

COUNTERPOINT
LAND DEVELOPMENT BY

DILLON
CONSULTING

IMPERIUM BUILDS LTD.

PLANNING JUSTIFICATION REPORT

0 Victoria Street South, Amherstburg ON

Zoning By-Law Amendment

FEBRUARY 2025 – 24-8862

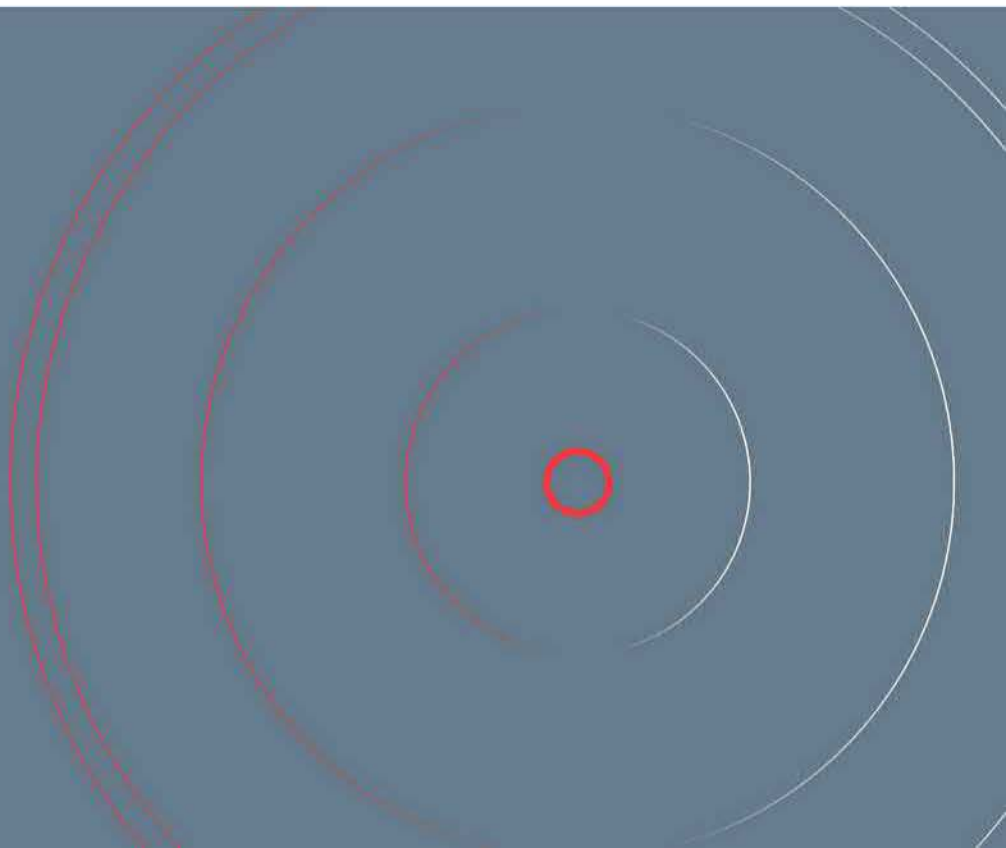


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1.0 INTRODUCTION

1.1 PURPOSE

Dillon Consulting Limited (Dillon) has been retained by Imperium Builds Ltd., herein referred to as the 'Applicant', to assist in obtaining the necessary planning approvals associated with a proposed residential development, which fronts on Victoria Street South north of Richmond Street. This area will be referred to as the "Subject Site." It is municipally known as 0 Victoria Street South, as illustrated on Figure 1.

Figure 1 - Location Map



Source: County of Essex Online Mapping (2023), Prepared by Counterpoint Land Development by Dillon Consulting.

The Subject Site is 0.19 ha (0.48 ac) with a total frontage on Victoria Street South measuring 33.53 m (110.00 ft), subdivided into two (2) 16.75m (55 ft.) lots. The proposed residential development of the Subject Site is for two (2) semi-detached dwellings, one per lot, for a total of four (4) dwelling units. The following report has been prepared to support the required site specific Zoning By-law Amendment application.

The Subject Site is designated Primary Settlement Area on Schedule "A2" of the County of Essex Official Plan, as indicated in Figure 2.

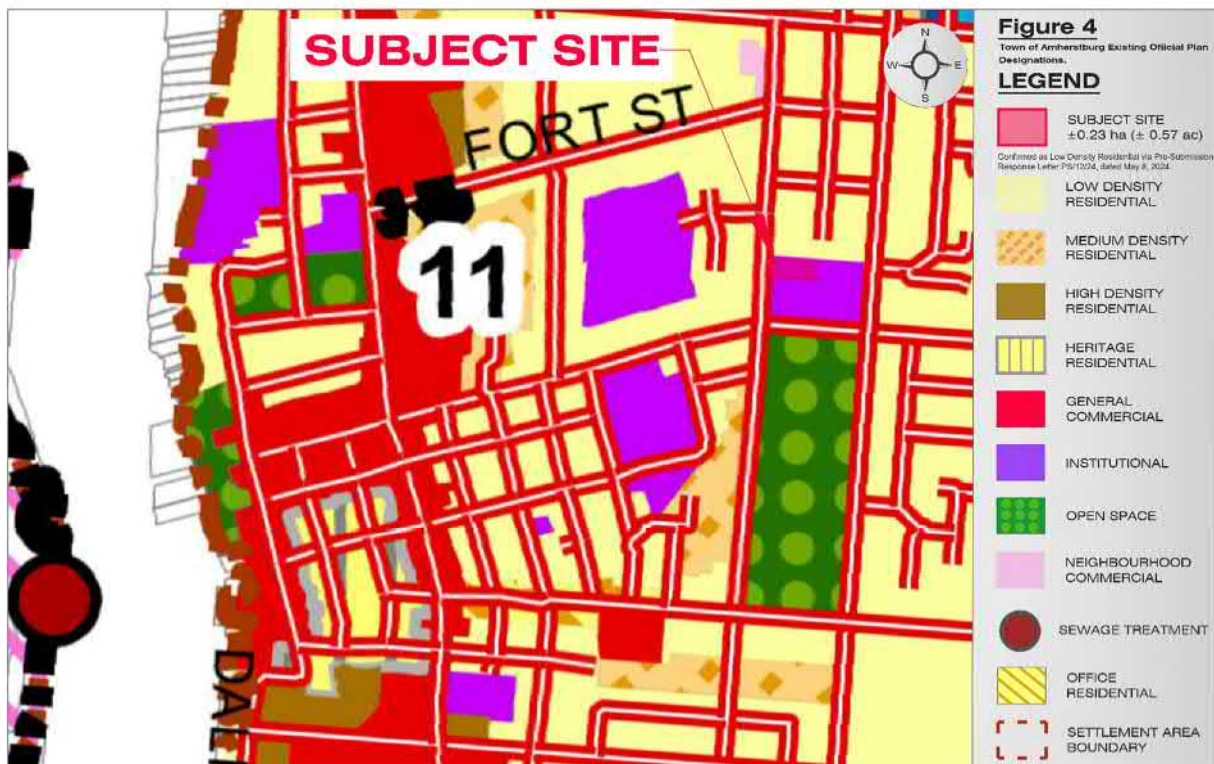
Figure 2 - County of Essex Settlement Structure Plan



Source: County of Essex Official Plan, Schedule "A2" Settlement Structure Plan, Prepared by Counterpoint Land Development by Dillon Consulting.

Within the Pre-Submission Response Letter PS/12/24, dated May 8, 2024, the Town has confirmed the Subject Site is designated within the Low Density Residential land use designation on Schedule "A" of the Town of Amherstburg Official Plan, as shown in Figure 3.

