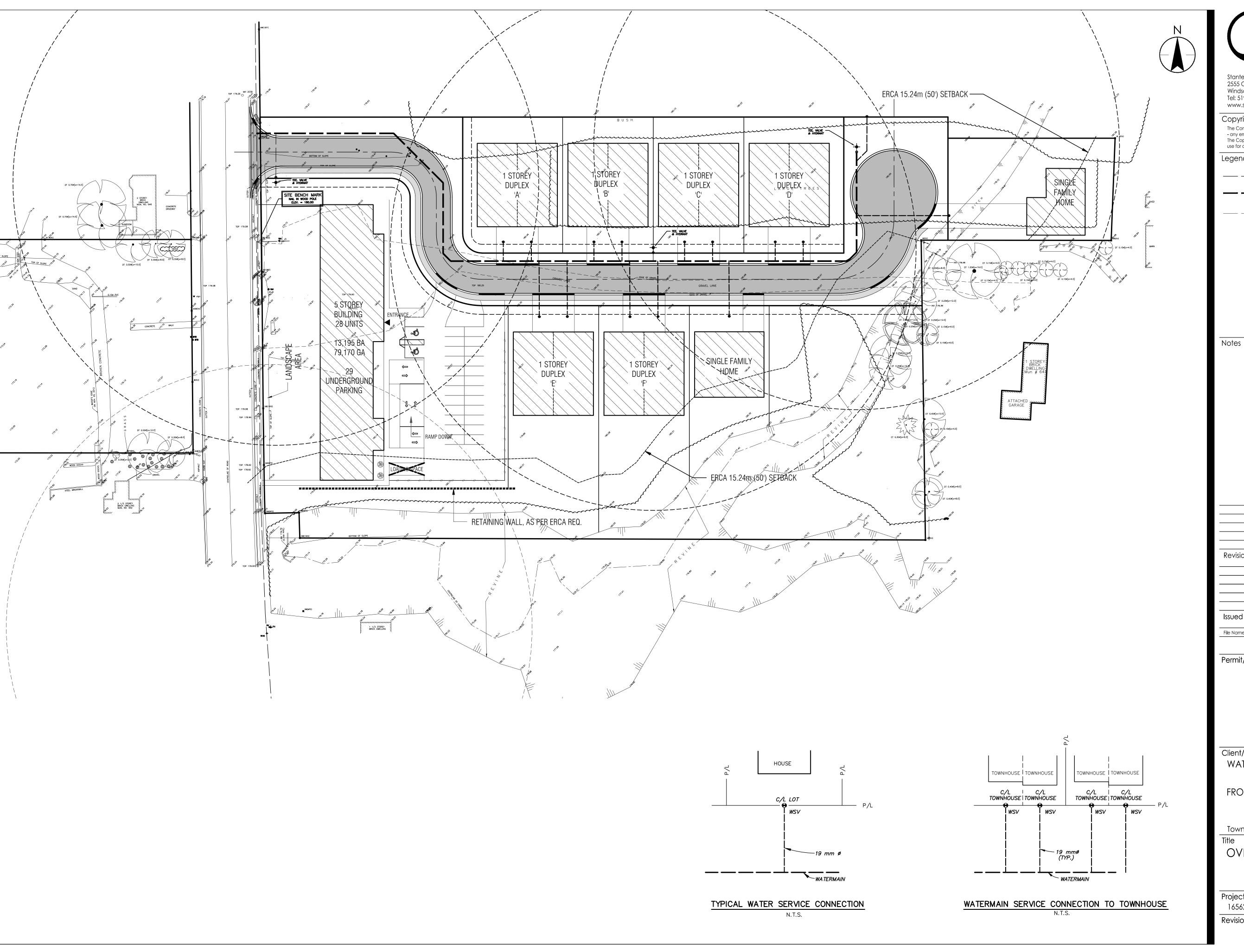
Project No. 165620244

Revision Sheet

Scale 1:500

Drawing No.

C-002





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---- 150 W ---- DENOTES SIZE OF EXISTING WATERMAIN

DENOTES FIRE HYDRANT

DENOTES PRIVATE WATER SERVICE VALVE

DENOTES BLOW-OFF

DENOTES WATER VALVE

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

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WATERSTONE ANDERDON DEVELOPMENT

front road subdivision

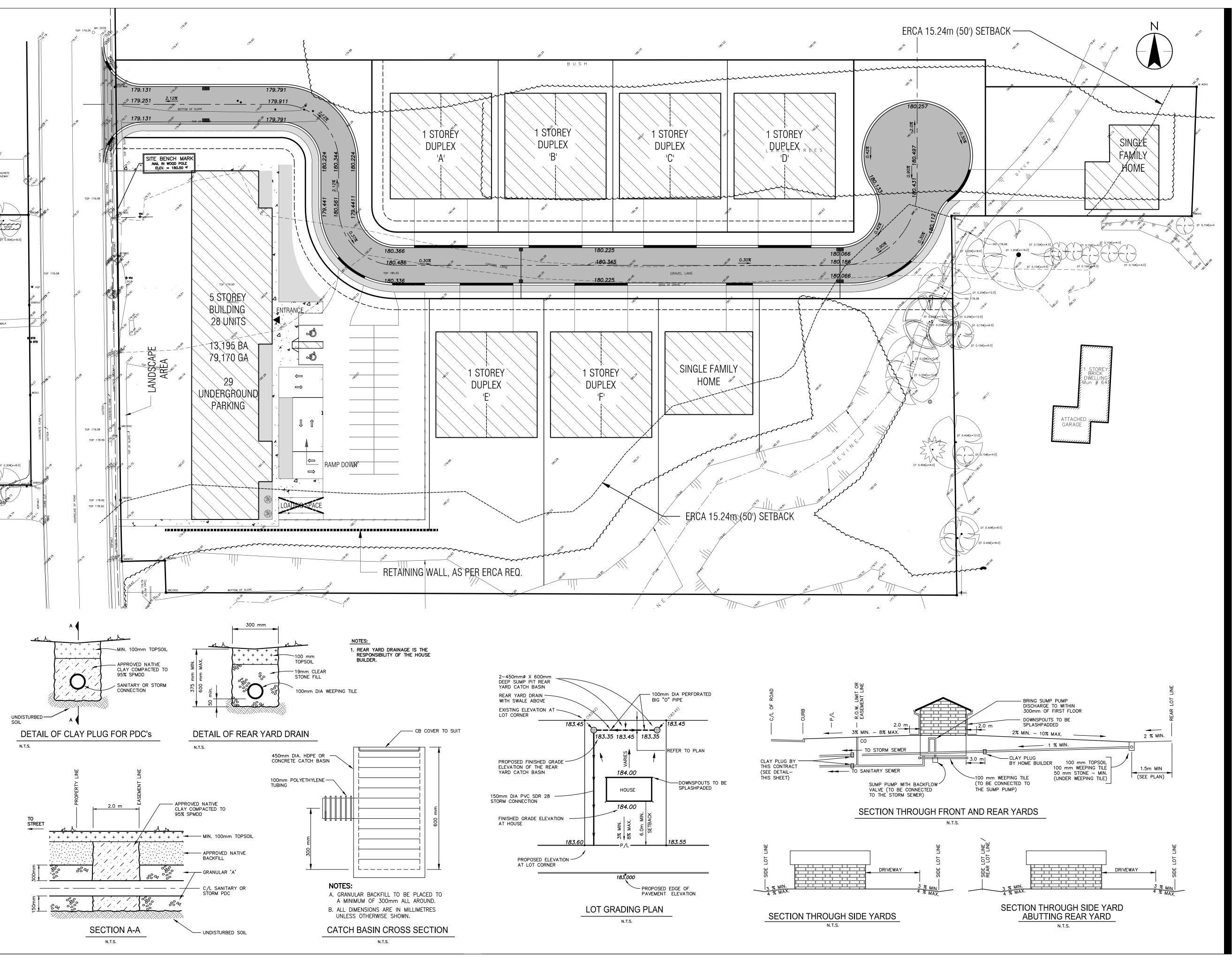
Town of Amherstburg, Ontario

OVERALL WATERMAIN LAYOUT PLAN

Project No. 165620244 Scale 1:500

Drawing No. Revision Sheet

C-003





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Legend

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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario itle

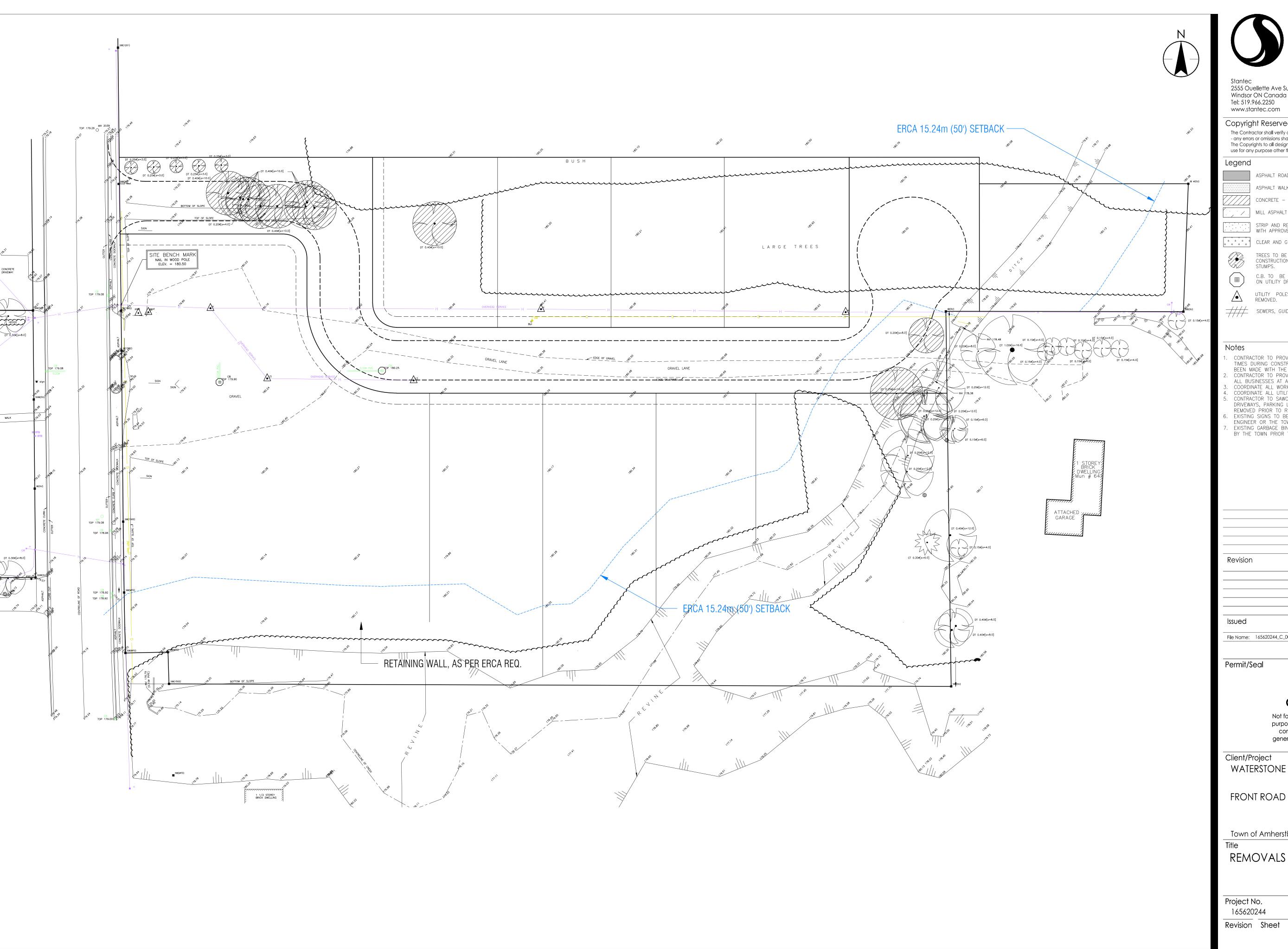
LOT GRADING PLAN

Project No.
165620244

Revision Sheet

Scale 1:400 Drawing No.

C-004





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ASPHALT ROAD

ASPHALT WALKS, DRIVEWAYS

CONCRETE - WALKS, DRIVEWAYS

MILL ASPHALT

STRIP AND REMOVE DELETERIOUS MATERIAL AND INFILL DITCH WITH APPROVED FILL MATERIAL, COMPACT AS SPECIFIED

+++++ CLEAR AND GRUB TREES AND BRUSH

TREES TO BE REMOVED (INCLUDING STUMPS) BY OTHERS PRIOR TO CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE FOR REMOVAL OF

C.B. TO BE REMOVED & LEAD PLUGGED UNLESS OTHERWISE NOTED ON UTILITY DRAWINGS. UTILITY POLES (H. & L. ETC.) AND TRAFFIC POLES (T.L.) TO BE REMOVED.

