



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

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

Author's Name: Janine Mastronardi	Report Date: February 7, 2025
Author's Phone: 519 736-5408 ext. 2134	Date to Council: February 24, 2025
Author's E-mail: <a href="mailto:jmastronardi@amherstburg.ca">jmastronardi@amherstburg.ca</a>	Resolution #:

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

**Subject:** Statutory Public Meeting to Consider a Zoning By-law Amendment for 1267 Front Road North, Riverview Subdivision

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

It is recommended that:

1. Comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for lands municipally known as 1267 Front Road North, Riverview Subdivision, (File ZBA-03-25) **BE RECEIVED and SUMMARIZED** in a future report to Council.

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

The Town is in receipt of an application for a Zoning By-law amendment to By-law 1999-52 for Riverview Subdivision. The rezoning application affects approximately 4.42 ha ± of land described as Concession 1, Part Lot 24, municipally known as 1267 Front Road North. The subject lands are currently zoned holding Special Provision Residential Type 1B (h-R1B-2) Zone and designated Low Density Residential in the Town's Official Plan.

The property has been through extensive planning processes to receive draft plan approval for Riverview Subdivision. On September 14, 2020 Council approved a zoning by-law amendment for the subject lands. On July 2, 2022 the County of Essex issued a Notice of Decision on an application for approval of a Draft Plan of Subdivision. On August 8, 2022 Council approved a subdivision agreement which has subsequently been executed and registered.

The applicant is in agreement to sell the property to a new developer, the authorized agent on the application as listed on Appendix D, who has come forward to request a minor redline amendment to the approved draft plan of subdivision. This redline amendment will increase the number of lots in the subdivision from 37 to 44, an increase of 7 lots for single detached dwellings. This change in lot configuration requires a change in zoning. The applicant has a concurrent application submitted to the Town and County for the minor redline amendment.

Prior to deeming the applications complete for the minor redline amendment and for a zoning by-law amendment the following studies were provided to the Town, reviewed and deemed satisfactory;

- Redline Draft Plan, attached as Appendix E
- Concept Development Plan, attached as Appendix G
- Planning Brief, attached as Appendix F
- Traffic Memo to evaluate the increase in 7 lots and the potential impact on the approved 2019 Traffic Impact Assessment (TIA)
- Impact Assessment reviewing the sanitary sewer design, watermain and storm sewer design

### **3. DISCUSSION:**

This rezoning, if approved, will change the zoning of the subject lands noted above from the **“holding Special Provision Residential Type 1B (h-R1B-2) Zone”** to **“holding Special Provision Residential Second Density (h-R2-11) Zone”**.

The effect of the amendment will be to allow general residential uses specifically limited to single detached dwelling, home occupation, accessory uses, public use and supportive community home on the subject properties with a minimum lot area of 460 sq m, a minimum lot frontage of 12 m, a minimum interior side yard setback of 1.2 m and a maximum lot coverage of 35%. The proposed zone change will facilitate a proposed minor redline amendment to the approved draft plan of subdivision which is proposing to increase the number of single detached dwelling building lots from the approved 37 to 44. This application for amendment is proceeding concurrently with the County of Essex and Town.

The submitted application does not facilitate a change in the established land use instead seeks to establish revised lot area, lot frontage, front yard depth and interior side yard width.

The proposed Zoning By-law Amendment appears to be consistent with the Provincial Planning Statement 2024 (PPS). The proposed lots are located within a fully serviceable settlement area. The minor redline amendment process will ensure that the development addresses all Provincial, Regional and local interests with respect to the appropriate use, servicing and development of the land.

2.2.1. states Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:

(c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*.

2.3.1 General Policies for Settlement Areas states in subsection 1. *Settlement areas* shall be the focus of growth and development.

The subject property is designated Low Density Residential in Amherstburg's Official Plan. The applicant has identified that the proposed use for the development lands will be for single detached dwelling unit development. The Town's Official Plan Section 4.3.1 states that: '*Areas designated as Low Density Residential shall be limited to single detached, semidetached, duplex, or converted dwelling units, home occupation uses and public uses.*' Therefore, the proposed uses on the land are in conformity with the Official Plan.

