

**AMENDMENT NO.14  
TO THE OFFICIAL PLAN  
FOR THE  
TOWN OF AMHERSTBURG**

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## DECISION

### **With respect to Official Plan Amendment No. 14 to the Official Plan for the Town of Amherstburg Subsection 17(34) of the Planning Act**

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I hereby approve Amendment No. 14 to the Official Plan 2009-30 for the Town of Amherstburg, as adopted by By-law 2022-056.

Dated at Essex, Ontario this day                      of                      , 2022.

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Rebecca Belanger, MCIP, RPP  
Manager, Planning Services  
County of Essex

AMENDMENT NO. 14 TO THE OFFICIAL PLAN OF AMHERSTBURG

I, Valerie Critchley, Clerk of the Town of Amherstburg, certify that this is a/the original/duplication original/certified copy of Amendment No. 14 to the Official Plan of the Town of Amherstburg.

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CLERK – Valerie Critchley

**Corporation of the Town of Amherstburg  
By-law 2022-056**

**By-law to adopt Official Plan Amendment No. 14 to the  
Official Plan for the Town of Amherstburg**

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**NOW THEREFORE** the Council of the Town of Amherstburg, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. THAT Amendment No. 14 to the Official Plan 2009-30 for the Corporation of the Town of Amherstburg, consisting of the attached explanatory text and schedule, is hereby adopted;

THIS By-law shall come into force and take effect on the final passing thereof.

Read a first, second and third time and finally enacted this 24<sup>th</sup> day of May, 2022.

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**Aldo DiCarlo, Mayor**

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**Valerie Critchley , Clerk**

## **THE CONSTITUTIONAL STATEMENT**

PART A – THE PREAMBLE does not constitute part of this amendment.

PART B – THE AMENDMENT consisting of the following text and schedule, constitutes Amendment No. 14 to the Official Plan for the Town of Amherstburg.

AMENDMENT NO. 14  
TO THE OFFICIAL PLAN  
FOR THE TOWN OF AMHERSTBURG

PART “A” - THE PREAMBLE

1. PURPOSE OF THE AMENDMENT

Official Plan Amendment No. 14 will redesignate lands known as 247 Brock Street from 'Institutional' to 'Medium Density Residential' designation in the Official Plan for the Town of Amherstburg.

2. LOCATION OF LANDS

This OPA applies to the following land use designations depicted on Schedule A in the Official Plan:

- i) Legal description: Lot 1 E/S Kempt St, 3 E/S Brock Street, 18 W/S, 18 W/S Kempt St, 19 W/S Kempt St, Plan 1 Amherstburg; Pt Kempt St Pl 1 Amherstburg closed by R1109842; Pt E Pt 2 Con 1 Malden as in R1143624 Amherstburg;
- ii) Phase 1 and Phase 2 has been established on a registered Reference Plan 12R28876 as Part 1 for the existing established heritage building and Part 2 as vacant lands.
- iii) Municipal address: 247 Brock Street, Town of Amherstburg.

3. BASIS OF THE AMENDMENT

An Official Plan Amendment (OPA) was requested to change the policy framework applied to the subject property from 'Institutional' to 'Medium Density Residential' to support the proposed residential development.

An Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) were proponent initiated and requested to support the adaptive re-use of an existing heritage building and the development of the vacant portion of subject site for residential development.

The subject property presently contains an existing building that was constructed in 1910 as the St. Anthony's Roman Catholic School. The Town of Amherstburg Heritage Committee crafted a Heritage Designation Bylaw and subsequently the Town of Amherstburg Council passed the Heritage Designating Bylaw 2021-079 for the existing building as a heritage building protected under Part IV of the Heritage Act. The Bylaw

defines the heritage attributes that are to be protected both interior and exterior features have been reflected in the Heritage Designation Bylaw 2021-079.

**The development of the site is purported to be developed in 2 phases:**

**Phase 1** development is proposed to be the conversion of the existing 3.5 storey vacant heritage building (former House of Shalom) to a 16 unit residential condominium building with 30 parking spaces, comprised of 20 regular parking spaces, 10 garage spaces, and 2 Barrier Free spaces for a total of 32 parking on an individual parcel. The condominium development is referred to as the Lofts of St. Anthony's to reflect the historical orientation of the significant heritage building.