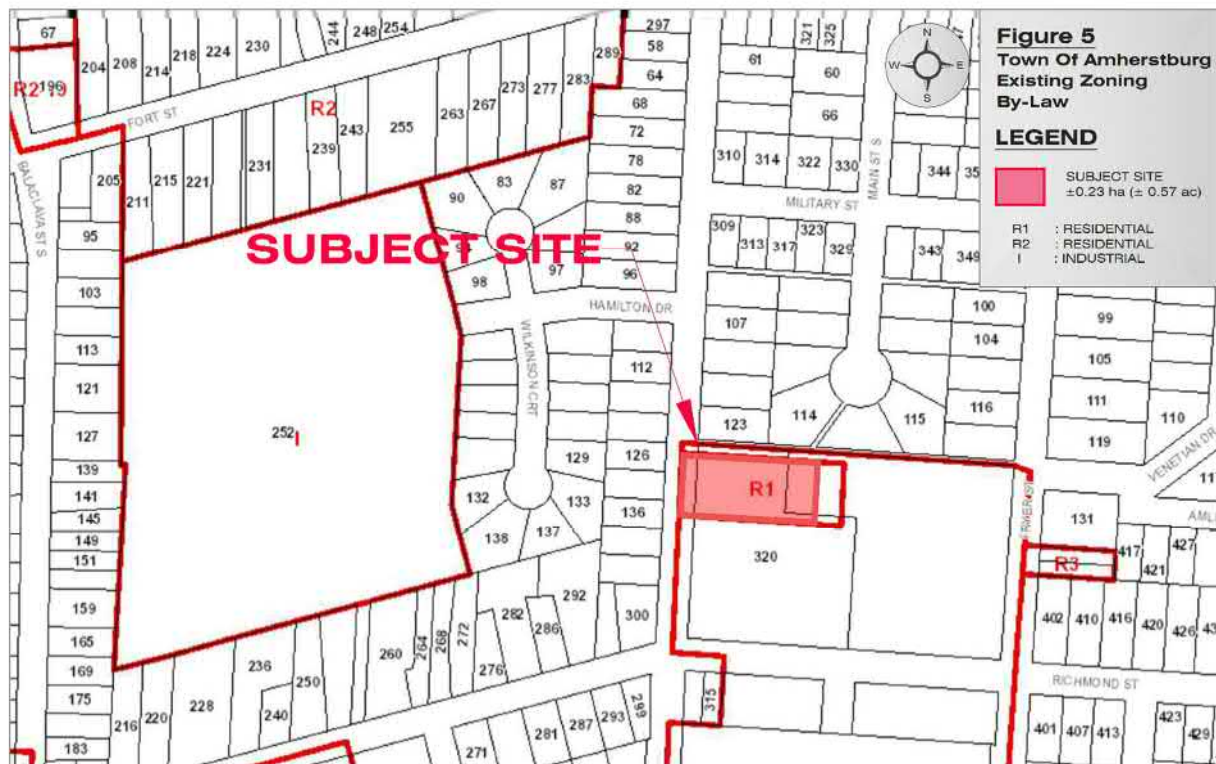
Figure 3 – Town of Amherstburg Existing Official Plan Designation



Source: Town of Amherstburg Official Plan, Schedule "A" Land Use Plan, Prepared by Counterpoint Land Development by Dillon Consulting.

The Subject Site is zoned Residential First Density (R1) in the Town of Amherstburg Zoning By-law No. 1999-52, as illustrated in Figure 4.

Figure 4 – Town of Amherstburg Existing Zoning



Source: Town of Amherstburg Zoning By-law No. 1999-52, Prepared by Counterpoint Land Development by Dillon Consulting.

To facilitate the proposed development, a site-specific Zoning By-law Amendment is required for the Subject Site. A site-specific Zoning By-law Amendment is required to rezone the Subject Site to Residential Third Density (R3) zone with the following site specific provisions:

- Permit minimum lot frontage for a semi-detached dwelling to 16.75 metres; and
- Reduction of the minimum lot frontage for a semi-detached unit to 8 metres.

The Applicant is requesting that Council approve this Zoning By-law Amendment to the Town of Amherstburg Zoning By-law No. 1999-52 in order to permit the proposed development (Refer to [Appendix A – Development Applications](#)).

1.2 DESCRIPTION OF SITE

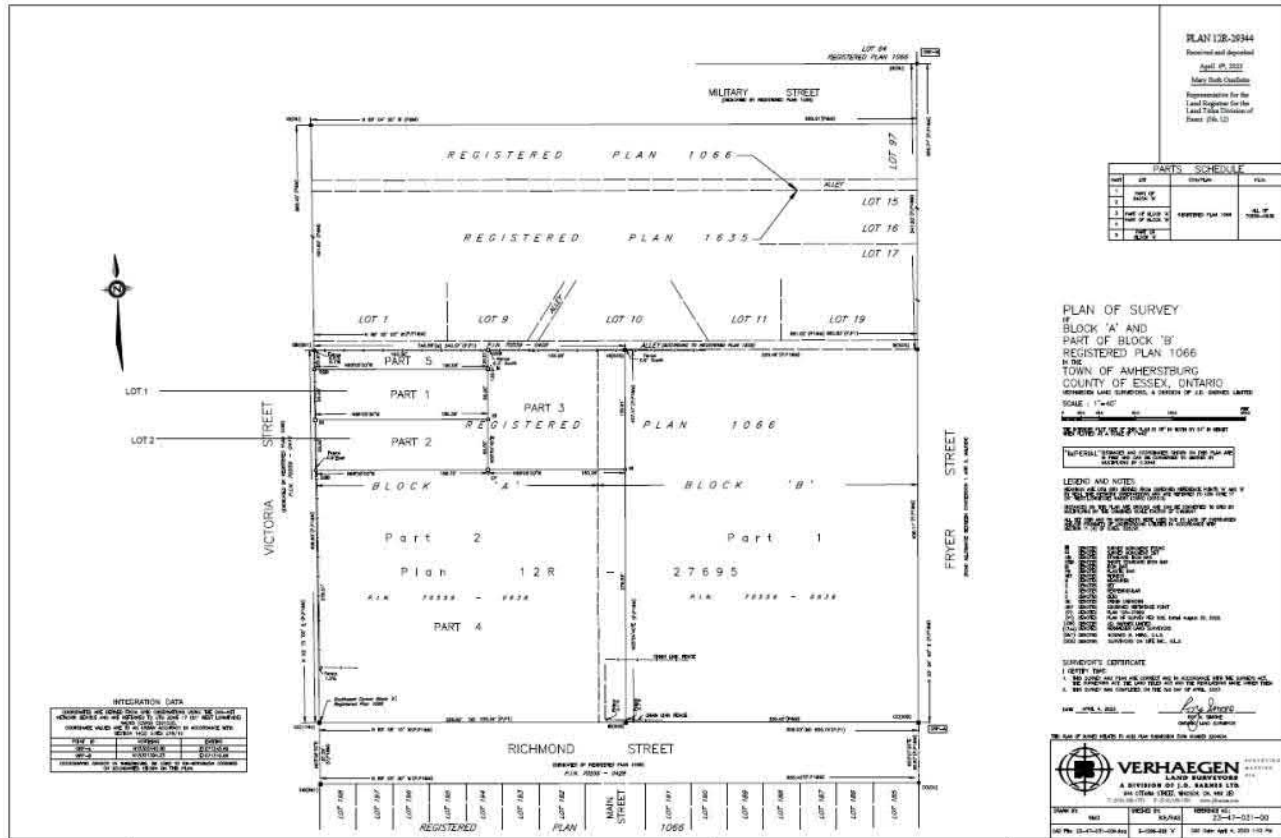
The Subject Site is municipally known as 0 Victoria Street South. It is located on the east side of Victoria Street South, between Richmond Street and Hamilton Drive (refer to [Figure 1 – Location Map](#)).

These lands are legally described as:

- Parts 1 and 2 on 12R-29344, as shown in Figure 5.

The total area of the Subject Site is approximately 0.19 ha (0.47 ac) with 33.53 m (110.00 ft) of total frontage total on Victoria Street South, with each of the parts having frontage of 16.75 metres (55 feet).

Figure 5 – Legal Plan



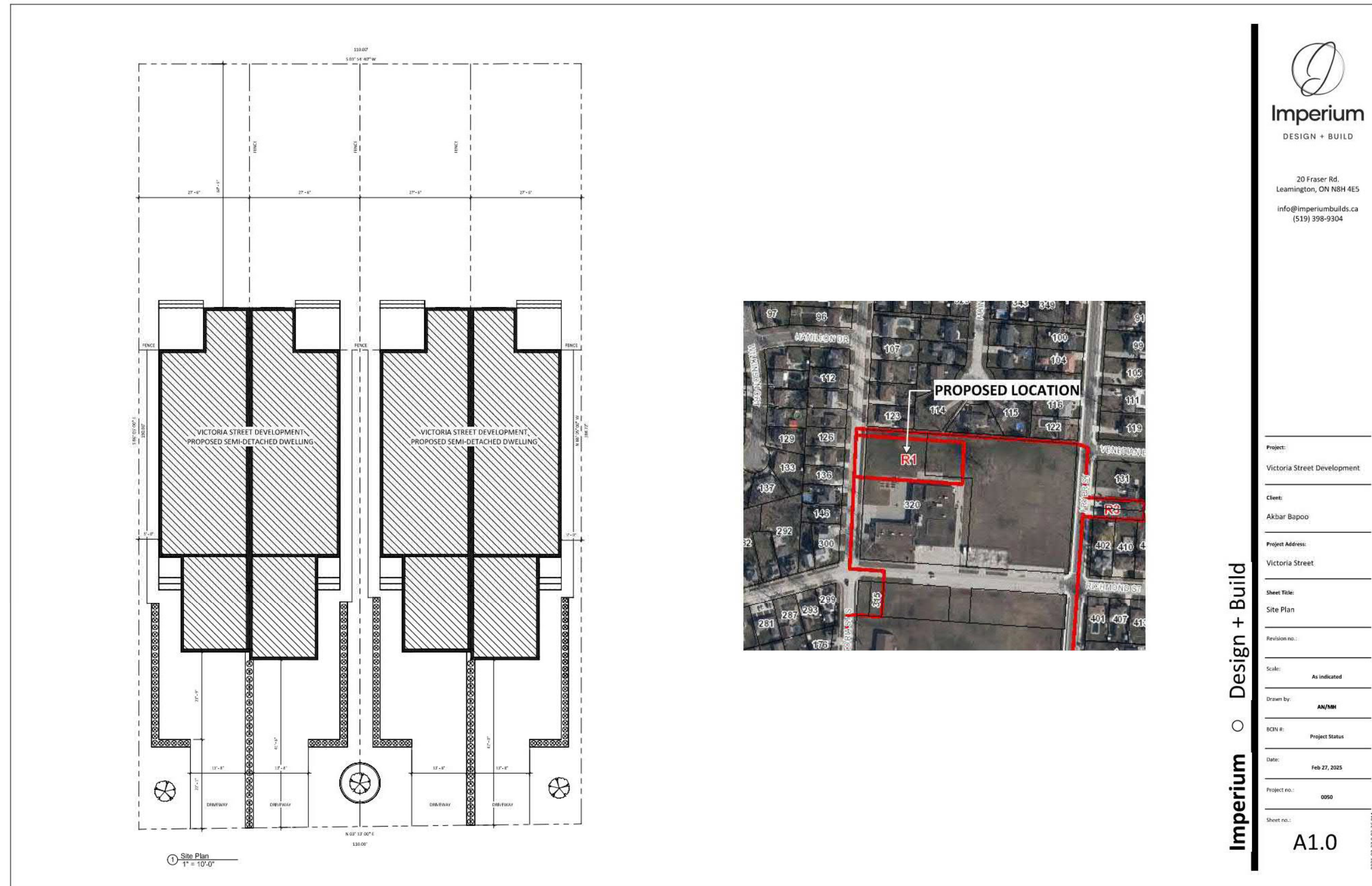
Prepared by Verhaegen Land Surveyors, dated April 6th 2023