SEWERS, GUIDE RAILS, CURBS, ETC. TO BE REMOVED

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

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Issued	ВуВу	Аффф.	
File Name: 165620244_C_001-3	 Chkd		2020 YY.MM

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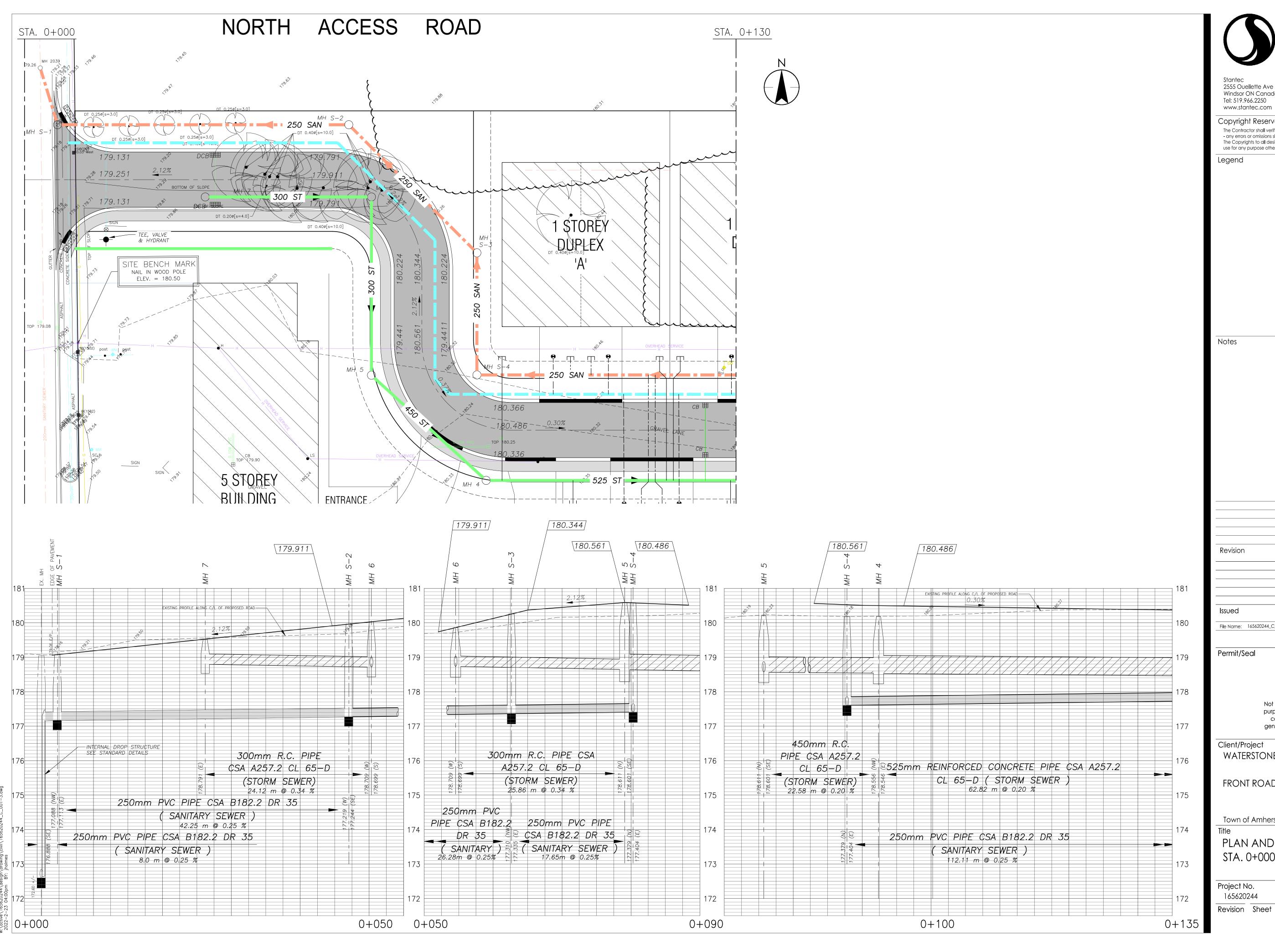
WATERSTONE ANDERDON DEVELOPMENT

front road subdivision

Town of Amherstburg, Ontario

Scale 1:400

Drawing No.





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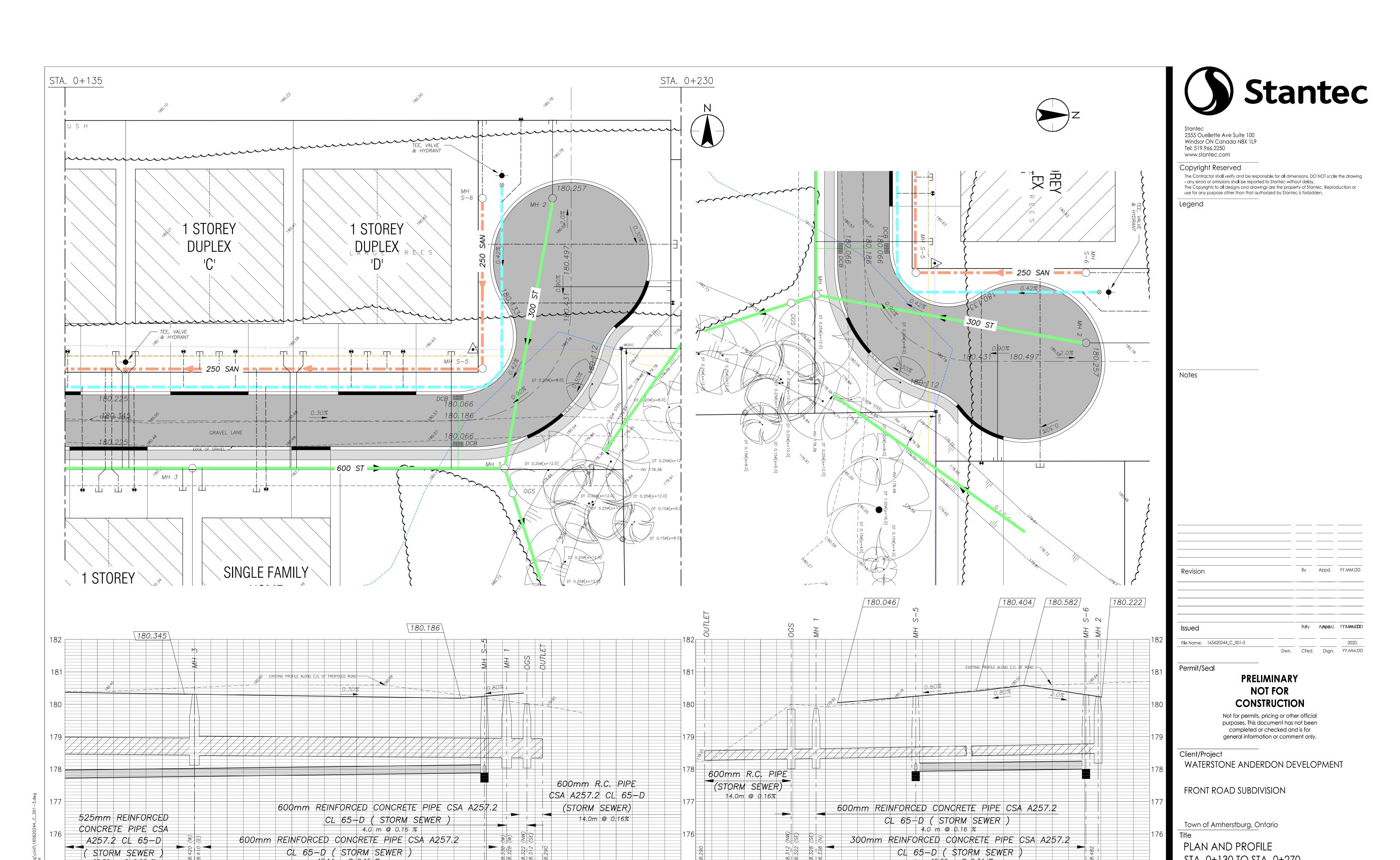
FRONT ROAD SUBDIVISION

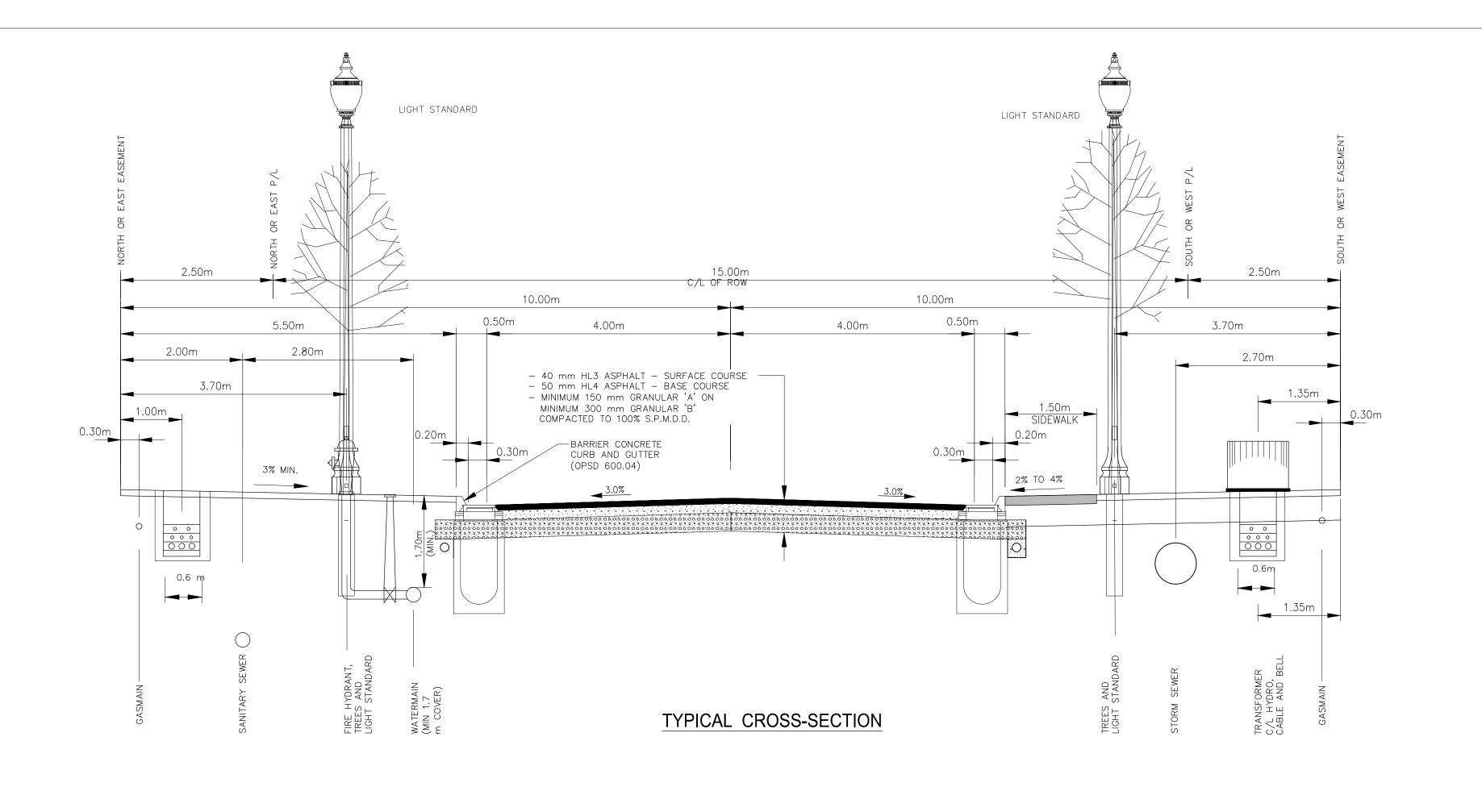
Town of Amherstburg, Ontario PLAN AND PROFILE STA. 0+000 TO STA. 0+135

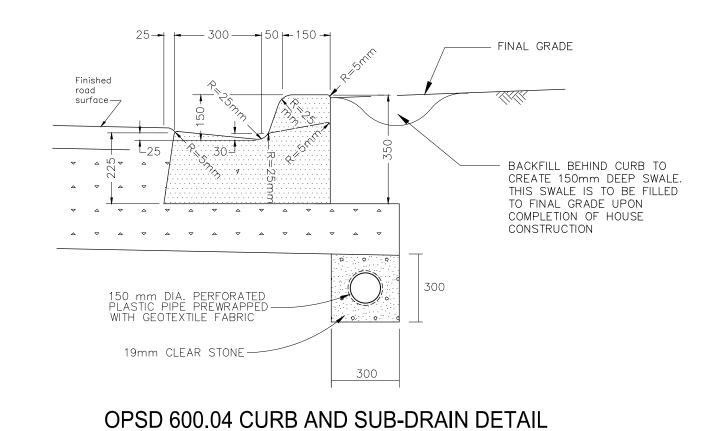
Project No. 165620244

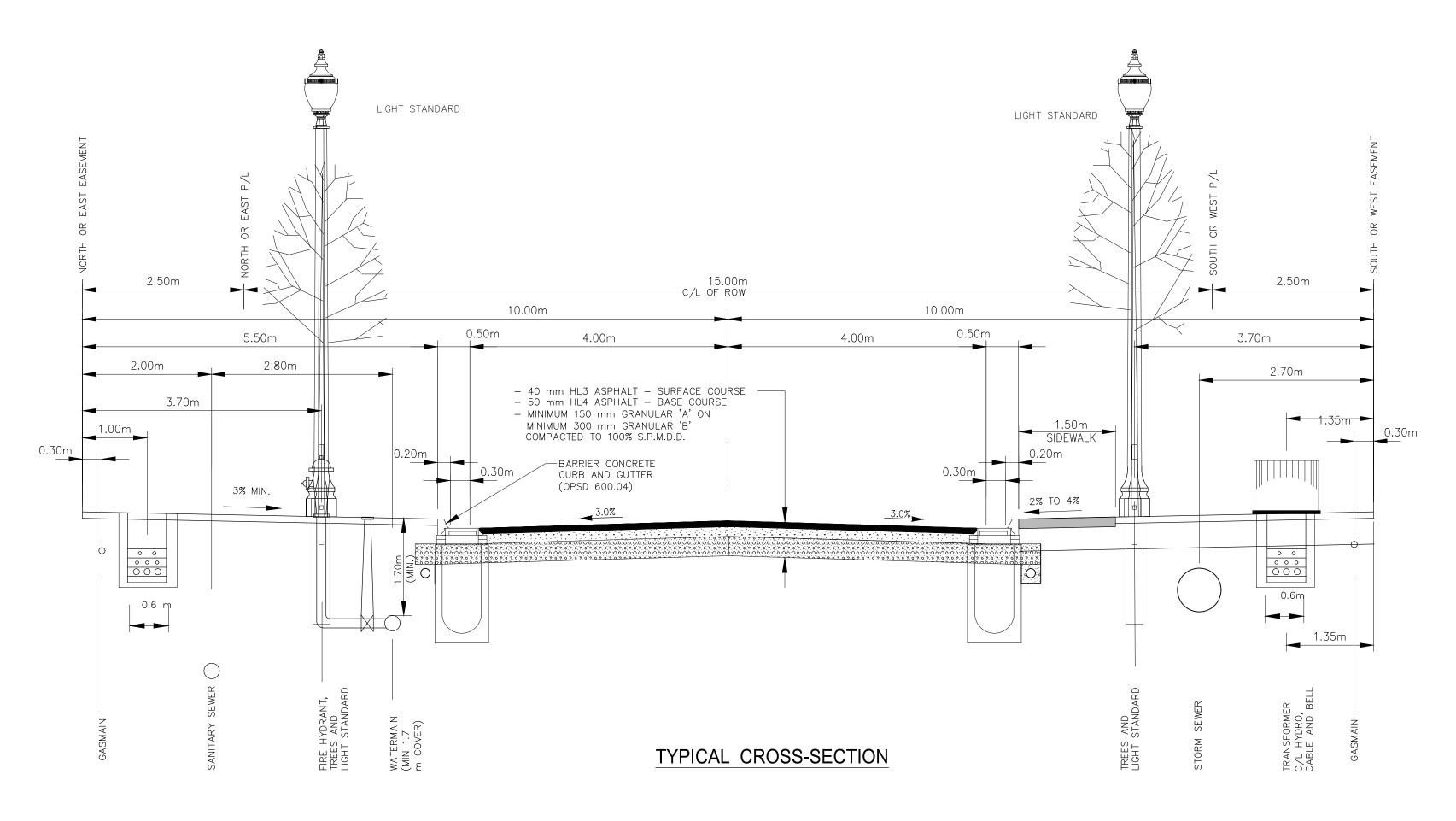
Scale

Drawing No.











