

THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

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

Author's Name: Sarah French	Report Date: May 24, 2024
Author's Phone: 519 736-5408 ext. 2145	Date to Council: June 10, 2024
Author's E-mail: sfrench@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Zoning By-law Amendment ZBA-07-24 for 527 Sandwich Street South

1. RECOMMENDATION:

It is recommended that:

1. By-law 2024-033 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 527 Sandwich Street South and E/S Sandwich Street South be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

2. BACKGROUND:

The Town is in receipt of an application for a Zoning By-law Amendment to By-Law 1999-52 from 1000043272 Ontario Inc. c/o Maxwell Abraham. The subject lands are located on the east side of Sandwich Street South, between McCurdy Drive and Malden Hill Drive and are municipally known as 527 Sandwich Street South and E/S Sandwich Street South (refer to Appendix "A" in the attachments).

A Statutory Public Meeting under the Planning Act was held on May 13, 2024, at which no comments or questions were received from members of the public and questions were received from Council that are addressed in the Discussion portion of this report.

The subject property is designated General Commercial in the Town's Official Plan.

3. DISCUSSION:

The effect of the amendment will be to allow patios accessory to three fast food restaurant/drive-through restaurant pads. Section 3.22(b)(i) restricts outdoor patios where

any lot line adjoins lands which are in a residential zone class. The amendment will specifically allow patios accessory to fast food restaurants/drive-through restaurants and will not permit patios accessory to any other uses. All other requirements of the Commercial Highway (CH) Zone will be maintained, except as amended through minor variance application A/02/23, approved February 1, 2023. Parking will not be required for the patios as they are accessory to the drive-through restaurants.

Statutory Public Meeting Follow-up

Administration has addressed the questions and concerns raised at the Statutory Public Meeting through a table located below.

Table 1: Comments from the Statutory Public Meeting regarding the Zoning By-law Amendment proposed for 527 Sandwich Street South.

Comment proposed for 527 Sa	Administration's Response
Question about why patios are not permitted on the site within the zoning.	The Zoning By-law 1999-52, as amended, does not separate patios into different types of patios. Some patios may have more of a negative impact on neighbouring residential uses than other types of patios. For instance, patios with full service, alcohol, entertainment, etc., might cause a disturbance on neighbouring residential uses and often require additional regulation or mitigation efforts. The patios proposed are for fast food restaurants without full service or alcohol. Additionally, there are drive-through lanes proposed between the patios and the residential uses and increased landscaping and fencing to help buffer the noises from the proposed uses. It is Administration's opinion that the patios as accessory uses to fast food restaurants are appropriate uses on the subject site.
Have there been any letters or comments received from residents? Has the on-site and off-site traffic flow been considered in the design of the site?	The Planning Services Department did not receive any letters, phone calls or walk in enquiries from residents regarding the proposed amendment. The site has an approved Site Plan Control agreement in place. One of the requirements of the site plan control process was a Traffic Impact Study that analyzed both on-site and off-site flow. Administration from the Planning Services and Infrastructure Services Departments worked with the applicant and their consulting traffic engineer to redesign the site in order to increase traffic and pedestrian safety, prior to the approval of the site plan control agreement.

Planning Analysis

Planning Act (R.S.O. 1990)

The purposes of the Planning Act are;

- "(a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- (b) to provide for a land use planning system led by provincial policy;
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions:
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- (e) to encourage co-operation and co-ordination among various interests;
- (f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s"

The proposal is consistent with Section 2 of the Planning Act which requires that the Council have regard to matters of provincial interest including (the following are excerpts from Section 2 of the Planning Act that apply to this development):

- the orderly development of safe and healthy communities;
- the adequate provision of employment opportunities;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
 - o the promotion of built form that,
 - o is well-designed,
 - o encourages a sense of place, and
 - o provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposal provides for orderly development of the community by providing additional commercial uses within one of the commercial corridors of the Town. The site was redesigned during the site plan control process to encourage pedestrian friendly access. The patios will provide for attractive public spaces that will help encourage a sense of place and provide opportunity for customers to remain on site rather than passing through within their vehicle.

Provincial Policy Statement

The Provincial Policy Statement was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

When reviewing a planning application to determine if the requested Zoning By-law Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS).

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS recognizes that the wise management of development may involve directing, promoting, or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns.