1.3 PROPOSED DEVELOPMENT

The proposed development is for two (2) semi-detached dwellings, for a total of four (4) residential dwelling units over the subject lands. The lands are currently subdivided into two parts or lots and will not be changed. The Conceptual Development Plan illustrates the existing layout of the Subject Site, which is shown in [Figure 6](#).

The proposed dwellings will be positioned on the lot a minimum of 12.5m in order to accommodate parking for a minimum of three (3) cars within the driveway in addition to the garage, in front of the units. Each unit will have a driveway, 4.12m in width at the property line, which will widen out to 5.5m beyond the 6m required front yard setback. The intent is to provide three (3) parking spaces within the driveway, in order to accommodate up to one (1) additional dwelling unit (ADU) should future owner's desire.

Figure 6 - Conceptual Development Plan



2.0 EXISTING LAND USE

2.1 SUBJECT SITE

The physical attributes of the Subject Site are as follows:

- A total site area of 0.19 ha (0.47 ac);
- Total frontage of 33.53 m (110 ft) on Victoria Street South;
- Two (2) existing lots with 16.75m of frontage;
- Rectangular shape, with approximately 57.52 m (188.72 ft) of depth;
- No significant environmental areas or hazards; and
- Access to existing municipal services.

2.2 SURROUNDING LAND USE

The surrounding land uses are as shown in [Figure 7](#) and are described as follows:

North

- **Existing Uses:** Low density residential uses (single detached dwellings);
- **Official Plan Designation(s):** Low Density Residential; and
- **Zone(s):** Residential First Density (R1).

East

- **Existing Uses:** Parkland (Community Park), low density residential uses (single detached dwellings, semi-detached dwelling) and Fryer Street;
- **Official Plan Designation(s):** Institutional and Low Density Residential; and
- **Zone(s):** Institutional (I), Residential First Density (R1) and Residential Third Density (R3).

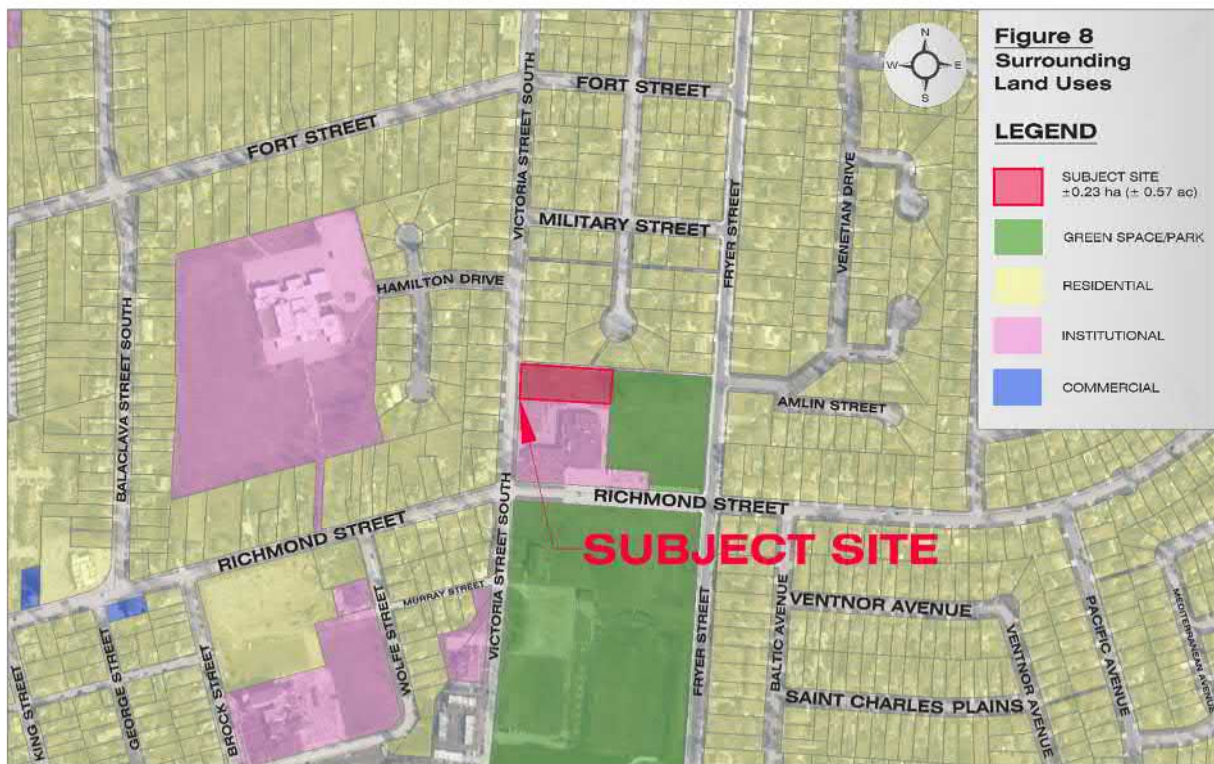
South

- **Existing Uses:** Institutional (Amherstburg Community Services, North Star Secondary School), Parkland (Community Park, Centennial Park) and Richmond Street;
- **Official Plan Designation(s):** Institutional and Open Space; and
- **Zone(s):** Institutional (I).

West

- **Existing Uses:** Low density residential uses, institutional, and Victoria Street South;
- **Official Plan Designation(s):** Low Density Residential (single detached dwellings) and Institutional (Amherstburg Public School); and
- **Zone(s):** Residential First Density (R1) and Institutional (I).

Figure 7 – Surrounding Land Uses



Source: County of Essex Online Mapping (2023), Prepared by Counterpoint Land Development by Dillon Consulting.

3.0 PLANNING EVALUATION

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Planning Statement 2024;
- County of Essex Official Plan;
- Town of Amherstburg Official Plan;
- Town of Amherstburg Zoning By-Law No. 1999-52 regulations; and
- Visual inspections of the site and surrounding lands.

Recognizing that overlaps exist between the various policies and criteria in the Official Plan, the approach used attempts to consolidate the relevant policies and criteria and identify and evaluate the potential planning and land use related issues associated with the proposed recreational use.

A review of the relevant policies and regulations can be found in [Appendix B – Provincial/County/Amherstburg Policies](#) and [Appendix C – Town of Amherstburg Zoning By-law No. 1999-52](#).

3.1 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement provides direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments. The PPS is issued under section 3 of the Planning Act and came into effect in April 30, 2014. The province subsequently undertook a compressive review of the PPS and as of October 1, 2024, all decisions affecting planning matters shall be consistent with the revised Provincial Planning Statement (refer to [Appendix B – Provincial/County/Amherstburg Policies](#)).

3.2 COUNTY OF ESSEX OFFICIAL PLAN

The County of Essex Official Plan (County OP) contains a holistic set of goals, objectives and policies to manage and direct the growth of Settlement Areas. The primary goals of the County OP include the following:

- Directing the majority of growth and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas;
- Providing a range of land uses and densities through a mixture of housing types;
- Designing walkable communities with public transit options (or long-term plans for the same);
- Creating and maintaining an improved balance between residential and employment growth in each of the Primary Settlement Areas; and

- Encouraging greenhouse gas emissions and energy consumption reduction by promoting built forms and transportation systems that create more sustainable, efficient, health and liveable communities.