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Client/Project

WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

TYPICAL CROSS SECTIONS

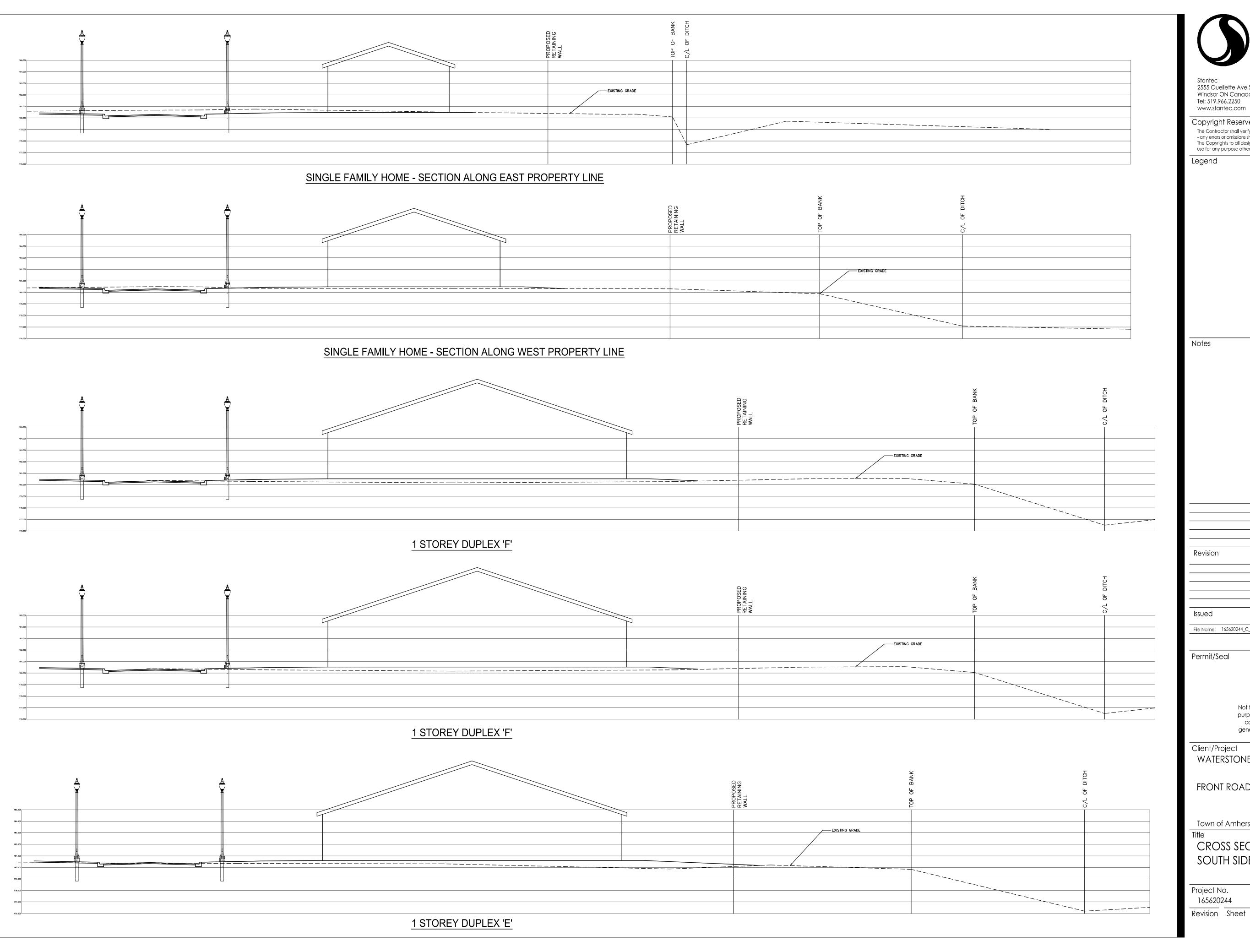
Project No. 165620244

Revision Sheet

Scale 1:50

Drawing No.

C-301





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			20/14/14
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File Name: 165620244_C_301			2020
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WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

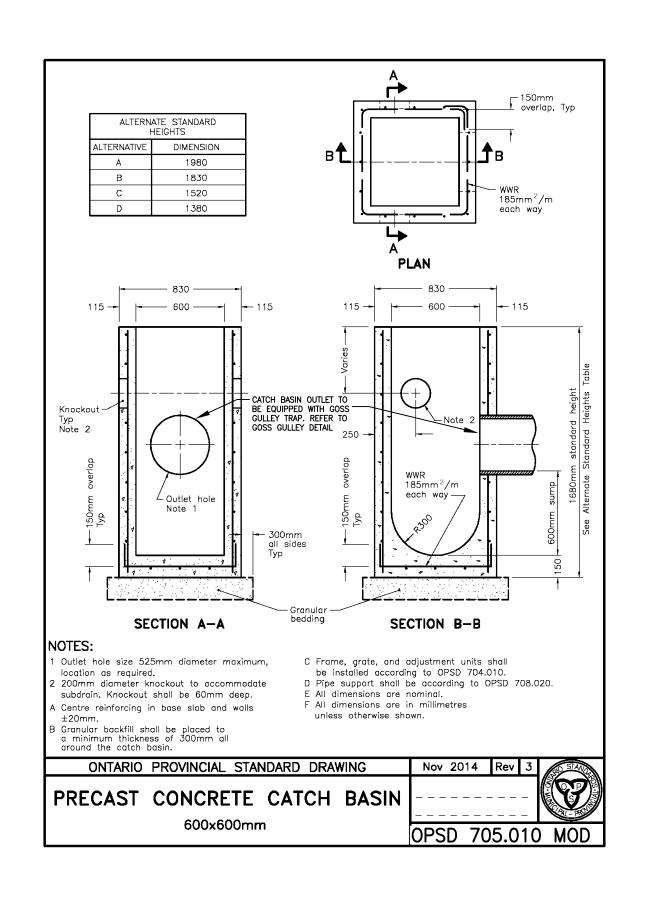
CROSS SECTIONS OF UNITS ALONG SOUTH SIDE OF ROAD

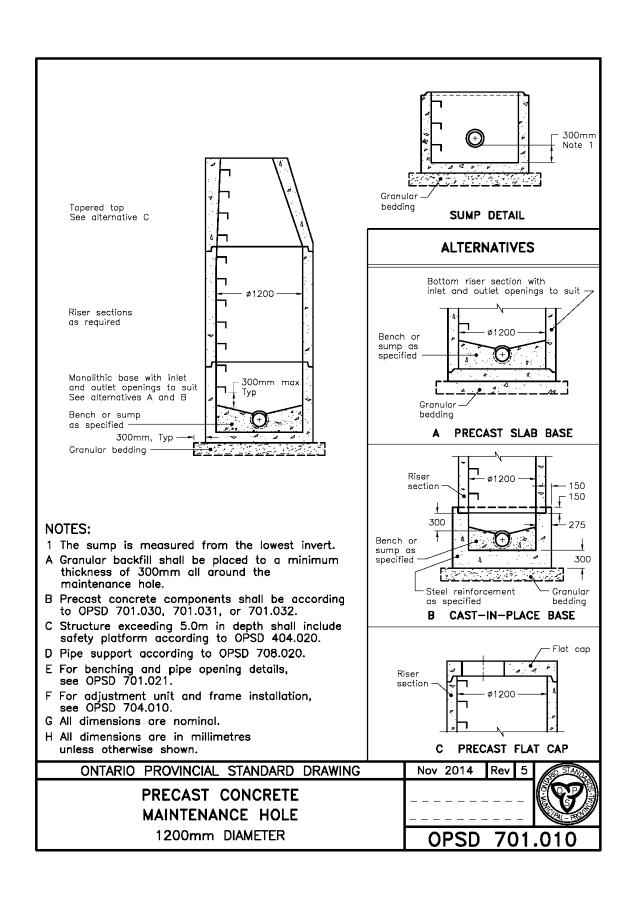
165620244

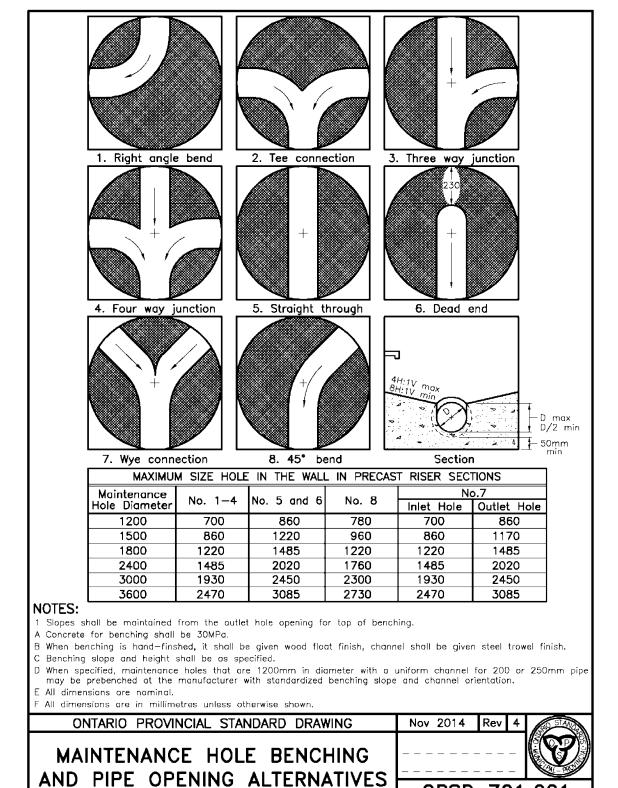
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Drawing No.

