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January 06, 2025

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Ms. Belanger and Mr. Aspila:

RE: Planning Brief – County of Essex and Town of Amherstburg Applications for Red-line Revisions to Draft Plan 37-T-22003 and Town of Amherstburg Application for Zoning By-law Amendment Submission
Development Name: Riverview Subdivision
Civic Address: 1267 County Road 20

On behalf of Colchester Heights East Development Inc., we are pleased to provide a Planning Brief to the County of Essex (the “County”) and Town of Amherstburg (the “Town”) the Red-line Revisions to Draft Plan Approved Subdivision 37-T-22003; and the related Zoning By-law Amendment to the Town for the subject lands, with a civic address of 1267 County Road 20 (the “Site”), in order to obtain planning approvals. Colchester Heights East Development Inc. has executed a Purchase and Sale Agreement with the current property owners, 1583954 Ontario Ltd. and 2365522 Ontario Limited; and have completed necessary property owner authorizations for this planning process affecting this Site. Memorandums of Functional Servicing, Stormwater Management, and Traffic, along with the Red-line Draft Plan, Concept Development Plan and associated Planning Applications have been submitted for the development project of this Site.

The Site is within a Settlement Area for context of the 2024 Provincial Planning Statement (the “PPS”) and designated within the County of Essex Official Plan (the “CEOP”), designated Low Density Residential within Schedule A of the Town Official Plan (the “OP”); and zoned Holding Provision Residential type 1B Special Provision 2 (h-R1B-2) Zone and Holding Provision Environmental Protection (h-EP) Zone within Map 10 of Schedule A of the Town Zoning By-law 1999-52, as amended (the “ZBL”).

The intent of the red-line revisions is to increase the density of the proposed residential development from the conditionally approved 37 single detached lots in 2022, to the proposed 44 single detached lots. This will add 7 residential single detached lots to the draft plan and minor modifications to the servicing blocks to the lot layout of the draft plan – please refer to the Red-Line Revisions Draft Plan excerpt, as depicted within Appendix A. Density would be increased from

8.31 to 9.88 dwelling units per gross hectare with the proposed revisions adding 7 residential single detached lots.

Secondly, as a result of the proposed revisions to the draft plan, this necessitates a modification to the ZBL, to permit smaller residential lot singles. The Rezoning of the Site was previously completed in 2020, by rezoning the lands to Holding Provision Residential type 1B Special Provision 2 (h-R1B-2) Zone, with Special Provision 2 increasing lot coverage from 30% to 35%; and the area associated with the 5 metre natural boundary area at the easterly limits of the draft plan to the Holding Provision Environmental Protection (h-EP) Zone, consistent with Scoped Environmental Impact Assessment Secondary Addendum, prepared by BioLogic Inc, dated November 18, 2018 (the “Scoped EIS”). See Figure One below for context:



Based on the modifications proposed to the draft plan, it would no longer meet the minimum criteria of for lot area (690 square metres) and lot frontage (18 metres) within the R1B Zone, as this zoning category is utilized for larger-lot singles. As such, it is recommended to rezone a portion of the Site to the Holding Provision Residential Second Density Special Provision XX (h-R2-XX) Zone, to implement the smaller-lot singles and reduction of minimum side yard widths as further rationalized later in this brief. Also, it would be appropriate for the Town to rezone the Stormwater Pond Block to the Holding Provision Institutional Special Provision 4 (h-I-4) Zone, in order to permit the intended land use, as this zone is specifically setup for stormwater management pond facilities. The intent would be to maintain the h-EP Zone on the easterly limit of the draft plan, consistent with the Scoped EIS and isn't scoped to the Zoning By-law Amendment (the “ZBA”) accordingly. The holding symbol would still be utilized on the Site in order to execute the Subdivision Agreement for the red-line draft plan, to control the orderly development of the lands.

The R2 Zone within the ZBL is recommended for the ZBA, as it requires a minimum lot area of 460 square metres and a minimum lot frontage of 12 metres. The red-line draft plan ranges in lot areas from 539 square metres (for Red-line Lots 31 to 40) to 909 square metres (for Red-line Lot 41); and red-line draft plan ranges in lot frontages from 14.25 metres (for Red-line Lots 31 to 40) to 30.63 metres (for Red-line Lot 41).

To summarize the zoning changes of the Site – please refer to the chart below:

	R1B-2 Zone (Existing)	R2 Zone	Proposed h-R2-XX
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

As expressed in the chart above, when comparing the 2 columns for the change from the existing h-R1B-2 Zone to the proposed h-R2-XX Zone would be a decrease in lot area, lot frontage, front yard depth, interior side yard width, and exterior side yard width. The h-R1B-2 Zone is the characteristic of larger-lot singles with more spacious yards and larger footprint homes.