The Subject Site is currently designated as Primary Settlement Area in the County of Essex Official Plan, which provides for a broad range of land uses. The Official Plan policies state that settlement areas are directed to be the focus of growth and development in lower tier municipalities (refer to [Appendix B – Provincial/County/ Amherstburg Policies](#)).

3.3 TOWN OF AMHERSTBURG OFFICIAL PLAN

The local policy context is provided in the Town of Amherstburg Official Plan (OP) which contains a holistic set of goals, objectives, and policies to manage and direct growth in the municipality.

The purpose of the Town of Amherstburg OP includes:

- Guiding future economic, social, environmental, and land use changes within the municipality to the year 2025;
- Providing a policy framework which encourages growth and prosperity in the municipality and strengthens the Town's role as a desirable place to work, live, and visit by maintaining and enhancing the Town's physical and cultural resources which are the basis of the community's desirability and economic wellbeing; and
- Interpreting and applying the intent of Provincial legislation, regulations and policies to the Town of Amherstburg in a manner which reflects the regional interests.

The Subject Site is currently designated as Low Density Residential in the Official Plan (OPA #22), as confirmed by Town staff through the Pre-Submission Response Letter PS/12/24, dated May 8, 2024. The proposed development is in conformance with the land use policies outlined in the OP (refer to [Appendix B – Provincial/County/Amherstburg Policies](#)).

3.4 TOWN OF AMHERSTBURG ZONING BY-LAW NO. 1999-52

Under the Town of Amherstburg Zoning By-law No. 1999-52, the Subject Site is zoned under the Residential First Density (R1) zone. A site specific Zoning By-law Amendment is proposed to rezone the entire Subject Site to Residential Third Density (R3) zone with site specific provisions for reduced minimum lot frontage of 16.75 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.

The details of the proposed developments are outlined in [Table 1](#) below:

Table 1 - Proposed Site-Specific Residential Third Density (R3) Zoning Provisions

PROVISION	REQUIRED	PROVIDED
Semi-detached dwelling	650 m ²	964 m ²
Semi-detached dwelling unit	280 m ²	482 m ²
Semi-detached dwelling	18 m	16.75 m
Semi-detached dwelling unit	8.5 m	8 m
Front Yard Depth (Minimum)	6 m	12.5 m
Interior Side Yard Width (Minimum)	1.5 m	1.5 m
Exterior Side Yard Width (Minimum)	6 m	N/A
Rear Yard Depth (Minimum)	7.5 m	7.5 m
Lot Coverage (Maximum)	35%	23%
Landscaped Open Space (Minimum)	30%	Over 30%
Semi-detached and duplex unit	65 m ²	108 m ²
Height (Maximum)	8.5 m	8.5 m
Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof.	N/A	N/A

3.4.1 Driveway Requirements

As per Zoning By-law 1999-52, access to parking areas shall be provided by means of one or more unobstructed driveways for at least 3 metres and nor more than 50% of the lot frontage (By-law 1999-52). Each lot has 16.75 m of frontage. The development will be keeping with the maximum 8.375 m driveway width permitted through one shared driveway per semi-detached structure within the 6m front yard setback. The driveway proposes to fan out to a maximum of 18 m, which will accommodate three (3) parking spaces per dwelling unit beyond the required setback. The building has been set back 12.5 m from the Victoria Street South right-of-way, beyond the 6 m required frontage, which allows the site to accommodate the irregularly-shaped driveway. This would promote good urban design practice, providing precedent for publicly-viewable landscaping. Excerpts from Zoning By-law 8600 are included in [Appendix C – Town of Amherstburg Zoning By-law No. 1999-52](#).

3.5 PLANNING ANALYSIS AND CONSIDERATIONS

The proposed development of the Subject Site is consistent with the Provincial Planning Statement, County of Essex Official Plan and the Town of Amherstburg Official Plan policies by exemplifying residential intensification of an existing site with access to full municipal services and public transportation.

The proposed development will support the future growth of the community and provide a greater diversity of housing options in the area. The proposed development is compatible with the surrounding land uses.

3.5.1 Site Suitability

The Subject Site is ideally suited for the proposed residential development for the following reasons:

- The land area is sufficient in size to accommodate the proposed residential intensification;
- The proposed development makes use of existing municipal water, storm and sewer systems;
- The proposed development fronts onto a public road and can be adequately accommodated by existing public services, utilities, and rights-of-ways;
- Adequate off-street parking facilities are proposed to serve the development through the provision of driveways and garages for each of the units;
- There is direct access to the Town's sidewalk network, enhancing opportunities for walking and supporting active transportation;
- There are no anticipated traffic concerns given the existing linear infrastructure and existing appropriate traffic signalization in the area. The proposed semi-detached dwellings will add minimal traffic to the roads;
- Semi-detached dwelling units, and the opportunity to house secondary dwelling units would add to the mix of housing stock available in the neighbourhood and the Town as a whole;
- Introducing residential intensification within the neighbourhood would enhance the attractiveness of the area through a mix of uses and housing options; and
- The location of the proposed development is appropriate in that it is adjacent to residential uses, institutional uses, and connections with the pedestrian sidewalk network in the surrounding area.

3.5.2 Compatibility of Development

The proposed development is in a built-up area and is surrounded by Low Density Residential uses to the north and west with Institutional uses to the south and parkland to the east (refer to [Figure 8](#)). The proposal is considered compatible with the surrounding area in terms of scale, massing, height and setbacks. The proposed reductions in frontage for both the semi-detached dwelling and the semi-detached dwelling units will allow for the parcel to be developed in an appropriate manner and follow the existing lot sizes. The reduction from 18m to 16.75m and from 8.5m to 8m respectively are required to address the existing lot size as established previously by the Town through the previous severance. The reduction in minimal in nature and will not negatively impact the surrounding land uses or the functionality of the lots. The existing right-of-way will provide direct vehicular connections to the development in a safe and efficient manner. Renderings of the proposed development are included in [Appendix D – Development Renderings](#).

3.5.2.1 Driveway

The proposed driveway complies with the permitted maximum 50% of the lot frontage requirement with an 8.3m proposed driveway width as accessed through Victoria Street South. Beyond the 8.3 m wide driveway within the 6m front yard setback, the driveway is proposed to fan out to a width at a maximum 18 m. The irregular driveway width is required to accommodate three (3) parking spaces per dwelling unit, surpassing the required two (2) parking spaces per unit. The additional parking space intends to accommodate future flexibility to permit one (1) secondary dwelling units on the site as needed.

3.5.3 Natural Environment Impacts

The proposed development will not have any significant negative natural environmental impacts. The Subject Site is not impacted by natural heritage features, flooding, nor is located within the Regulated Areas mapped in the County of Essex Official Plan or the Town of Amherstburg Official Plan. The Subject Site is identified as an Intake Protection Zone 2 in accordance with Schedule "C3" of the County of Essex Official Plan. The proposed use does not include fuel storage, fuel transportation or an industrial use. As such, the residential development would not be a significant drinking water threat in the location proposed.

3.5.4 Municipal Service Impacts

The proposed development will make use of existing municipal services. It is not anticipated that the residential use will require additional servicing capacity than currently available.

3.5.5 Social & Economic Considerations

The proposed residential development is compact, making efficient use of land and existing municipal infrastructure. In addition, there is access to existing public services and institutional uses to support future residents. This is economically feasible for the Town as the development does not require an extension to public infrastructure or increase demand for public services that cannot be provided.

Through the proposal, housing options will be added to the mix of unit types available in the Town. The proposed development of semi-detached dwellings would offer new housing options at price points that are affordable for more community members.

3.5.6 Good Planning

The proposal represents good planning as it addresses the need for the Town of Amherstburg to promote a healthy, liveable community contributing to the guiding principles of the PPS, County OP and Amherstburg OP. A residential use on the Subject Site represents an efficient development pattern that optimizes the use of land and municipal services. There is access to public transportation (Amherstburg Connection Route 605), which provides connectivity through the Town and to the City of Windsor. Further, the proposal supports various modes of active transportation due to the connectivity with the Town's pedestrian sidewalk network.

The proposed development will blend well with the existing residential uses, while providing intensification of the development within Amherstburg. It contributes to a high quality of life by fostering a "live, work, and play" environment where existing and future residents will experience a strong sense of community and collective pride in their surroundings. The proposed development is consistent with the policies outlined in the PPS, County OP and Amherstburg OP representing good planning.

4.0 CONCLUSIONS

The proposed development of two (2) semi-detached dwellings located at 0 Victoria Street South is appropriate, and should be approved by the Town of Amherstburg Council as it:

- Is consistent with the PPS;
- Meets the intent and purpose of the County of Essex Official Plan;
- Meets the intent and purpose of the Amherstburg Official Plan;
- Is a site that is physically suitable;
- Will not negatively impact the surrounding residential and institutional uses or enjoyment of area residents;
- Will not have negative natural environmental impacts;
- Will be integrated into the local multimodal transportation network;
- Will not have negative impacts on municipal services;
- Will not have negative social, environmental or economic impacts; and
- Will have favourable positive impacts for the Town of Amherstburg providing for additional residential units.