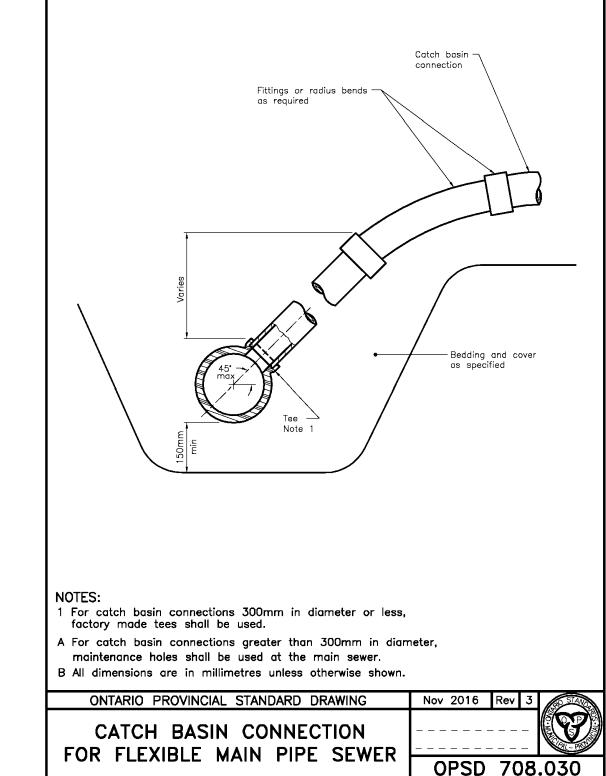
C-302

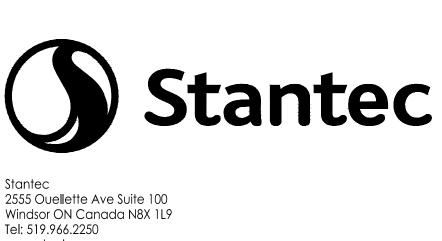






OPSD 701.021



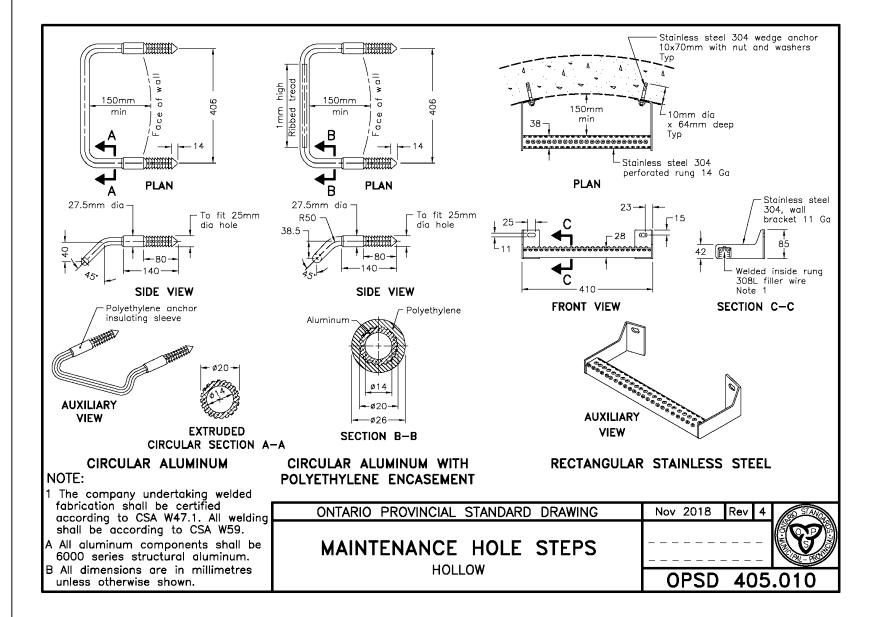


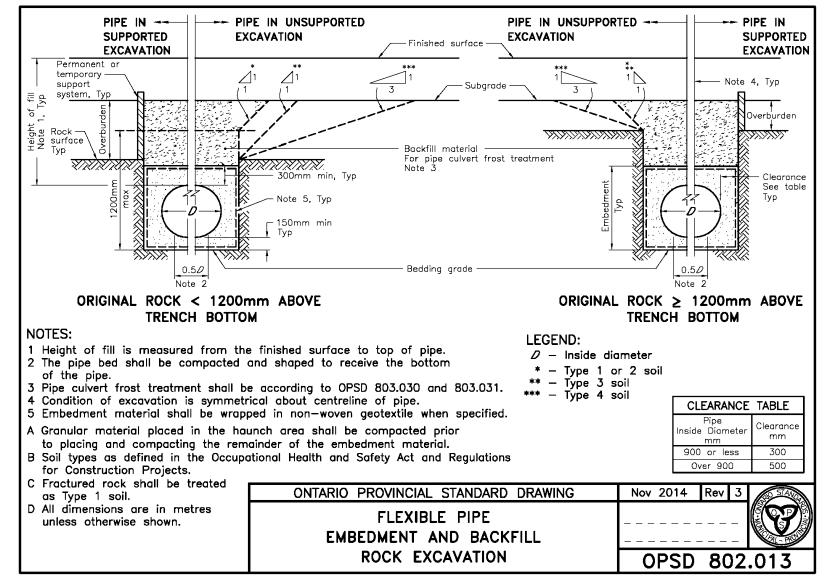
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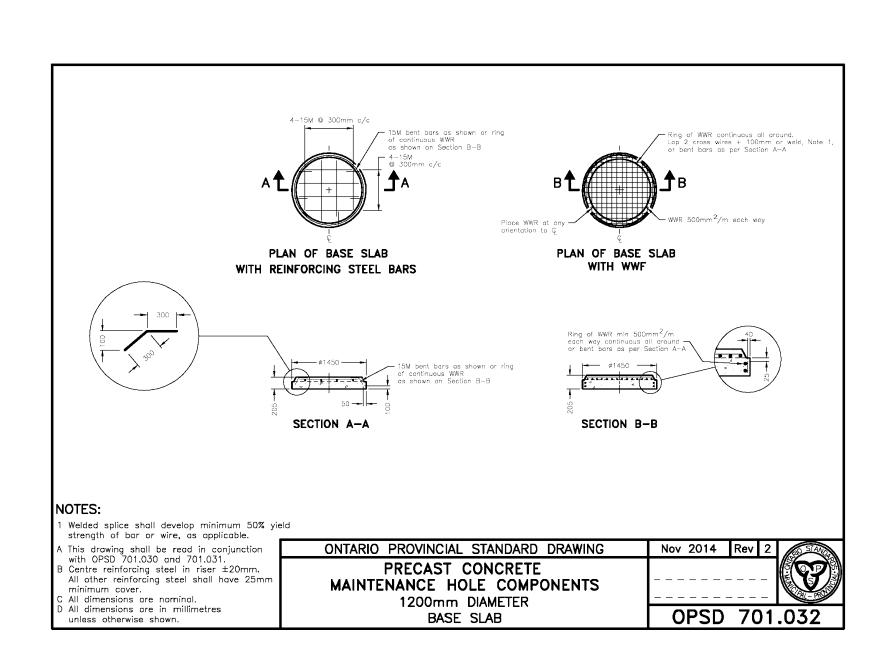
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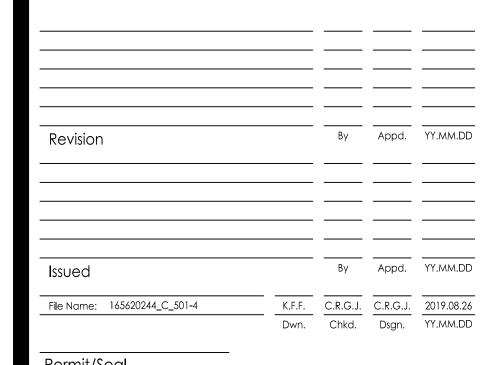
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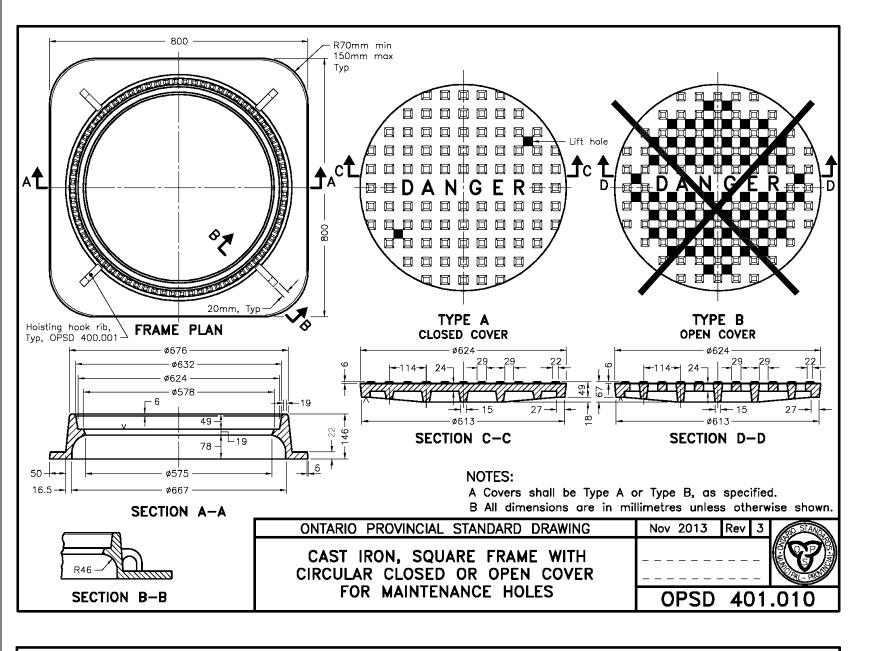
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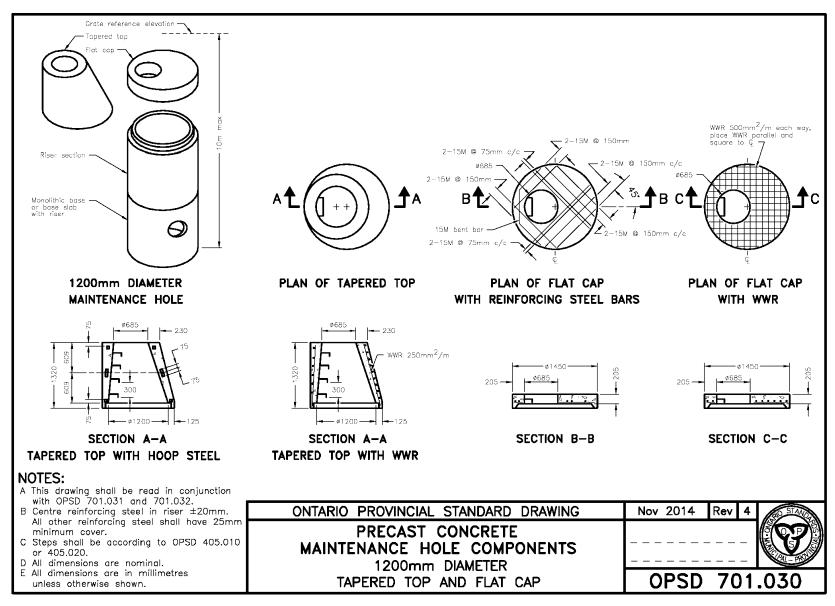
Town of Amherstburg, Ontario STANDARD DETAILS

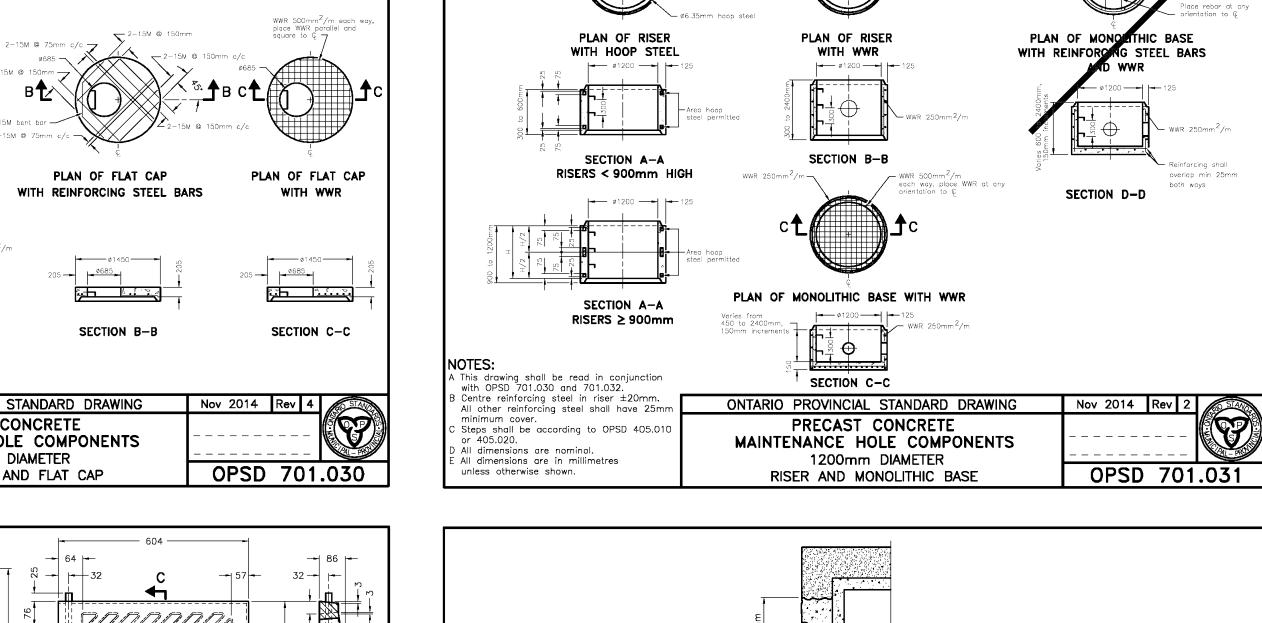
Project No. 165620244

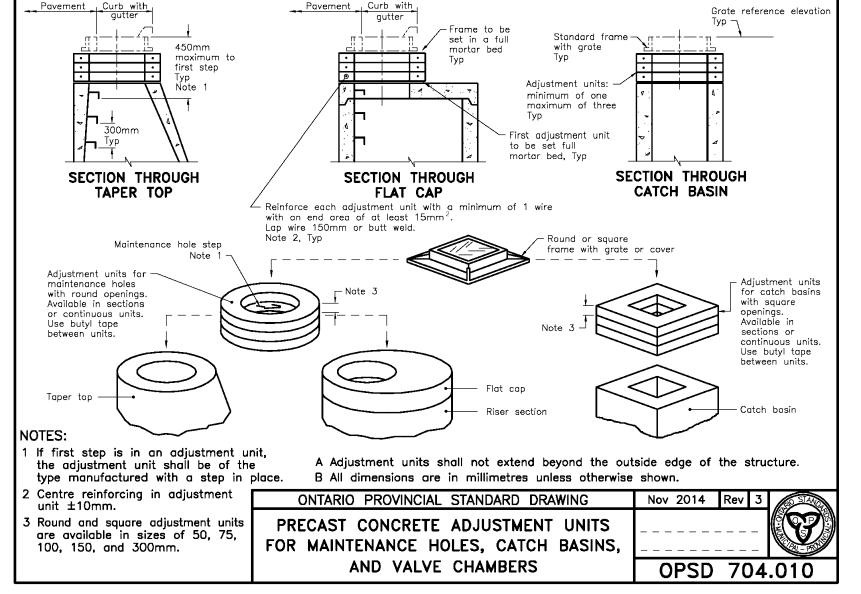
Revision Sheet

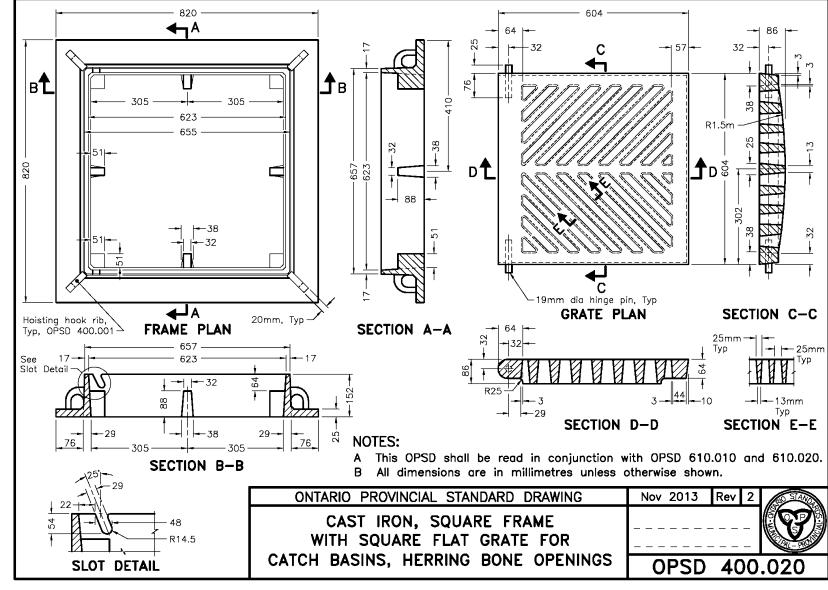
Scale **SCALE** Drawing No.