The following policy excerpts from the PPS are particularly applicable to the subject application:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

- 1.1.1 Healthy, liveable, and safe communities are sustained by:
 - a) Promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term.
 - b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries, and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.
 - c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
 - d) Avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*.
 - e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
 - f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
 - g) Ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and project needs.
 - h) Promoting development and land use patterns that conserve biodiversity; and
 - i) Preparing for the regional and local impacts of a changing climate.
- 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the province as a result of a provincial planning exercise or a provincial plan, that time frame may be used

for municipalities within the area. Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*. Nothing in policy 1.1.2 limits the planning for *infrastructure, public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

- 1.1.3.1 Settlement areas shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - d) prepare for the impacts of a changing climate;
 - e) support active transportation;
 - f) are transit-supportive, where transit is planned, exists or may be developed; and
 - g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

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

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
 - e) ensuring the necessary infrastructure is provided to support current and projected needs.

The proposed amendment appears to be consistent with the PPS as it facilitates development within the existing settlement and growth area, allowing for efficient use of an infill site located between similar styles of uses.

The proposed amendment appears to be consistent with Section 1.3 of the PPS, as it increases the mix and range of employment uses within the Town of Amherstburg. In order to operate the standard drive-through restaurants, the occupants require the use of an outdoor patio. The commercial areas within the Town of Amherstburg provide employment areas and opportunities for the development of population-related job growth.

County of Essex Official Plan

The County of Essex Official Plan was adopted on February 19, 2014 and was approved by the province on April 28, 2015. All lower tier Official Plans or amendments must comply with the policies of the upper tier Official Plan (County). The applicable County policies that should be considered when assessing the merits of the subject Official Plan Amendment include:

Section 1.5 Goals for a Healthy County outline the following:

 To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities.

- To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and transportation systems that create more sustainable, efficient, healthy, and liveable communities.
- To create more mixed use, compact, pedestrian-oriented *development* within designated and fully serviced urban *settlement* areas.
- To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.
- To prohibit urban forms of *development* outside of designated "Settlement Areas" and discourage urban *development* in areas with partial municipal services.

Section 2.2 Growth Management note the following:

The health of the County requires that long-range land use planning and *infrastructure* investment are properly managed in a way that will:

- Direct non-resource related growth and *development* to settlements where it can be serviced, with a particular emphasis on *Primary Settlement Areas*.
- It is the fundamental policy of this Plan to promote healthy and diverse communities where County residents can live, work and enjoy recreational opportunities. In this regard, every attempt should be made to optimize and make efficient use of existing infrastructure.

Section 3.2.4.1 Primary Settlement Areas Policies outline the following:

The following policies apply to Primary Settlement Areas:

- a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.
- b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).
- c) Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan.
- d) All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.
- e) Expansions of the boundaries of a Primary Settlement Area shall only occur in accordance with the Local Comprehensive Review policies in Section 3.2.3.1 of this Plan. An amendment to this Plan and the local Plan shall be required to alter the boundary of any "Settlement Area".
- f) Downtown/Uptown areas should maintain and/or enhance the existing character of these areas. Mixed-use development and an accessible pedestrian oriented streetscape are encouraged. The preparation of Community Improvement Plans are also encouraged.

- g) The County encourages the redevelopment of brownfield properties.
- h) All types of land use are permitted within the "Settlement Areas" designation subject to the specific land use policies of the local Official Plans.
- i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.
- j) The County supports universal physical access and encourages the building industry to incorporate such features into new structures.

The proposed amendment appears to be in conformity with the County of Essex Official Plan as it provides for development on full services within the existing settlement area and provides for a greater density of uses than what previously existed on the subject site. The subject lands have been developed in the past with commercial uses and the proposed development provides for a higher density use on the site than previously existed. The site plan was reviewed for pedestrian access and amended prior to approval to contain additional pedestrian pathways and signage. The patios are proposed to help provide for a pedestrian friendly atmosphere on the site, encouraging customers to remain on the site rather than quickly pass through within a vehicle.

Town of Amherstburg Official Plan

The subject lands are designated General Commercial in the Town of Amherstburg's Official Plan.

Section 4.4.2 of the Official Plan states:

The uses permitted in the General Commercial designation shall include those commercial establishments offering goods and services which primarily serve the whole of the municipality's market area and shall include such uses as retail commercial establishments, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential uses above the first floor.

. . .

Recreational uses, automobile service stations and automobile sales and service agencies, car washes, agencies for recreational vehicles, motels, drive-through restaurants or other drive through establishments shall be restricted to locations on Sandwich Street north of Alma Street or South of Pike Street or on Simcoe Street.