For the above reasons, it would be appropriate for the Town of Amherstburg Council to provide support for the site-specific rezoning of the Subject Site to allow for the two (2) semi-detached dwellings on two lots along Victoria Street South. This report demonstrates that the proposal is suitable and compatible with the surrounding land uses, is consistent with the PPS, conforms to the intent and purpose of the County of Essex Official Plan and The Town of Amherstburg Official Plan, and represents good planning.



Melanie Muir, MCIP RPP
Associate

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APPENDIX A

Development Applications

Application No. _____

**FORM 1
PLANNING ACT
APPLICATION FOR ZONING BY-LAW AMENDMENT
TOWN OF AMHERSTBURG**

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality _____
3. Date application deemed complete by municipality _____
4. Name of registered owner 2713271 Ontario Inc. c/o Akbar Bapoo
 Telephone number 416-850-
 Address 918 Mersea Road 2, Leamington, Ontario, N8H
 Email akbar.bapoo@gmail.com
 Name of registered owner's solicitor
 or authorized agent (if any) Dillon Consulting Limited c/o Melanie Muir
 Telephone number 519-791-
 Address 1 Riverside Drive West, Windsor ON, N9A
 Email mmuir@dillon.c

Please specify to whom all communications should be sent:

☒ registered owner ☐ solicitor ☒ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:
N/A

6. Location and description of subject land:
 Concession No. _____ Lot(s) No. _____
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. 12R- Part(s) No. 1 and
 Street Address 0 Victoria Street Assessment Roll No. _____

7. Size of subject parcel:
 Frontage 33.53 Depth ~ 57.5 Area 0.35 ha

8. Access to subject parcel:
☒ Municipal Road ☐ County Road ☐ Provincial Highway
☐ Private Road ☐ Water

If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

9. (a) Current Official Plan Land Use designation of subject land Low Density Residen-
 (b) Explanation of how application conforms to the Official Plan _____

The lands are designated Low Density Residential (OPA #22) which permit the proposed semi-detached dwellings. Please see Planning Justification Report, dated February 2025, for more information.

- (c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

☐ Yes ☒ No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

N/A

10. Current Zoning of subject land Residential First Density
11. Nature and extent of rezoning requested To rezone the entire Subject Site as Residential Third Density (R3) with site specific provisions for reduced lot frontage minimum of 16.75 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.
12. Reasons why rezoning is requested To permit the development of two (2) semi-detached dwellings (4 units) on the Subject Site, one on each lot.
13. Current use of subject land Va-
14. Length of time current use of subject land has continued N/A
15. Is the subject land within an area where the municipality has pre-determined:
- (a) minimum and maximum density requirements
- ☒ Yes ☐ No
- (b) minimum and maximum height requirements
- ☒ Yes ☐ No
- If yes, state the requirements There is a maximum permitted density of 22 units per hectare (UPH) and a maximum height of 8.5m.
16. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
- No buildings or structures currently exist on the Subject
17. Date of construction of existing buildings and structures on the subject land:
- N/A
18. Date subject land acquired by current registered owner +/- 1 year
19. Proposed use of subject land Residen-
20. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
- Two (2) semi-detached dwellings for a total of four (4) dwelling units. Please refer to the Conceptual Development Plan and Planning Justification Report

21. Type of water supply:

- ☒ municipally owned and operated piped water supply
☐ well
☐ Other (specify) _____

22. Type of sanitary sewage disposal:

- ☒ municipally owned and operated sanitary sewers
☐ septic system
☐ Other (specify) _____

If the requested amendment permits development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent will be produced per day as a result of the development being completed the applicant is required to submit a:

- (i) servicing options report, and
(ii) a hydrogeological report

23. Type of storm drainage:

- ☒ sewers
☐ ditches
☐ swales
☐ Other (specify) _____

24. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

- ☐ consent to sever ☐ approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

N/A

25. If known, indicate if the subject land has ever been the subject of an application for rezoning under Section 34 of the Planning Act:

Ye

If known, indicate whether the subject land has ever been the subject of a Minister's Zoning Order and, if known, the Ontario Regulation number of that order.

N/A

26. Does the requested amendment remove the subject land from an area of employment in the official plan?

- ☐ Yes ☒ No

If yes, state the current official plan policies, if any, dealing with the removal of land from an area of employment.

N/A

27. Is the subject land within an area where zoning with conditions may apply?

- ☐ Yes ☒ No

If yes, how does this application conform to the official plan policies relating to zoning with conditions?

N/A

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

☒ Yes ☐ No

Comments Please see Planning Justification Report, dated October 2024.

29. Is the subject land within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

☐ Yes ☒ No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

Dated at the TOWN of LEAMINGTON this 2nd day of NOV, 2024.

(signature of applicant, solicitor or authorized agent)

2713271 Ontario Inc.

I, c/o Akbar Bapoo of the TOWN OF LEAMINGTON

in the County/District/Regional Municipality of Essex solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the TOWN of LEAMINGTON in the MUNICIPALITY of ESSEX this 2nd day of NOV, 2024

Applicant, Solicitor or Authorized Agent

AKBAR BAPOO

A Commissioner, etc.
MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
- c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
- d) the current uses on land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

NOTE: **A deposit fee of \$2,000.00 must accompany your completed application.**

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

Part 1 and Part 2, 12R-29344 (0 Victoria Street South)

I/We, the undersigned, being the registered owner(s) of the above lands hereby
authorize Dillon Consulting Limited & Imperium Builds Ltd of the City of Windsor and
Municipality of Leamington to:

- (1) make an application on my/our behalf to the Council for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town Council relevant to the application.

Dated at the Town of LEAMINGTON in the
Municipality of ESSEX, this 2nd day of NOV, 2024.

Ann Jain
Signature of Witness
Ann Jain

Akbar Bapoo
Signature of Owner
AKBAR BAPOO


Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

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APPENDIX B

Provincial/County/Amherstburg Policies

PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement (2024) is a consolidated statement of the government’s policies on land use planning. It gives provincial policy direction on key land use planning issues that affect communities, such as:

- Efficient use and management of land and infrastructure;
- The provision of sufficient housing to meet changing needs, including affordable housing;
- The protection of the environment and resources including farmland, natural resources (for example, wetlands and woodlands) and water;
- Opportunities for economic development and job creation;
- The appropriate transportation, water, sewer and other infrastructure needed to accommodate current and future needs; and
- The protection of people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas.

Essentially, the PPS (2024) supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The following table provides a summary of the key policy considerations of the PPS (2024), as it pertains to the proposed re-use of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

PPS POLICY	POLICY	RESPONSE
2.0 Building Homes, Sustaining Strong and Competitive Communities		
2.1 Planning for People and Homes		
2.1.4	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and</p> <p>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, including units in draft approved or registered plans.</p>	<p>The proposed development adds to the range of housing options in Amherstburg by providing semi-detached dwellings to the mix of residential dwellings available. Additionally, allowing three (3) parking spaces within the driveways, per unit provides a flexible option to support up to one (1) secondary dwelling unit if future demand persists. The Subject Site is designated for residential development and is serviced by existing infrastructure with capacity. This will assist in meeting projected requirements of current and future residents of the regional market area.</p>

PPS POLICY	POLICY	RESPONSE
2.1.6	<p>Planning authorities should support the achievement of complete communities by:</p> <ul style="list-style-type: none"> a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups. 	<p>The Subject Site is conveniently located within walking distance (<1 km) to northbound and southbound bus stops on the Amherstburg Connection Route 605. This route provides transit connectivity to various institutional, recreational, and employment locations within Amherstburg as well as to the Hotel-Dieu Grace Healthcare Terminal in Windsor.</p> <p>Accessibility for people of all ages and social equity is supported by the proposed development as the housing type (semi-detached dwellings) is attainable for more people and is located with access to a range of land uses. Potential to support secondary dwelling units may provide more affordable housing options in future for the Town.</p>
2.2 Housing		
2.2.1	<p>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:</p> <ul style="list-style-type: none"> a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs; b) permitting and facilitating: <ul style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the conversion of existing 	<p>The proposed development represents an opportunity for intensification of the Subject Site and provides a range of housing options within the Town (semi-detached and secondary dwelling unit potential) with access to public transit. The proposed development efficiently uses land that is designated for residential development and is serviced by existing infrastructure. Semi-detached dwellings are more attainable for all income levels, which helps to meet the social, health, economic and well-being requirements of current and future residents. Potential to support secondary dwelling units may provide more affordable housing options in future for the Town.</p>

PPS POLICY	POLICY	RESPONSE
	<p>commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units in accordance with policy 2.3.3;</p> <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.</p>	
2.3 Settlement Areas and Settlement Area Boundary Expansions		
2.3.1 General Policies for Settlement Areas		
2.3.1.1	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Subject Site is within a Primary Settlement Area, as identified by Schedule "A1" and "A2" of the County of Essex Official Plan.
2.3.1.2	<p>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) optimize existing and planned infrastructure and public service facilities;</p> <p>c) support active transportation;</p> <p>d) are transit-supportive, as appropriate; and</p> <p>e) are freight-supportive.</p>	The proposed development efficiently uses land that is serviced by existing public infrastructure and public transit. Active transportation routes are available from the Subject Site with connections throughout the Town. Potential to support secondary dwelling units makes efficient use of the existing land and resources in an area that supports public transportation.
2.3.1.3	Planning authorities should support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary <i>infrastructure</i> and <i>public service facilities</i> .	A complete community is supported by the proposed development as it contemplates intensification of the Subject Site, adding to the mix of housing options available in the Town.