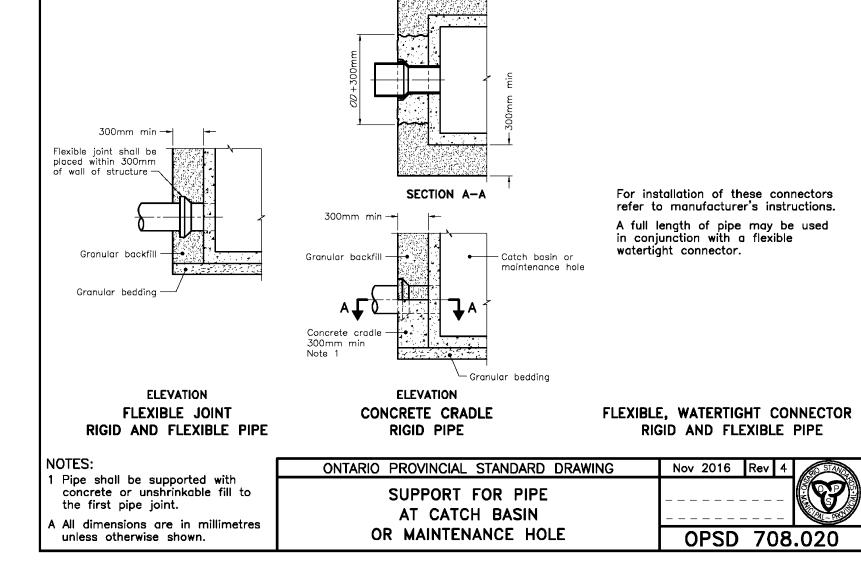


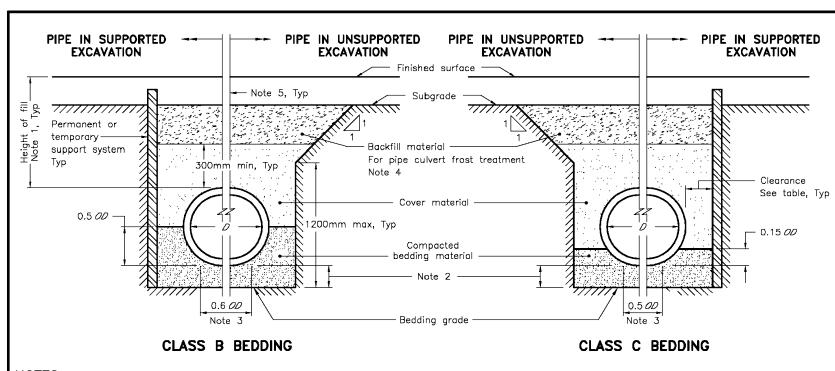


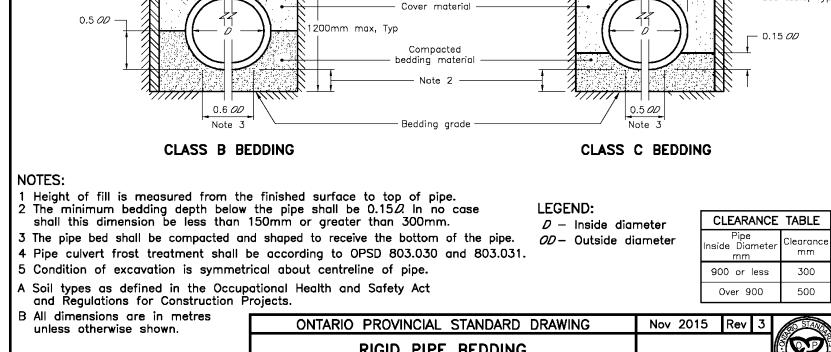










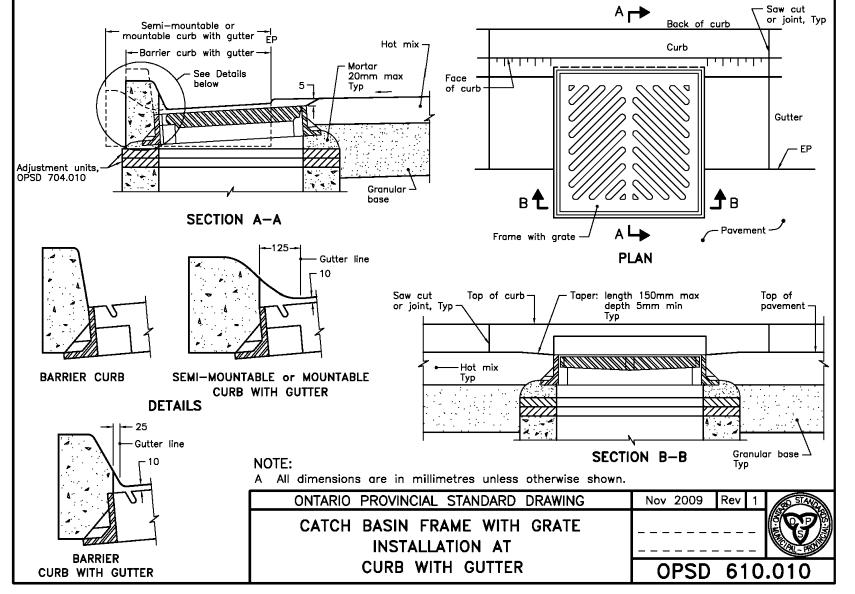


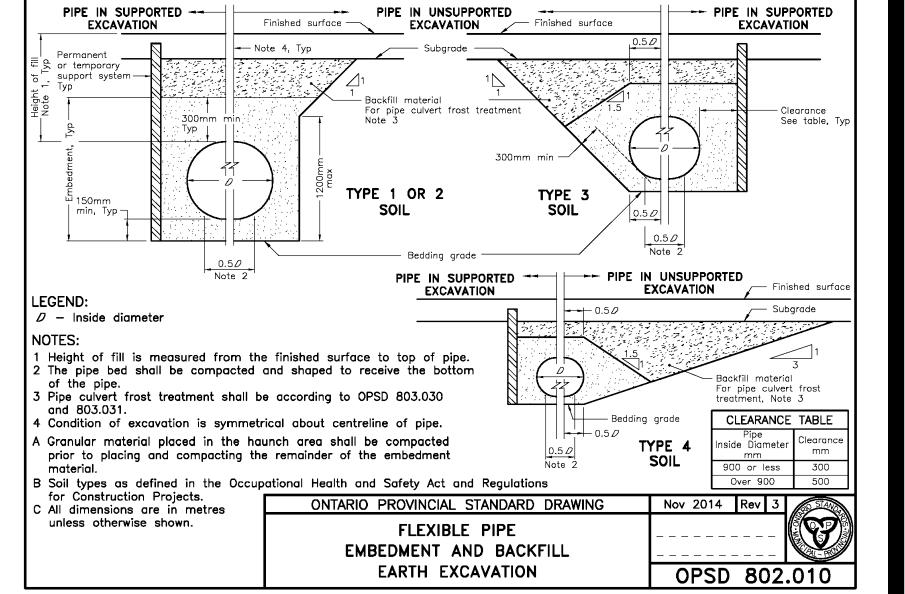
RIGID PIPE BEDDING,

COVER. AND BACKFILL

TYPE 1 OR 2 SOIL - EARTH EXCAVATION

OPSD 802.030







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Notes

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Client/Project WATERSTONE ANDERDON DEVELOPMENT

Town of Amherstburg, Ontario

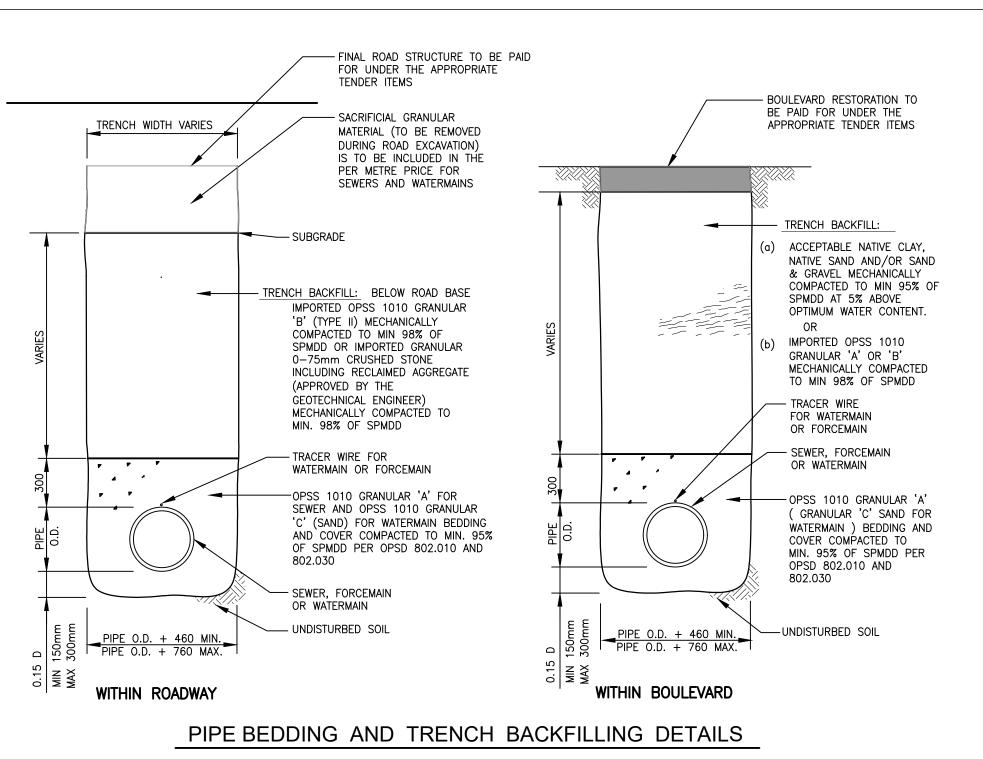
FRONT ROAD SUBDIVISION

STANDARD DETAILS

Project No. 165620244

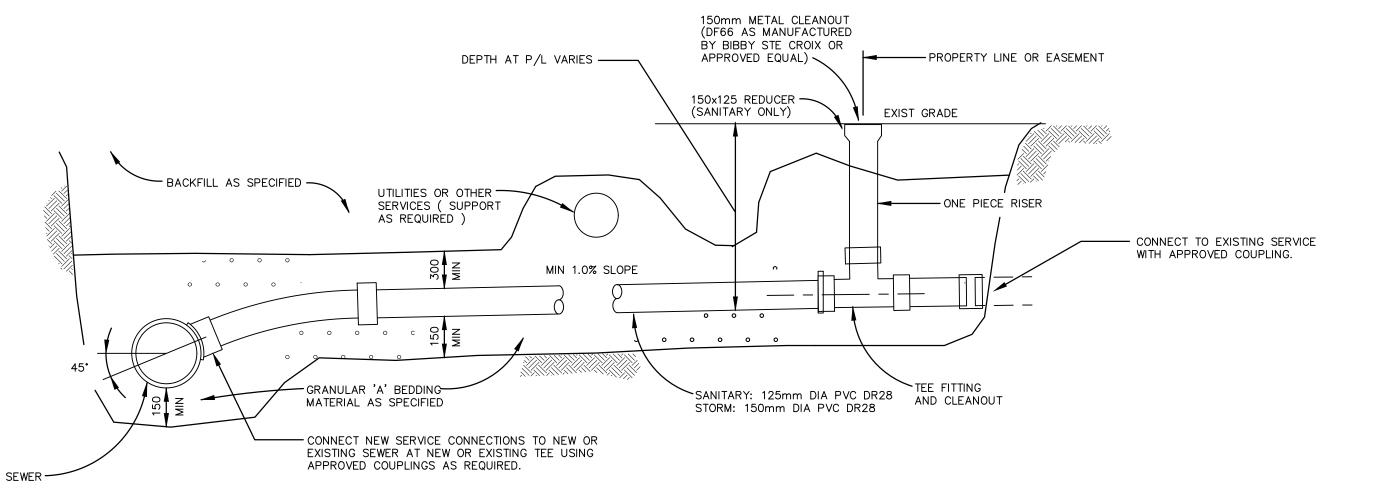
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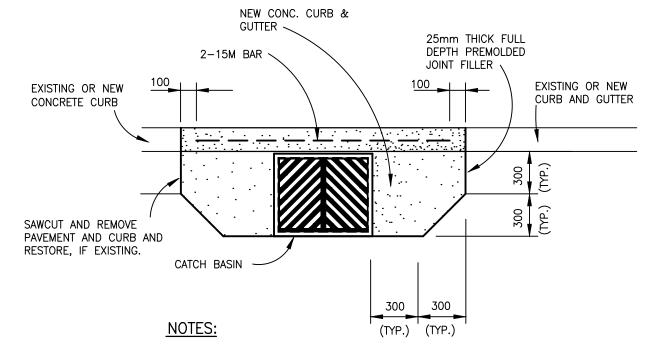


NOTES:

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



SEWER SERVICE CONNECTIONS



 FRAME AND COVER TO BE ADJUSTED TO FINAL GRADE AND CONCRETE BOX-OUT INSTALLED PRIOR TO PLACEMENT OF SURFACE ASPHALT.