The following Table has been extracted from the Planning Brief submitted by the applicant. The table provides a comparison between the current zoning and the proposed zoning

Table 1. Comparison of Existing Zoning with Proposed Zoning from Planning Brief

	<b>R1B-2 Zone (Existing)</b>	<b>R2 Zone</b>	<b>Proposed h-R2-XX</b>
Permitted Uses	Single Detached Dwelling; Home Occupation; Accessory Uses; and Public Use	Single Detached Dwelling; Semi Detached Dwelling; Duplex Dwelling; Home Occupation; Accessory Uses; Public Use; and Supportive Community Home	Single Detached Dwelling; Home Occupation; Accessory Uses; Public Use; and Supportive Community Home
Minimum Lot Area	690 sq m	460 sq m (for Singles) 560 sq m (for duplex) 650 sq m (for semis)	460 sq m
Minimum Lot Frontage	18 m	12 m (for singles) 18 m (for duplex) 20 m (for semis)	12 m
Minimum Front Yard Depth	7.5 m	6 m	6 m
Minimum Interior Side Yard Width	1.5 m (or 1.5 m on one side and 2.5 on the other if no attached garage or carport)	1.5 m (or 1.5 m on one side and 2.5 on the other if no attached garage or carport)	1.2 m (or 1.2 m on one side and 2.5 m on the other if no attached garage or carport)
Minimum Exterior Side Yard Width	7.5 m	6 m	6 m
Minimum Rear Yard Depth	7.5 m	7.5 m	7.5 m
Maximum Lot Coverage	35%	35%	35%
Minimum Landscaped Open Space	30%	30%	30%
Minimum Dwelling Unit Area	90 sq m	75 sq m (for singles) 65 sq m (for semis)	75 sq m
Height Maximum	10.5 m	8.5 m	8.5 m

The purpose of this initial public meeting is to provide an opportunity for the applicant to present information and outline the purpose of the application to Council and to hear all comments regarding the rezoning. As Council is aware, notice for the proposed re-zoning was circulated in accordance to the provisions of the Planning Act. A summary of the comments is attached to this report as Appendix “I”.

Following this public meeting, staff will review all of the comments submitted as part of this application and prepare a report for a subsequent Council meeting. The second staff report will summarize all of the comments received and make recommendation(s) regarding the proposed rezoning and any applicable conditions if required. Additional analysis of planning policy will be provided in the follow-up report to Council with a staff recommendation.

### **1. RISK ANALYSIS:**

The recommendation presents little to no risk to the municipality.

### **2. FINANCIAL MATTERS:**

All costs associated with the application are the responsibility of the applicant.

### **3. CONSULTATIONS:**

The Notice of Public Meeting was published in the local newspaper and circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations. Extensive consultations and meetings have occurred with the County of Essex and the Essex Region Conservation Authority. The circulation map and list of properties within the 120m circulation radius and notice of public meeting are attached as Appendix H and Appendix A for information.

### **4. CORPORATE STRATEGIC ALIGNMENT:**

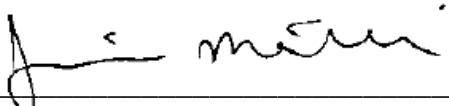
***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable</b> <b>Local Government</b>	<b>PILLAR 3</b> <b>Encourage Local Economic</b> <b>Prosperity</b>
✓ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.	<input type="checkbox"/> Encourage development of commercial and industrial lands.

<ul style="list-style-type: none"> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<p style="text-align: center;"><b>PILLAR 2</b></p> <p style="text-align: center;"><b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b></p> <p style="text-align: center;"><b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li>✓ <input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>

## 5. CONCLUSION:

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

  
 Janine Mastronardi  
 Planner

## Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment for Riverview Subdivision.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A- ZBA-03-25- Notice of Statutory Public Meeting- Riverview Subdivision-RM.pdf</li><li>- Appendix B- ZBA-03-25 -Aerial map-RM.pdf</li><li>- Appendix C- ZBA-03-25 - Application_Redacted-RM.pdf</li><li>- Appendix D- Letter of Authorization- 1267 Front Rd N- RM.pdf</li><li>- Appendix E- Red Line Draft Plan - OLS Certified-RM.pdf</li><li>- Appendix F- Planning Brief for 1267 Front Rd N-RM.pdf</li><li>- Appendix G- Concept Development Plan-RM.pdf</li><li>- Appendix H- Circulation Map and List-RM.pdf</li><li>- Appendix I- Summary of Correspondence Received on ZBA-03-25-RM.pdf</li><li>- Appendix J- 2025-015- ZBA- 1267 Front Rd N- Riverview Subdivision-RM.pdf</li></ul>
Final Approval Date:	Feb 13, 2025

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

### No Signature found

Chris Aspila



Melissa Osborne



Tracy Prince



Valerie Critchley

A handwritten signature in black ink, appearing to read "Kevin Fox". The signature is stylized with a large, sweeping "K" and a long, horizontal line extending from the end of the name.

Kevin Fox