PPS POLICY	POLICY	RESPONSE
2.4 Strategic Growth Areas		
2.4.1 General Policies for Strategic Growth Areas		
2.4.1.2	<p>To support the achievement of <i>complete communities</i>, a range and mix of <i>housing options</i>, <i>intensification</i> and more mixed-use development, <i>strategic growth areas</i> should be planned:</p> <ul style="list-style-type: none"> a) to accommodate significant population and employment growth; b) as focal areas for education, commercial, recreational, and cultural uses; c) to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and d) to support <i>affordable</i>, accessible, and equitable housing. 	<p>The proposed residential development provides for a housing option that is attainable to a larger range of incomes with access to the inter-regional transit network. This supports the achievement of a complete community. Potential to support secondary dwelling units may provide more affordable housing options in future through a more diversified housing mix.</p>
2.9 Energy Conservation, Air Quality and Climate Change		
2.9.1	<p>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the <i>impacts</i> of a <i>changing climate</i> through approaches that:</p> <ul style="list-style-type: none"> a) support the achievement of compact, <i>transit-supportive</i>, and <i>complete communities</i>; b) incorporate climate change considerations in planning for and the development of <i>infrastructure</i>, including stormwater management systems, and <i>public service facilities</i>; c) support energy conservation and efficiency; d) promote <i>green infrastructure</i>, <i>low impact development</i>, and <i>active transportation</i>, protect the environment and improve air quality; and e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the <i>impacts of a changing climate</i>. 	<p>The proposed development represents compact development through the intensification of lands and optimization of existing infrastructure. It is transit-supportive being located close to an existing transit route (Amherstburg Connection Route 605) and promotes active transportation based on the location of the Subject Site in the community.</p>
3.6 Sewage, Water and Stormwater		
3.6.2	<p><i>Municipal sewage services</i> and <i>municipal water services</i> are the preferred form of servicing for <i>settlement areas</i> to support protection of the environment and minimize potential risks to human health and safety. For clarity, <i>municipal sewage services</i> and <i>municipal water services</i></p>	<p>The proposed development will utilize existing municipal sewage services and municipal water services.</p>

PPS POLICY	POLICY	RESPONSE
	include both centralized servicing systems and decentralized servicing systems.	
3.6.8	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads; c) minimize erosion and changes in water balance including through the use of <i>green infrastructure</i>; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and <i>low impact development</i>; and align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a <i>watershed scale</i>. 	The proposed development will utilize the existing municipal stormwater management systems, mitigating risks to human health, safety, property and the environment.

COUNTY OF ESSEX OFFICIAL PLAN (2014)

The County of Essex Official Plan (2014) establishes a policy framework for managing growth, protecting resources and providing direction on land use decisions during the planning period to 2031. The County of Essex Official Plan provides the fundamental policy framework from which more detailed land use planning can be continued by the local municipalities. This policy document:

- Implements the Provincial Planning Statement at the County level;
- Provides a policy framework that will provide guidance and direction to the seven local municipalities in their preparation and future interpretation of updated local Official Plans, Official Plan amendments and Zoning By-laws; and
- Establishes a policy framework for coordination and cooperation between municipalities, both internal and external to the County, on planning, development, resources and inter-municipal servicing issues that cross municipal boundaries.

The following table provides a summary of the key policy considerations of the County of Essex Official Plan (2014), as it pertains to the proposed redevelopment of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

COUNTY OP POLICY	POLICY	RESPONSE
Section 2.0 – Planning Framework & General Policies		
2.1 Planning Context		
2.10	Sewage and Water Systems - The County encourages new development to proceed on the basis of full municipal sewage services and municipal water services and local municipalities are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.	The proposed development makes use of existing municipal services, which demonstrates efficient and environmentally responsible development.
2.13 (a, b, d)	Energy, Air Quality & Green Infrastructure - It is a policy of this Plan to support energy efficiency, improved air quality, and the use of green infrastructure by considering the following during planning and development review functions: <ul style="list-style-type: none"> a) Whether the proposal promotes active transportation as outlined in Section 2.8 of this Plan, and in particular, provides enhanced walking and cycling opportunities. 	The Subject Site adds to the mix of housing types in the community and is located conveniently near bus stops for the Amherstburg Connection Route 605, which provides transit connectivity through the Town. This is an opportunity to reduce vehicle trips with the use of existing public transit infrastructure. In addition, the proposed development has direct access to the Town's sidewalk

COUNTY OP POLICY	POLICY	RESPONSE
	<p>b) Whether the proposal locates land uses in such a manner that reduces the distance and number of vehicle trips.</p> <p>d) Whether the design incorporates compact form, efficiently uses land and where appropriate, a mixture of uses and housing types.</p>	network, enhancing opportunities for walking and supporting modes active transportation.
2.5 Water Resources Management		
2.5.1.1	<p>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. Schedule "C3" maps the three Intake Protection Zones within and surrounding the County.</p> <p>Intake Protection Zone 2 (IPZ-2) is the area of water and land that is outside IPZ-1 and accounts for the influence of nearby watersheds, where runoff may pick up pollutants and affect water quality in the near-shore water at municipal intakes. IPZ2 areas generally encompass areas within a few kilometres of the intakes and are based on a two-hour time of travel for the flow of water along the shores and in the tributary watersheds.</p> <p>Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice, the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.</p>	The proposed use does not include fuel storage, fuel transportation or an industrial use. As such, the residential development would not be a significant threat in the location proposed.
Section 3.0 – Land Use Policies		
3.2 Settlement Areas		
3.2.2	<p>The following goals are established for those lands designated as "Settlement Areas" on Schedule "A1":</p> <p>a) Support and promote public and private re-investment in the Primary Settlement Areas.</p>	<p>The Subject Site is within a Settlement Area, as identified by Schedule "A1" of the County of Essex Official Plan.</p> <p>The proposed residential development is compact, making</p>

COUNTY OP POLICY	POLICY	RESPONSE
	<p>b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.</p> <p>c) 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.</p> <p>e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.</p> <p>i) Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.</p> <p>j) Promote affordable housing within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.</p>	<p>efficient use of land and municipal infrastructure. The development adds to the range of housing types within the Town at price points that are affordable for more community members.</p>
3.2.4	<p>Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County. The locations and boundaries of the Primary Settlement Areas within the County have been identified on Schedule "A2".</p>	<p>The Subject Site is within a Primary Settlement Area, as identified by Schedule "A2" of the County of Essex Official Plan.</p>
3.2.4.1	<p>The following policies apply to Primary Settlement Areas:</p> <ul style="list-style-type: none"> 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 	<p>The Subject Site is within a Primary Settlement Area, as identified by Schedule "A2" of the County of Essex Official Plan.</p> <p>The proposed development is located on full municipal sewage, water, and stormwater management services. This will minimize land consumption and reduce servicing costs. The proposed development promotes a healthy mixture of housing types with access</p>

COUNTY OP POLICY	POLICY	RESPONSE
	<p>walkable communities with public transit options (or long-term plans for same).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>to public transit and active transportation routes.</p>
3.2.6	<p>The following policies apply to all "Settlement Areas" identified on Schedule "A1" of this Plan:</p> <p>b) The County supports residential intensification within Primary Settlement Areas.</p> <p>d) Local Official Plans are encouraged to establish land requirement needs based on densities which meet the following:</p> <p>i) Efficiently use land, resources, infrastructure and public service facilities.</p> <p>ii) Avoid the need for unnecessary and/or uneconomical expansion of infrastructure.</p> <p>iii) Support the use of public transit where available or where it can be provided in future years.</p>	<p>The proposed development supports residential intensification within a Primary Settlement Area. It makes use of existing municipal infrastructure and supports the use of public transit.</p>