TYPICAL STANDARD INLET CATCH BASIN AND CONCRETE BOX-OUT DETAILS

N.T.S.

ASPHALT CURB (MATCH DIMENSIONS
OF CONCRETE CURB)

SAWCUT AND REMOVE
PAVEMENT AND CURB AND
RESTORE, IF EXISTING.

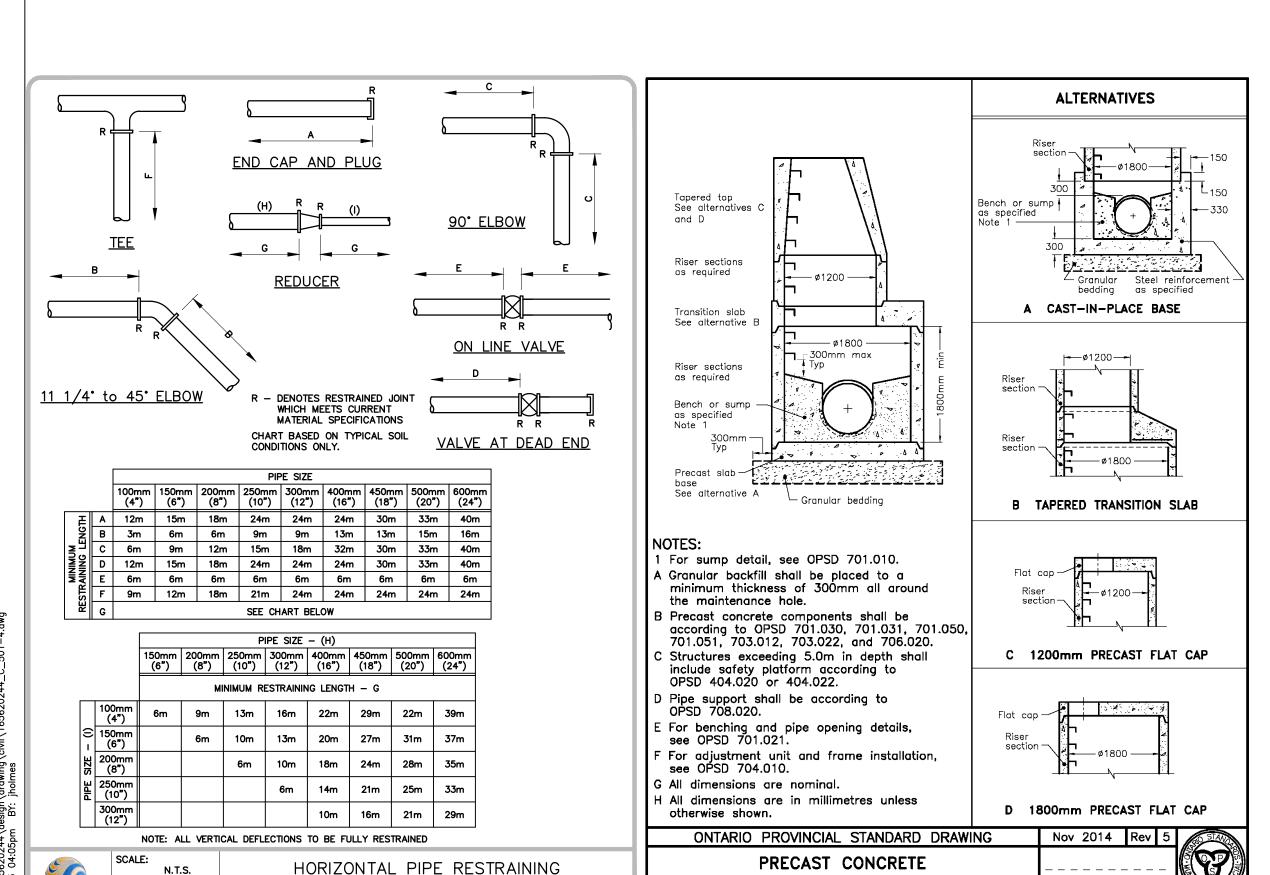
RAMP ASPHALT AT
GUTTER (TYPICAL)

BASE COURSE ASPHALT

CATCH BASIN - TOP
ELEVATION LEVEL WITH BASE
COURSE ASPHALT

NOTES:

- 1. NEW FRAME AND COVERS TO OPSD 400.020 ARE TO BE INSTALLED ON NEW 600x600 CONCRETE CB STRUCTURES.
- 2. PROVIDE NEW CONCRETE ADJUSTMENT BRICKS AND MORTAR AT NEW AND EXISTING CB STRUCTURES.
- 3. PROVIDE 200mm DIA. PVC CONNECTION PIPE FOR SINGLE CATCH BASINS AND 250mm DIA. PVC CONNECTION PIPE FOR TWO CATCH BASINS UNLESS OTHERWISE NOTED.



FOR PVC AND DUCTILE IRON

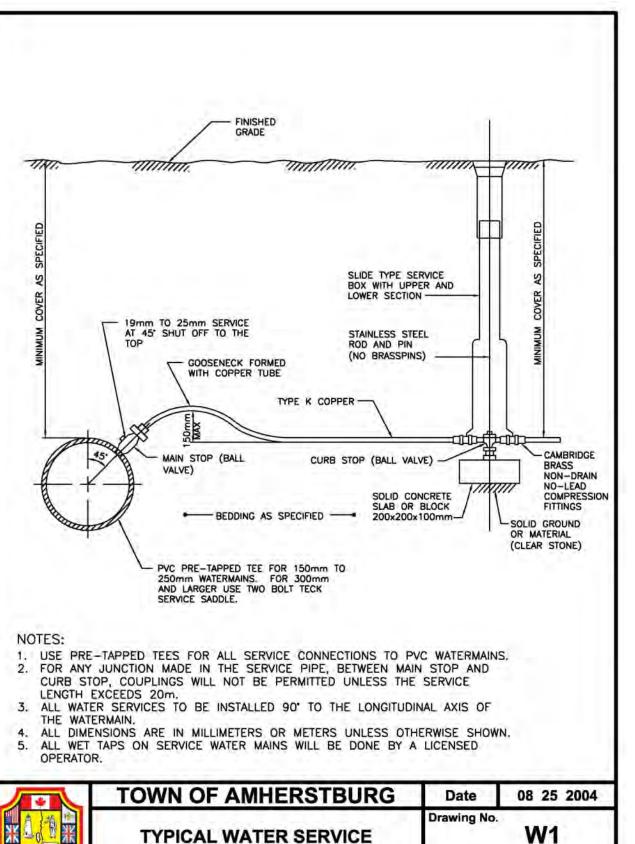
FITTINGS AND VALVES

2007.03.28

MAINTENANCE HOLE

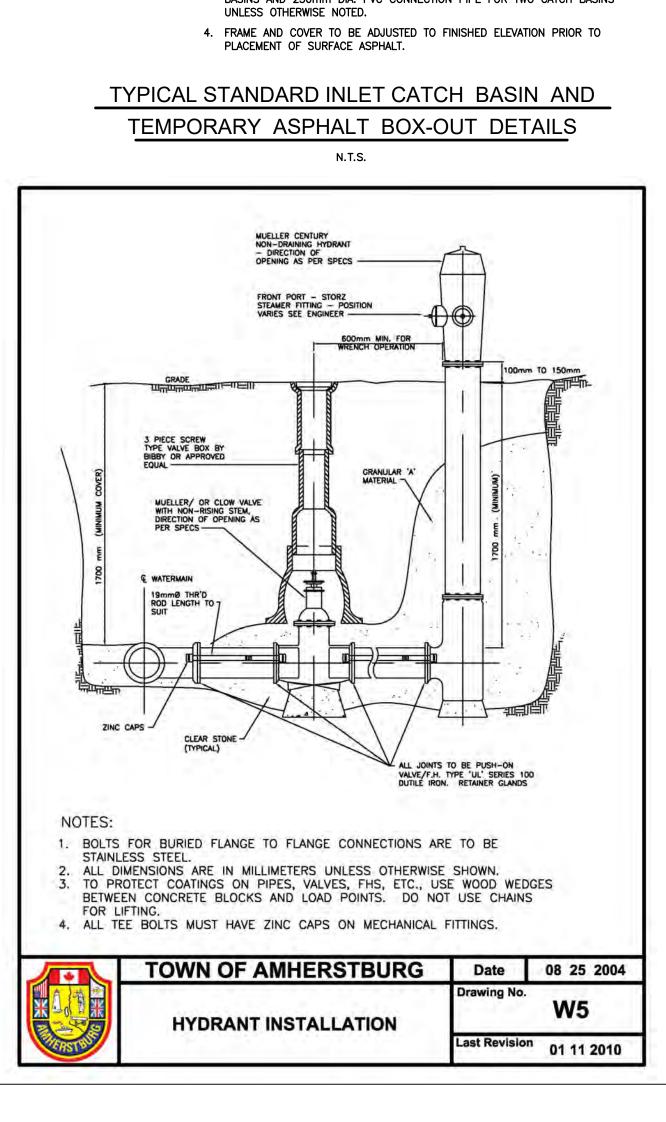
1800mm DIAMETER

OPSD 701.012



INSTALLATION

Last Revision 01 11 2010





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Legend

Notes

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Client/Project
WATERSTONE ANDERDON DEVELOPMENT