Additionally, as expressed in the chart above, when comparing the 2 columns there are only two requested modifications from the standard R2 Zone, for the proposed R2-XX Zone. The R2 Zone is the characteristic of smaller-lot singles with less spacious yards and smaller footprint homes. The modifications requested are the following:

1. Permitted uses: limiting the dwelling unit type to single detached; and
2. Minimum interior side yard width: decreasing from 1.5 metres to 1.2 metres, as rationalized below.

These requested modifications are further rationalized below. A technical modification would be to remove the minimum dwelling unit area for semi's, as the singles can remain at 75 square metres (807 square feet).

Permitted Uses:

The proposed red-line revisions to the draft plan are for smaller-lot singles, as such due to the lot layout, limiting the permitted uses is rationalized based on the following:

- All lots don't meet the lot area and lot frontage criteria to allow for duplexes, nor is the intent with the lot layout.
- All lots don't meet the lot area and lot frontage criteria to allow for semi-detached, nor is the lot layout design as Blocks to then go through a part-lot control process to make individual lots, nor plans to have 2 entrance accesses and 2 sets of services (water, sanitary sewer and storm sewer).
- This will provide clarity to the public and future land purchasers that single detached dwellings are the permitted housing type of this proposed development, to align with the red-line revisions of the draft plan.

Minimum Side Yard Width:

The proposed red-line revisions to the draft plan proposed smaller-lot singles, as such due to the lot layout, reducing the minimum side yard width from 1.5 metres to 1.2 metres is rationalized based on the following:

- It allows for a wider footprint home to be developed, by adding 0.3 metres (1 foot) on each side. Colchester Heights East Development Inc. created a conceptual single detached dwelling with a two-vehicle garage for Red-line Lot 40 is depicted in Appendix B. These are the smallest lots of the proposed red-line draft plan with 14.25 metre (46.75 foot) wide lots. With the market wanting two-vehicle garages this utilizes just under half the width of the lot – this leaves the remaining lot width for the required front door entry area and side yard width setbacks; and ultimately allows for a more usable floor space for the remaining footprint along the front of the home in a balanced fashion.
- The proposed side yards will still provide adequate space for drainage swales to adequately contain each residential lots own stormwater, with a minimum of 1.2 metres (4 feet) on each side of the residential lot.
- The proposed side yards will still provide adequate space for rear yard access and provides enhanced rear yard outdoor amenity space, with reduced side yards.
- The subdivision would be standardized for all the lots of the Site to give a similar characteristic to the development of Riverview Subdivision.
- The Town's ZBL is from 1999 and is in need of modernizations, as 1.2m side yard width are typical in other jurisdictions for smaller-lot singles. The Town's ZBA is set to be reviewed by the Town after the OP review process is complete.

Based on the above, the proposed ZBA for the Site we would recommend the h-R2-XX Zone apply to the Lots, save and except the existing h-EP Zone as per the EIS; and apply the h-I-4 Zone to the Stormwater Pond Block, as depicted in Appendix C.

With regard to draft plan conditions, it is requested that they be updated based on the following:

- It is requested that the draft plan approval be extended, since 3-year time period matures on July 2, 2025, based on the original County decision on July 2, 2022. With recent legislative changes to the *Planning Act*, the lapsing provision on draft plans is now 5 years. Colchester Heights East Development Inc. intent is progress forward in 2025 with the proposed development.
- Draft plan conditions transfer natural heritage responsibilities to the County and Town, the planning approval authorities, since regulatory changes to the *Conservation Authorities Act*, now require that it not be within the services of the Conservation Authority as of January 1, 2023.
- That Condition 1 be updated to refer to the proposed red-line draft plan.
- That all lot and block references be updated to align with the proposed red-line draft plan.

The development proposal, with the modifications proposed to the draft plan and related ZBA, does not raise any issues with any of the planning policies of the PPS, CEOP, and OP.

In summary, the development proposal represents good planning as it addresses the need for the development of a fully serviced vacant parcel of land. The smaller-lot singles are more viable with the efficient use of land, due to increases in land escalation and infrastructure costs; and aids with improving the marketability for single detached dwelling unit types.

This Planning Brief has shown the proposed development, with the red-line revisions to the draft plan and related ZBA, is consistent with the PPS, conforms with the CEOP, and Town OP and represents good planning. Therefore, it would be appropriate for Town Council to approve the Zoning By-law Amendment and support the red-line revisions to the draft plan; followed by the County approving the modifications to the draft plan.

Respectfully Submitted,



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Appendix A: Red-line Revisions to the Draft Plan Excerpt
Appendix B: Concept Single Detached Dwelling – Red-line Lot 40
Appendix C: Proposed Zoning Schedule

Appendix B: Concept Single Detached Dwelling – Red-line Lot 40