Adequate buffer planting shall be provided between the commercial use and any adjacent

residential areas and such buffer planting may include provisions for grass strips, berms,

screening and appropriate planting of trees and shrubs, or distance, and all development will be subject to Site Plan Control and any lighting or signs shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses. Every effort will be made to reduce the number of driveway entrances along Arterial Roads by ensuring that, wherever possible, mutual

driveway entrances serving two or more lots or developments are provided or planned for through Site Plan Control.

The subject lands have been through the site plan control process with an approved agreement dated November 21, 2023 and an approved amendment dated January 19, 2024. The property owners are currently pursuing an amendment to the site plan to finalize Phase 2 of the development, which is the commercial plaza on the property.

The subject lands have also been the subject of Minor Variance application A/02/23 which permitted a reduced setback for the drive through restaurants from residential uses. The conditions of the minor variance approval included additional planting and fencing requirements abutting the residential uses. The minor variance decision is attached to this report as Appendix "G".

The requested zoning by-law amendment will provide permissions for the three drivethrough restaurants to have outdoor patios accessory to the restaurant uses. The Official Plan supports the use of drive-through restaurants on the subject lands. Many standard drive-through or fast food restaurants have outdoor patios associated with the building and it is the opinion of the author of this report that the outdoor patio use is accessory to a use that is supported by the Official Plan. Therefore, the proposed amendment appears to be consistent with the Official Plan.

Zoning By-law 1999-52, as amended

The subject lands are currently zoned Commercial Highway (CH) Zone. All of the uses on the site are permitted within the Commercial Highway Zone with the exception of the patios. Outdoor patios are not permitted on commercial properties when the property abuts residential uses, unless the property only abuts the residential to the rear, in which case patios would be permitted in the front yard. The subject lands abut residential uses along the rear and side lot lines.

The outdoor patios are proposed to be accessory to the drive-through restaurants. The proposed drive-through lanes will be situated between the residential properties and the patios and additional landscaping has been proposed on the land between the drive-through lanes and the residential uses. Outdoor patios associated with fast food and drive-through restaurants are typically a passive use, as there is no table service or alcohol being served. The patios are unlikely to cause an increased disturbance to the residential uses when compared to the drive-through lanes. Additional parking for the patios is not proposed and the amendment will provide an exemption for parking for the patios.

4. RISK ANALYSIS:

There is a risk that a decision on a zoning matter is appealed to the Ontario Land Tribunal. The risks noted below provides further clarity on this depending on the recommendation and Council decision on the matter.

Administration's	Decision of	Who can appeal the	Costs to the Town if
Recommendation	Council	decision to OLT.*	Appealed
Recommend approval	Approve the Recommendation	Parties who provided written and or verbal communication on this matter at the Statutory Public Meeting (SPM) or public meeting of Council, and or signed in and provided their contact information at the SPM.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to deny the application	Approve the Recommendation	The Applicant who requested the zoning amendment.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend approval	Refuse the Recommendation Note: The Planning Act defines a tied vote as a refusal.	The Applicant who requested the zoning amendment.	Planning and legal consulting services to defend Council's decision and legal consulting and Administrative time to defend Administration's recommendation before OLT.
Recommend to deny the application	Refuse the Recommendation Note: The Planning Act defines a tied vote as a refusal.	Parties who provided written and or verbal communication on this matter at the Statutory Public Meeting (SPM) or public meeting of Council, and or signed in and provided their contact information at the SPM.	Legal consulting and Administrative time to defend the decision before OLT.
Recommend to approve (or deny)	Request to defer decision on the grounds of requiring additional information.	The Applicant who requested the zoning amendment.	In this scenario it allows for the applicant to consider if the additional information requested by Council, rather than an OLT hearing is preferred. As OLT hearings are costly and time consuming the applicant may elect to provide the additional information. If that is the direction the Town may need to refund the application fee, noting the refund is also less costly for the Town than an OLT hearing.

^{*}In all matters the Municipality, the Minister of Municipal Affairs and Housing, any Prescribed Person has the right to appeal a zoning decision. The table above is to provide clarity on other parties who can appeal.