FRONT ROAD SUBDIVISION

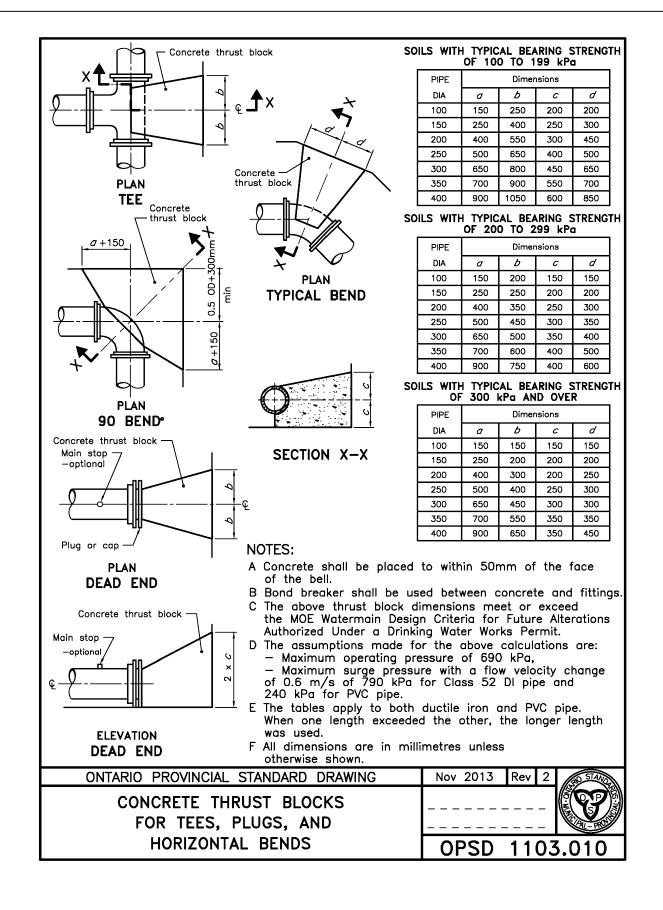
Town of Amherstburg, Ontario itle

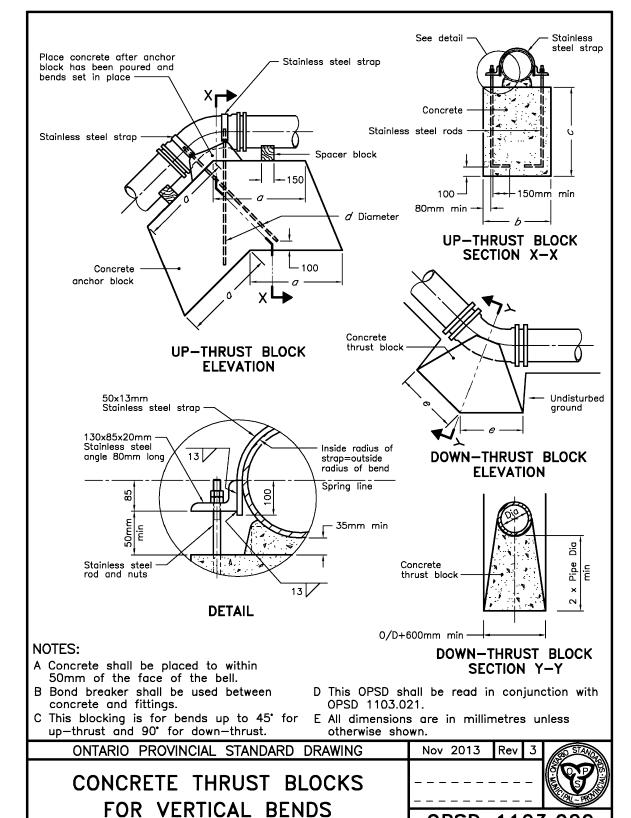
STANDARD DETAILS

Revision Sheet

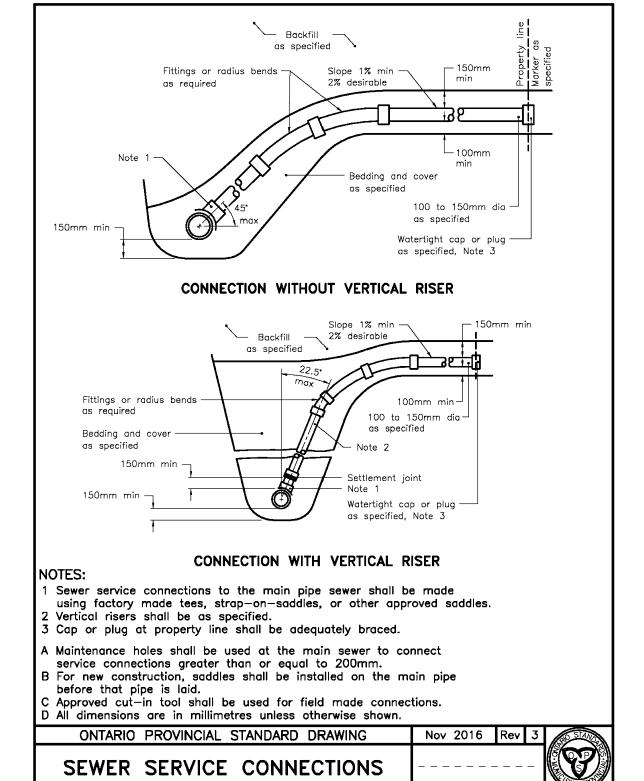
Project No. Scale
165620244 SCALE

C-503

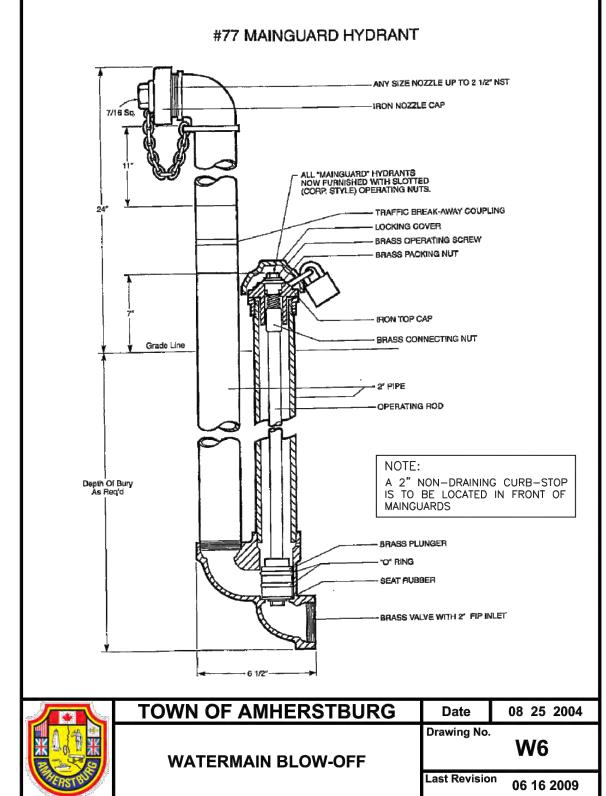




OPSD 1103.020



FOR MAIN PIPE SEWER



150mmx10mm DIA.

10mm DIA. STAINLESS STEEL BOLT, NUT AND

STAINLESS STEEL

ANCHOR BOLT

LOCK WASHER

NON-CORROSIVE,-

WIDE, 11 GAUGE

BANDS TO SECURE DROP STRUCTURE

200mm DIA. ——

SIZE OF DROP PIPE

DROP PIPE I.D

(mm)

200

200

250

300

DETAIL 'C'

CHANNEL

N.T.S.

INTERNAL DROP STRUCTURE TO BE USED

WHEN THE INLET PIPE INVERT IS 600mm OR GREATER ABOVE THE BOTTOM OF THE

PVC DROP PIPE

PRECAST CONCRETE

304 S.S. 38mm

TO WALL

MANHOLE

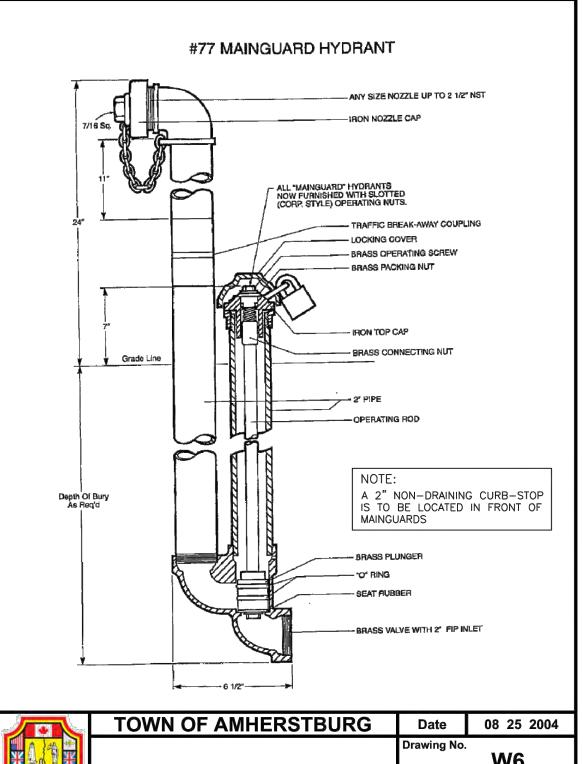
(mm)

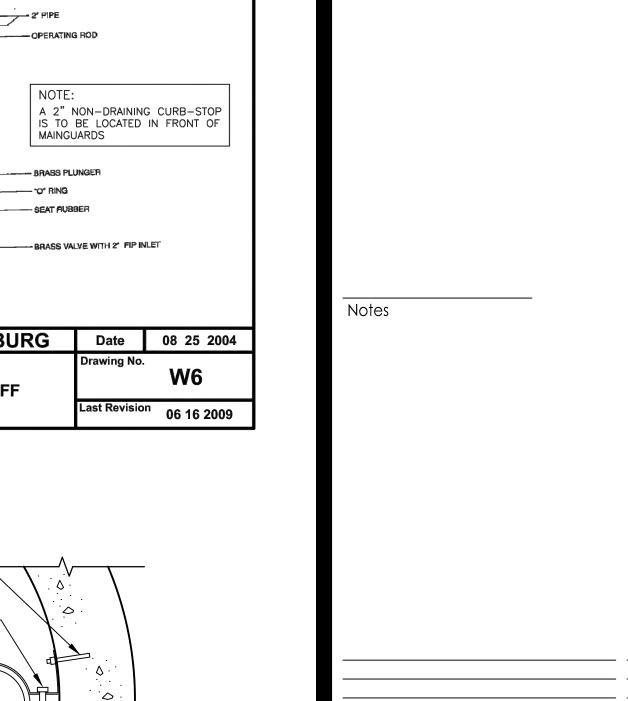
200

250

300

375





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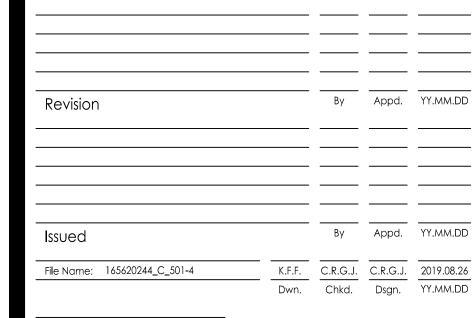
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WATERSTONE ANDERDON DEVELOPMENT

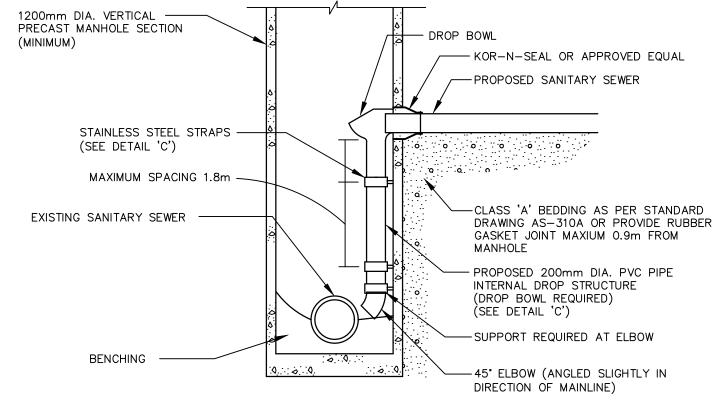
FRONT ROAD SUBDIVISION

Town of Amherstburg, Ontario

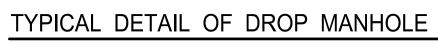
STANDARD DETAILS

Scale Project No. 165620244 SCALE Revision Sheet

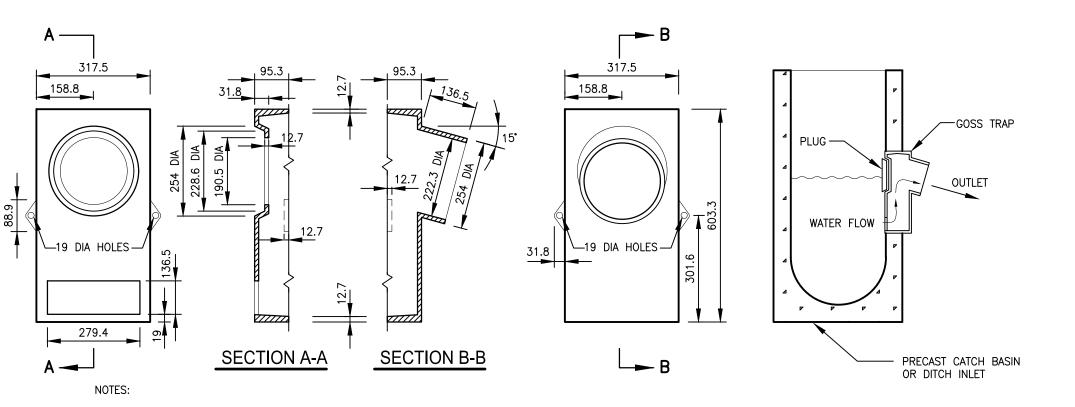
Drawing No.



OPSD 1006.010

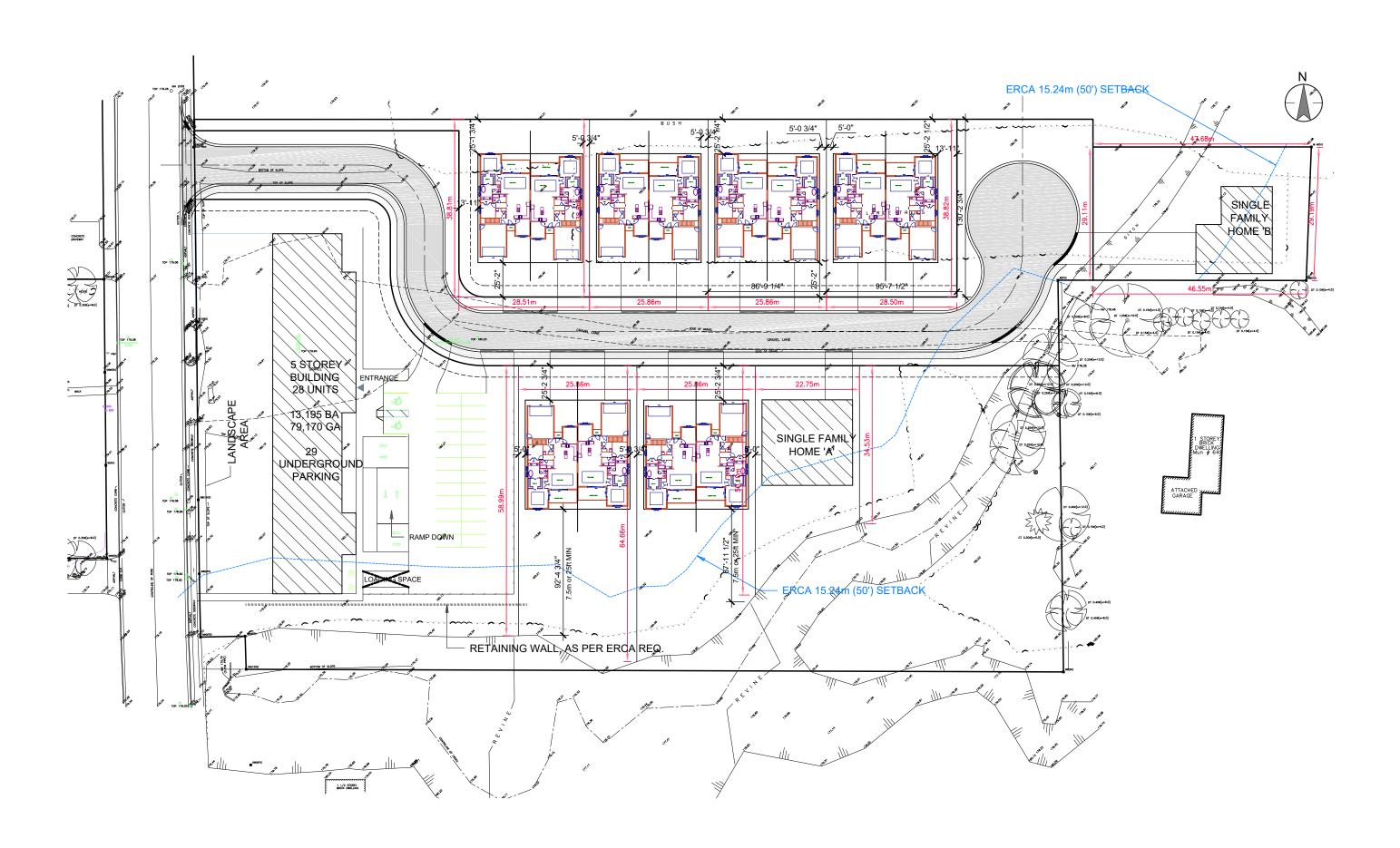


N.T.S.