COUNTY OP POLICY	POLICY	RESPONSE
	<ul style="list-style-type: none"> iv) Are appropriate to the type of sewage and water systems which are planned or available. e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area as outlined below: <ul style="list-style-type: none"> i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification, redevelopment and if necessary, lands which are designated and available as defined by Provincial Policy. ii) Maintaining at all times, where new development is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans. iii) Permitting and facilitating all forms of housing, including special needs housing, required to meet the social, health and well-being requirements of current and future residents. f) Local Official Plans are encouraged to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure. g) It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to: <ul style="list-style-type: none"> i) Make provision such that infrastructure and public service facilities will be available to accommodate projected growth. ii) Provide a supply of land to meet long term requirements. iii) Provide for an efficient, cost effective, reliable, multi-modal transportation system that is integrated with adjacent 	

COUNTY OP POLICY	POLICY	RESPONSE
	<p>systems and those of other jurisdictions and is appropriate to address expected growth.</p> <p>iv) Conserve energy and water by providing for energy and water efficiency.</p>	
3.2.7	<p>The County encourages well-planned intensification development projects in the “Settlement Areas” to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community. The County also specifically encourages residential intensification and redevelopment within Primary Settlement Areas in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities.</p> <p>The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment. Implementation and annual reporting to the County on meeting this target will be the responsibility of the local municipalities.</p>	<p>The residential development represents an opportunity for intensification within a Primary Settlement Area. The proposed development makes efficient use of the land and is located with access to existing municipal infrastructure.</p>

TOWN OF AMHERSTBURG OFFICIAL PLAN (2010)

The Town of Amherstburg Official Plan (2010) establishes a policy framework to guide development and implementing by-laws for the municipality until the year 2025. The Town of Amherstburg Official Plan provides guidance for the physical development of the Town through the establishment of land use patterns and development policies while having regard to relevant social, economic, and environmental issues. This policy document has the purpose of:

- Identifying and establishing policies for the desired direction and order of all future development within the Town to the year 2025;
- Guiding future economic, social, environmental, and land use changes within the municipality to the year 2025;
- Providing a policy framework which encourages growth and prosperity in the municipality and strengthens the Town's role as a desirable place to work, live, and visit by maintaining and enhancing the Town's physical and cultural resources which are the basis of the community's desirability and economic wellbeing;
- Interpreting and applying the intent of Provincial legislation, regulations and policies to the Town of Amherstburg in a manner which reflects the regional interests;
- Ensuring that good agricultural land is preserved for agricultural use through the protection of the land base by directing land uses that are not related to, or compatible with agriculture, away from the agricultural areas while permitting economic opportunities, on the farm job creation, and the continued presence of existing social and recreational support facilities within the rural portion of the Town;
- Ensuring that the minimum agricultural operation unit size or farm parcel size is sufficient for the typical agricultural operation while also permitting farming operations to adjust to changing economical and technological conditions;
- Developing planning policies and implementing regulations that will respect the natural, cultural, and heritage features of the Town, including minimizing any adverse impacts on the natural environment, wildlife habitat, natural heritage features and areas, protecting significant environmental features and the water quality of the area watershed through the application of good management practices;
- Establishing a land use pattern that ensures sufficient lands have been identified in settlement areas for development to accommodate a variety of housing and employment opportunities to meet current and future needs;
- Developing policies that would prohibit uncontrolled development throughout the municipality, ensure a logical and orderly pattern of development in accordance with the servicing capabilities of the Town and with due regard to the cumulative impacts of development on the natural environment and surrounding land uses;
- Encouraging the provision of affordable housing in a variety of designated locations and a variety of dwelling types;

- Ensuring that all future development occurs at a pace which is within the financial capability of the Town;
- Informing the private sector of the type and standard of development that will be permitted within the Town in the future;
- Guiding Council, various committees, staff and other regulatory agencies in carrying out the goals, objectives and policies of this plan;
- Establishing a framework for public involvement in the implementation, review or amendment of the Plan's goals, policies and land use decisions; and
- Providing a frame of reference for future detailed studies which may be undertaken when considered necessary by Council.

The following table provides a summary of the key policy considerations of the Town of Amherstburg Official Plan (2010), as it pertains to the proposed redevelopment of the Subject Site.

Our analysis concludes that the proposed development is consistent with the policies included below:

TOWN OP POLICY	POLICY	RESPONSE
Section 2 – Land Use Management Strategy for Development		
2.1	<p>In order to effectively accommodate the current and future inhabitants of the Town of Amherstburg in an orderly and logical manner the following general development policies and principles shall be applied to all land use designations and development within the Town.</p> <p>The Town of Amherstburg will endeavour to ensure that:</p> <p>(4) residential amenities are maintained; and,</p> <p>(6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available without undue additional cost.</p> <p>Council will promote the economic growth by promoting Amherstburg and cooperating with the Federal Government, the Province, and the County to attract industry and commerce to the Town.</p> <p>The Land Use Management Strategy for Development policies of this Plan have been established in order that future development of the Planning Area is controlled in an orderly and systematic basis. New development or</p>	<p>The proposed residential development will add to the residential units available within the Town and will utilize existing municipal infrastructure.</p>

TOWN OP POLICY	POLICY	RESPONSE
	redevelopment in Amherstburg should follow the guidelines outlined below.	
2.2	In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Town or by the developer. As per Section 34(5) of the Planning Act, R.S.O. 1990 c.P.13, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning.	The Subject Site is located with access to adequate public services and will utilize existing municipal services. This development is economically feasible for the Town.
2.3	Prior to the approval of any development or amendment to this Plan or the Zoning By-Law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that: (1) soil and drainage conditions are suitable to permit the proper siting of buildings; (2) the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development; (3) the road system is adequate to accommodate projected increases in traffic; (4) the land fronts on a public road (unless specifically noted as an approved private road) which is of a reasonable standard of construction; (5) lot frontage and area is suitable for the proposed use and conforms to the standard required by the implementing By-Law; and, (6) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing adjacent use or on the natural environmental features and functions.	The Subject Site is suitable for development as the proposed development fronts onto a public road and can be adequately accommodated by existing public services, utilities, and rights-of-ways. The proposed development does not have any adverse impacts on any natural environmental features and the buildings are sited properly on the property, conforming to the standards required by the Zoning By-law.
2.6 – Water Supply and Sewage Disposal		
2.6.1	Public Piped Systems - Urban development or redevelopment in the Town of Amherstburg shall be directed to established Settlement Areas and	The proposed development is located within a Settlement Area, as identified by Schedule “A1” of the

TOWN OP POLICY	POLICY	RESPONSE
	<p>developed on the basis of public piped water and sanitary sewer systems. In certain instances, this may entail extensions and/or improvements to the existing public piped systems in order to service areas of new urban development.</p> <p>Where the servicing of new urban development requires extensions and/or improvements to the existing public piped systems, such servicing will generally be financed, constructed, and maintained by the developer before being turned over to the Town.</p>	County of Essex Official Plan. The Subject Site will utilize the existing public piped water and sanitary sewer systems.
2.6.4	<p>New proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site. Any development on public piped, private communal, private individual on-site or partial services within a Settlement Area must be within the uncommitted reserve sewage system and uncommitted reserve water system capacity. The determination of sufficient reserve sewage system capacity shall include treatment capacity for any hauled sewage from private systems. The availability of uncommitted reserve capacity shall be determined by qualified engineers to the satisfaction of the Town and shall be based on the Ministry of Environment policies and guidelines.</p>	The proposed development has access to existing uncommitted reserve water and sewage treatment capacity that is adequate to support the residential development.
2.7	<p>Stormwater management shall be required to ensure that runoff is controlled such that development does not increase peak flows to any greater extent than pre-development runoff in watercourses that impact on downstream flooding, to institute runoff control to prevent accelerated enrichment of watercourses from pollutants, and to enhance water quality and aquatic habitat.</p> <p>Prior to any development being allowed to proceed, and if required by the Town of Amherstburg and/or the Essex Region Conservation Authority, the developer shall undertake an Engineering Study to determine the effect of increased run-off due to development of the site, and to identify stormwater management measures as necessary to control any increases in flows in</p>	As part of the proposed development, stormwater management is controlled to avoid impact on downstream flooding and control runoff.