As a result of changes in the *Planning Act*, which resulted from amendments made by Bill 109 and Bill 23, a decision on a zoning matter must be made within 90 days from when the application is deemed complete. If Council does not make the decision within the required 90-days, including if the matter is deferred placing the decision past the 90 days,

the Applicant would be allowed to appeal to the Ontario Land Tribunal (OLT) on the grounds of failure to make a decision as per s. 34 (11) of the Planning Act. In addition to the costs incurred for an appeal, the Town would need to refund the zoning application fee. This risk is mitigated by the following measures:

- Amherstburg's OP was amended in 2022, section 7.20, stating in part "deemed complete when a letter is issued to the applicant indicating that the application is complete". This was put in place to ensure submission date of an application was not the date it was deemed complete, due to previous lack of clarity on this matter:
- Holding the SPM as soon as possible after deeming an application complete. This allows for appropriate time to summarize and consider the feedback for the recommendation report, which is the report for Council to make a decision on the application.

For this particular zoning amendment application, it was deemed complete on April 17, 2024, setting the 90-day timeframe by which a decision of Council must be made before close of business on July 14, 2024.

5. FINANCIAL MATTERS:

All costs associated with the application are the responsibility of the Applicant. Should Council's decision be appealed to the Ontario Land Tribunal, the Town will incur costs, as noted above. OLT appeals of any nature can be costly with estimated costs of a hearing at \$6,000/day, noting that those daily costs will likely be higher if Town Administration is required to be before OLT as both witnesses for an Applicant and defense of a decision.

Decisions on zoning matters require Council to render a decision within 90-days of the application being deemed complete. Should a decision not be made within the 90 days, including if the matter is deferred placing the decision past the 90 days, the Town will be required to refund 50% (\$1,381) of the applicant's Zoning By-law Amendment application fee of \$2,762 per s. 34 (10.12) of the Planning Act, and the applicant can appeal the matter directly to the OLT under 'failure to make a decision'.

6. CONSULTATIONS:

The Notice of Public Meeting was published in the local newspaper and circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations.

No further consultation is required.

7. CORPORATE STRATEGIC ALIGNMENT:

Vision: Preserving our past while forging our future.

Amherstburg Community S	trategic Plan 2022 - 2026
PILLAR 1 Deliver Trusted & Accountable Local Government	PILLAR 3 Encourage Local Economic Prosperity
 □ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures. □ Deliver transparent and efficient financial management. □ Increase effective communication and engagement with residents. □ Develop our staff team, resources, and workplace culture. □ Continue to deliver strong core municipal services. □ Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation. 	 ✓ Encourage development of commercial and industrial lands. □ Continue to promote local tourism industry, especially overnight accommodation. □ Continue to facilitate downtown development for residents and visitors. □ Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.
PILLAR 2 Invest in Community Amenities and Infrastructure	PILLAR 4 Shape Growth Aligned with Local Identity
 □ Maintain safe, reliable and accessible municipal infrastructure and facilities. □ Increase access to recreation opportunities for all ages. □ Finalize and execute plans for townowned lands (e.g. Duffy's site, Belle Vue) □ Create public access to water and waterfront □ Prioritize opportunities to reduce environmental impacts of Townoperations and increase Town resilience to climate change. 	 □ Define and communicate a vision for the Town's future and identity. □ Promote and plan for green and "climate change ready" development. □ Review and implement policies that promote greater access to diverse housing. □ Protect the Town's historic sites and heritage. □ Preserve the Town's greenspaces, agricultural lands, and natural environment.

8. CONCLUSION:

It is the opinion of administration that the Zoning By-law Amendment allows for the appropriate development of the subject lands, is consistent with the policies of the Provincial Policy Statement, 2020, and conforms with the polices of the County of Essex Official Plan and the Town of Amherstburg Official Plan.

Administration recommends that Zoning By-law 2024-033 be approved by Council, given three readings and finally passed and the Mayor and Clerk be authorized to sign same.

Sarah French

Planner

Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-07-24 for 527 Sandwich Street South.docx
Attachments:	 Appendix A - ZBA-07-24 Aerial-RM.pdf Appendix B - 527 Sandwich Phase 2 Site Plan - Redact-RM.pdf Appendix C - 527 Sandwich Street S Site Photos-RM.pdf Appendix D - ZBA-07-24 - Application_Redacted-RM.pdf Appendix E - Circulation List-RM.pdf Appendix F - Summary of Correspondence Received on ZBA-07-24-RM.pdf Appendix G - A-02-23- Decision-RM.pdf Appendix H - 2024-033- ZBA- 527 Sandwich St S DRAFT (1)-RM.pdf
Final Approval Date:	May 30, 2024

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

No Signature found

Chris Aspila

Melissa Osborne

Tracy Prince

Valerie Critchley

Revin Fox