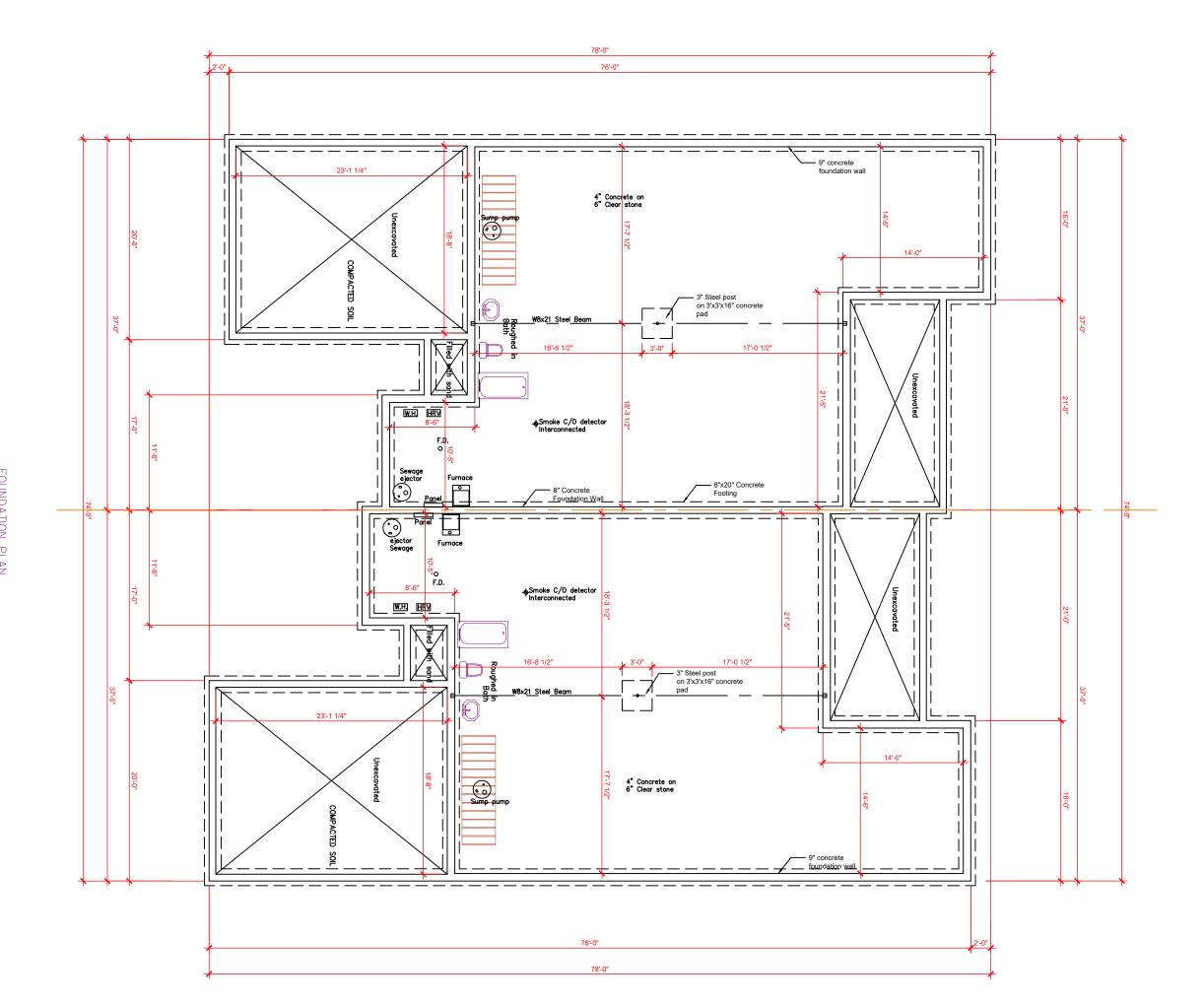


- 1. AS ILLUSTRATED IN THE DIAGRAM ABOVE, THE GOSS TRAP HELPS PREVENT SUBSTANCES FLOATING ON THE SURFACE (IE GAS, OIL,
- LEAVES, BRANCHES, ETC) FROM ENTERING THE PIPE. 2. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN.
- 3. ALL CB's, DOUBLE CB's & DICB's SHALL INCLUDE GOSS GULLY AT OUTLET PIPE.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

APPENDIX C: FLOOR PLANS & RENDERINGS



PRODUCED BY AN AUTODESK STUDENT VERSION



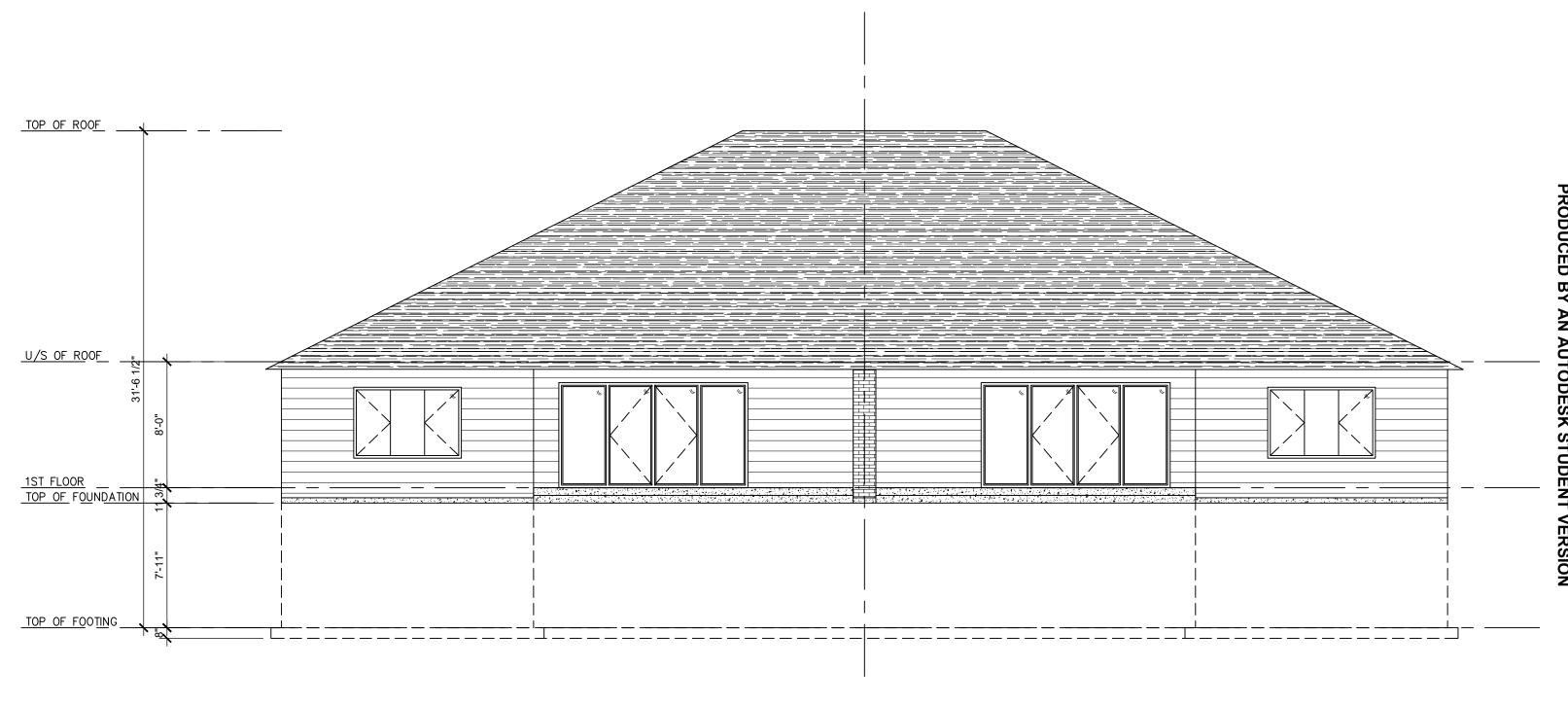
PRODUCED BY AN AUTODESK STUDENT VERSION

Ý ※ ※ 9'-4 1/2" . 11'-7 1/2"

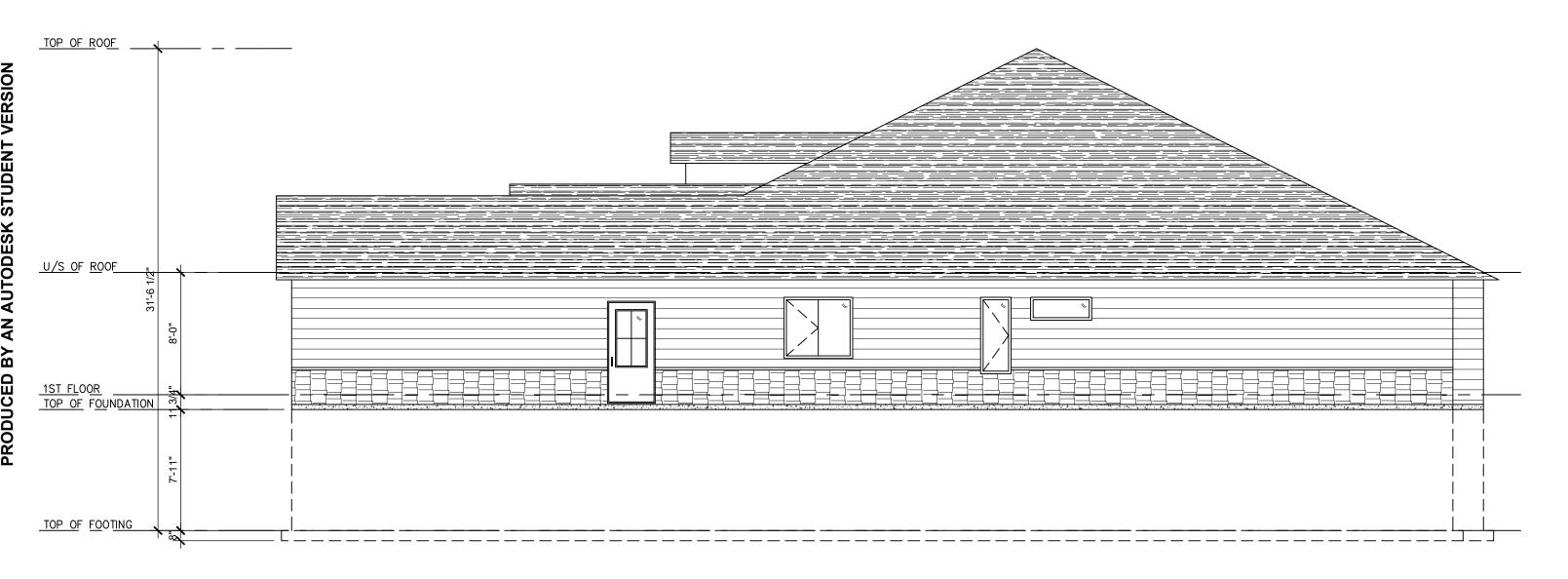
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PRODUCED BY AN AUTODESK STUDENT VERSION

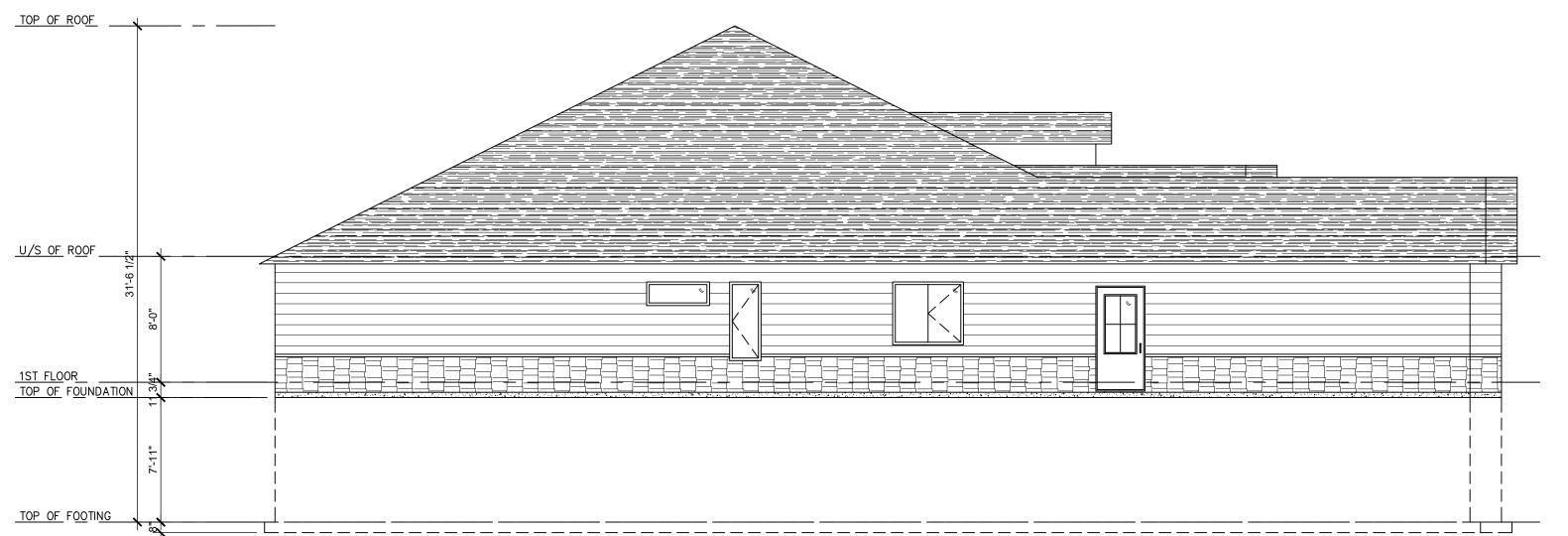
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REAR ELEVATION



RIGHT ELEVATION



PRODUCED BY AN AUTODESK STUDENT VERSION

LEFT ELEVATION