TOWN OP POLICY	POLICY	RESPONSE
	<p>downstream watercourses, up to and including the 1:100 year design storm, and to control the quality of the stormwater discharge from the site.</p> <p>It shall be the responsibility of the developer to install the stormwater management measures identified in the study as part of the development of the site, to the satisfaction of the Town and the Essex Region Conservation Authority</p>	
2.11	<p>The proposed development and redevelopment of all land in the Town must generally be compatible with adjacent land uses. Residential areas and other sensitive land uses, such as nursing homes, shall be protected from undesirable air quality and excessive noise and vibration through the policies of this Plan and the use of Site Plan Control.</p> <p>Developers proposing to locate residential or other sensitive land uses near industry, railway lines, and/or arterial roads may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the Ministry of Environment and/or the Town and which meet the Ministry's recommended sound and vibration limits.</p>	The proposed development is compatible with surrounding land uses and is protected from undesirable air quality and excessive noise and vibration.
Section 4 - Settlement Areas – Land Use Policies		
4.2 Residential Uses		
4.2.1	<p>It is the intention of this Plan to ensure that sufficient lands have been placed in various Residential designations to accommodate the anticipated population in a suitable variety of locations, densities, and unit types. This Plan also intends to ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, and incorporates energy efficient aspects in its design.</p> <p>The Plan also intends to encourage the development of economical housing in a suitable environment. Existing housing and existing residential areas shall be preserved and improved.</p>	The proposed development is appropriately located, with access to full municipal services and being compatible with surrounding land uses. Through the proposal, housing options will be provided to the mix of unit types available in the Town.
4.3 Residential Land Use Designations		
4.3.1.1	Areas designated as Low Density Residential shall be limited to single detached, semi-detached,	The proposed development is for four (4) semi-detached dwelling units over two (2) lots with a density

TOWN OP POLICY	POLICY	RESPONSE
	<p>duplex, or converted dwelling units, home occupation uses and public uses.</p> <p>Although the existing densities within areas designated Low Density Residential are in the order of 6 to 12 units per hectare, smart growth encourages a more cost effective development pattern to better utilize services and the land base. In a desire to promote more efficient use of the land, the maximum density for single detached developments shall be 15 units per hectare and the maximum density for semi- detached development and conversions shall be 22 units per hectare. The overall maximum density shall not exceed 19 units per gross hectare.</p>	<p>of 20.74 units/hectare well below the maximum 22 unit/hectare permitted. This proposal is within the permitted maximum density for semi-detached dwellings in the Low Density Residential land use designation.</p>
4.3.1.3	<p>Medium and High-Density Residential Policies for areas Designated Low Density As outlined in Subsection 4.2.3(4) a variety of residential building types and densities are desired to meet the needs of all residents and future residents of the Town.</p> <p>For proposals of Medium Density Residential and High-Density Residential development in areas presently undeveloped and designated on Schedule "B" as Low Density Residential, at least two of the location criteria listed below shall be present before such a site would be considered to have acceptable location characteristics.</p> <ul style="list-style-type: none"> a) Frontage on an arterial street as indicated on Schedule "D" of this Plan; b) Abutting major public parks as indicated on Schedules "A" and "B" of this Plan; c) Abutting a commercial area as indicated on Schedules "A" and "B" of this Plan; d) The vacant parcel is at least 5 hectares in size. <p>The following additional items will be considered when reviewing the appropriateness of applications to amend the comprehensive Zoning By-Law to permit medium or high- density residential uses in an area designated Low Density Residential:</p>	<p>The proposed residential development abuts open space and is located in close proximity (<0.5km) to a large public park. The proposed development is appropriately located, with access to full municipal services and being compatible with surrounding land uses. The traffic generated by the proposed development is not anticipated to negatively affect the capacity of existing rights-of-ways. Adequate off-street parking is provided for each proposed unit and proposed building setbacks are adequate to protect the privacy of surrounding residential properties.</p>

TOWN OP POLICY	POLICY	RESPONSE
	<p>a) general compatibility with existing uses in close proximity to the proposed development;</p> <p>b) the capacity of the roads affected and their ability to handle the expected increases in traffic;</p> <p>c) the adequacy of services to serve the proposed development;</p> <p>d) the adequacy of off-street parking facilities to serve the proposed development;</p> <p>e) the provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties; and</p> <p>f) the proposal's conformity with the Provincial Planning Statement on Housing.</p>	
Section 6 - Development Policies		
6.6 Housing Policies		
6.6.1	<p>The Town of Amherstburg is concerned about the availability, affordability and appropriateness of the existing and future housing stock of the Town.</p> <p>The existence of serviced and/or serviceable land can influence the supply and therefore the availability of building lots, and because the mix of housing type can influence issues such as the correct fit between available housing stock to family structures and because lot size can affect the price of the finished home; the Town of Amherstburg has deemed it appropriate to try and influence the development industry and assist in directing it towards supplying the most appropriate mix of housing stock to meet the Town's residential needs.</p>	<p>The proposed development is located on lands serviced by existing municipal infrastructure and with access to public transportation. The proposed development of semi-detached dwellings adds to the mix of housing stock available in the Town. The proposed development will help the Town meet the needs for residential units.</p>
6.6.3.3	<p>The Town shall encourage and assist, where possible, in the production of an adequate supply and mix of affordable housing by:</p> <p>a) expediting the development approval process and other administrative requirements;</p>	<p>The proposed residential development is compact, making efficient use of land and municipal infrastructure. The development adds to the range of housing types within the Town at price points that are affordable for more community members.</p>

TOWN OP POLICY	POLICY	RESPONSE
Section 7 - Implementation		
7.2 Zoning By-Law		
7.2.1	<p>It is intended that a comprehensive Zoning By-Law shall be brought into effect in accordance with the provisions of the Planning Act by the Council of the Town of Amherstburg. Such bylaw shall zone land in accordance with the designations and policies contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures. No application may be approved or by-law passed that does not conform to this Plan, save and except a by-law pursuant to Section 24 of the Planning Act, R.S.O. 1990. Lands designated on Schedules "A" and "B" may be zoned to a "Holding" or "Agricultural" Zone pending their appropriate timing for their respective uses in accordance with the designations as shown on the Land Use Plan and policies related thereto, when Council is satisfied that the resulting development is desirable and appropriate.</p>	<p>A Zoning By-law Amendment is required to facilitate the proposed development. The Zoning By-law Amendment conforms with the Town of Amherstburg Official Plan.</p>

APPENDIX C

Town of Amherstburg
Zoning By-law No. 1999-52



THE CORPORATION OF THE TOWN OF AMHERSTBURG

ZONING BY-LAW

NO. 1999-52

OFFICE CONSOLIDATION

This publication represents an **Office Consolidation** only of By-law No. 1999-52, as amended up to and including October 25, 2022; and is prepared for purposes of convenience only and is not to be construed as an enactment of the Town Council. The parent By-law and all of its amendments are available in the Town Clerk's Office, 271 Sandwich Street South, Amherstburg, Ontario N9V 2A5.

MAY, 2023

SECTION 9 RESIDENTIAL THIRD DENSITY (R3) ZONE

(1) SCOPE

The provisions of this Section shall apply in all Residential Third Density (R3) Zones except as otherwise provided in the Special Provisions Subsection of this Section.

(2) USES PERMITTED

No person shall within any R3 Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R3 uses, namely:

- (i) single detached dwelling;
- (ii) semi-detached dwelling;
- (iii) duplex dwelling;
- (iv) lodging house;
- (v) bed and breakfast establishment;
- (vi) converted dwelling;
- (vii) existing places of worship;
- (viii) home occupation;
- (ix) accessory uses;
- (x) public use.

(3) ZONE REQUIREMENTS

No person shall within any R3 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

- | | | |
|----------------------------|--|--------------------------|
| (a) Lot Area (Minimum) | | |
| (i) | Single detached dwelling unit, converted,
lodging house | 460 m ² |
| (ii) | Duplex dwelling | 560 m ² |
| (iii) | Semi-detached dwelling | 650 m ² |
| | Semi-detached unit | 280 m ² |
| (b) Lot Frontage (Minimum) | | |
| (i) | Single detached dwelling unit, duplex,
converted, lodging house | 12 m
(By-law 2006-61) |
| (ii) | Semi-detached dwelling | 18 m |
| | Semi-detached dwelling unit | 8.5 m |
| (c) | Front Yard Depth (Minimum) | 6 m |

- | | | |
|-----|--|-------------------|
| (d) | Interior Side Yard Width (Minimum) | 1.5 m |
| | Provided that on a lot where there is no attached private garage or attached carport the minimum interior side yard width shall be 2.5 m on one side and 1.5 m on the other side | |
| (e) | Exterior Side Yard Width (Minimum) | 6 m |
| (f) | Rear Yard Depth (Minimum) | 7.5 m |
| (g) | Lot Coverage (Maximum) | 35% |
| (h) | Landscaped Open Space (Minimum) | 30% |
| (i) | Dwelling Unit Area (Minimum) | |
| | (i) Single detached unit | 75 m ² |
| | (ii) Semi-detached and duplex unit | 65 m ² |
| | (iii) Converted, lodging house or tourist establishment per unit | 30 m ² |
| (j) | Height (Maximum) | 8.5 m |
| (k) | Accessory Uses, Parking, Home Occupation, etc. in accordance with the provisions of Section 3 hereof. | |

(4) SPECIAL PROVISIONS

(a) R3-1 (DETROIT RIVER RESIDENTIAL LOTS)

Notwithstanding any provisions of this By-law to the contrary, within any area designated R3-1 on Schedule "A" hereto, the following special provisions shall apply:

i. Zone Requirements

1. Rear Yard Depth (Minimum)

7.5 m or the established waterfront building line, whichever is the greater. For the purpose of this Section, established waterfront building line shall be calculated by taking the average depth of the existing main building on the two adjacent lots as measured from water's edge to the closest exterior wall of the main building and parallel to the front lot line. Where there is an existing building on only one side of

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APPENDIX D

Development Renderings