**Phase 2** is proposed with a new, 4 storey building containing 34 unit residential condominiums with 42 parking spaces and 2 Barrier Free (BF) spaces. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.

Review and evaluation of the proposed development was placed in context of the Provincial Policy Statement 2020 (PPS) and was considered to be consistent with provincial policy direction. Specifically, the development is consistent with provincial housing policies, provides for healthy community initiatives, and supports the healthy, walkable community policies of the province.

Official Plan Amendment No. 14 establishes a policy framework within the 'Medium Density Residential' policies for the subject lands. The Official Plan Amendment No. 14 establishes residential policy framework for the proposed new development that is intended as a medium density residential condominium development.

The proposed development, through the adoption of the Official Plan Amendment No. 14 will conform with the relevant policies of the County of Essex Official Plan policies and the Town of Amherstburg Official Plan policies by: providing alternative housing tenure and style while supporting a diversification in housing in Amherstburg; by preserving and conserving the significant heritage building; by adapting the existing building and infrastructure to accommodate medium density residential development; by efficiently and effectively utilizing existing infrastructure for the development of new condominiums; and by providing for a moderate intensification of land use with 36 condominium units as a medium density development well suited for the neighbourhood.

The Official Plan Amendment No. 14 will provide a policy framework for the implementing bylaw amendment By-law 2022-057. By-law 2022-057 provides a regulatory framework that will establish site specific regulations under the 'Residential Multiple Second Density (RM2)' zone provisions.

## PART “B” – THE AMENDMENT

All of this part of the document, entitled ‘Part “B” – The Amendment’ consisting of the following text and Schedule ‘A’ constitutes Official Plan Amendment No. 14 to the Official Plan 2009-03 for the Town of Amherstburg.

### 1. DETAILS OF THE AMENDMENT

The Official Plan of the Town of Amherstburg is amended as follows:

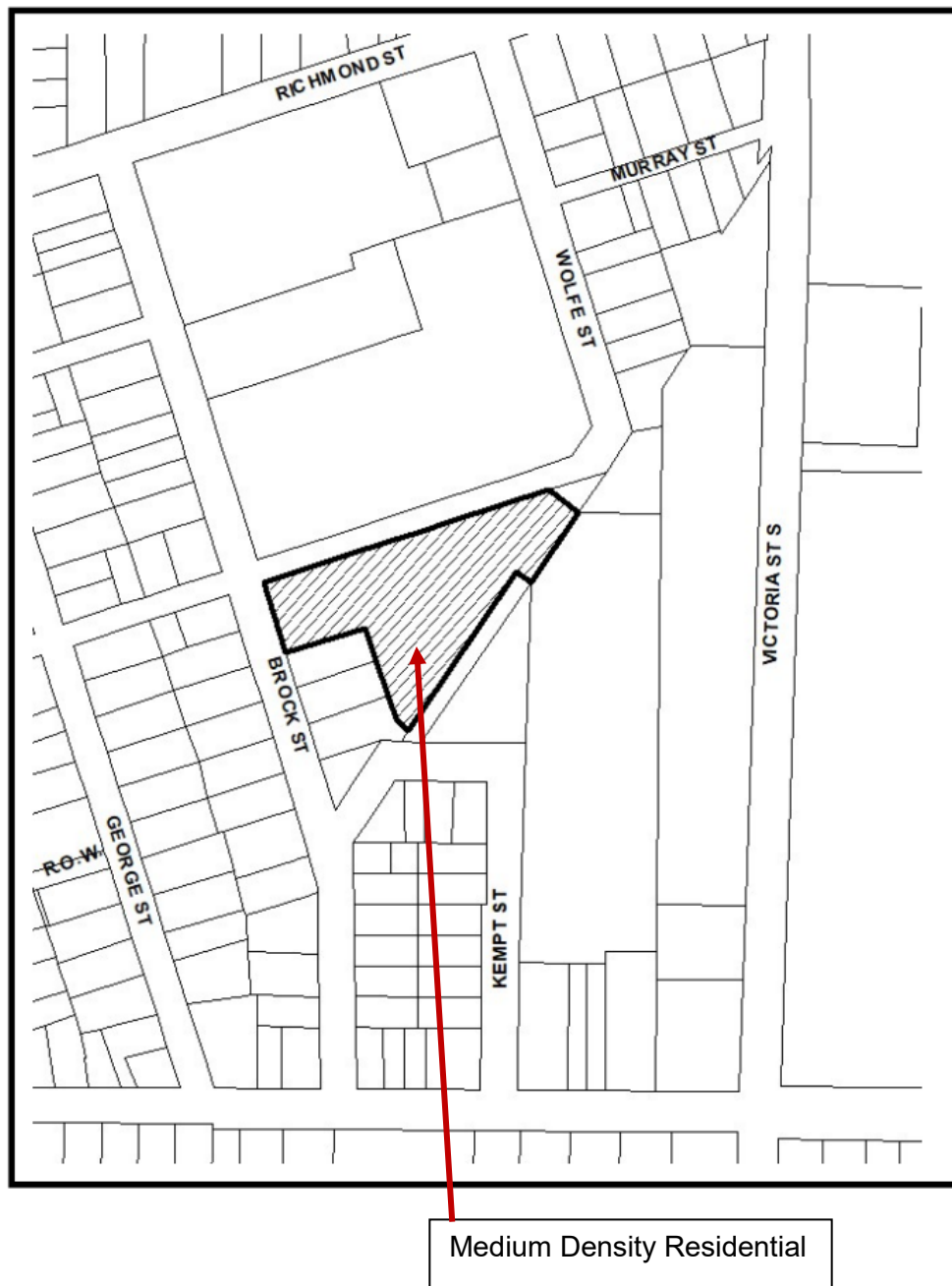
1.1 That Schedules “A”, “B” and “B-2” in the Town of Amherstburg Official Plan be amended identifying the lands municipally known as 247 Brock Street, designated as Part 1 and Part 2 on 12R28876, and shown as subject lands on Schedule “A” attached to and forming this amendment, are hereby redesignated from ‘Institutional’ designation to ‘Medium Density Residential’ designation.

### 2. IMPLEMENTATION OF THE AMENDMENT

Official Plan Amendment No. 14 will be implemented through Bylaw 2022-057, an amendment to Zoning By-law 1999-52, and Site Plan Control by-law.

OPA No. 14

Schedule "A"





## Appendix "G"

### Summary of Correspondence Received on OPA and ZBA for 247 Brock Street

Below is a summary of the comments received by the Planning Services Division on OPA No. 14 and ZBA/06/22.

#### Infrastructure Services Department:

It is the expectation that the future development of this property will be subject to the Site Plan Control process and it will be at that time that Infrastructure Services will provide comments regarding site servicing, right-of-way issues, drainage, storm water management, etc. It should be noted, however, that IS has been in discussion with the developers with regards to their site servicing and development needs.

#### Windsor Police Services:

- The Windsor Police Service has no concerns or objections with this application to allow an existing institutional building to be converted and used for 16 new residential condominium style dwelling units, construction of a new 4 storey 34-unit residential condominium style apartment building. The subject property is within an established residential neighbourhood and police access for responding to calls and providing mobile patrols will not be inhibited by the changes proposed.
- All site-specific features associated with this redevelopment that relate to public safety and security will be addressed, in detail, during the site plan review stage of the application.

#### Essex Region Conservation Authority:

The ERCA has reviewed the Notice of Public Meeting (attached) for a proposed OPA and ZBA for the above noted property and the correspondence from the County (attached) regarding the proposed Plan of Condominium(s) for the following development proposal: *Phase 1 is proposed to be the conversion of an existing 3.5 storey vacant building (former House of Shalom) to a 16 unit residential condominium building with 30 parking spaces, comprised of 20 regular parking spaces, 10 garage spaces, and 2 Barrier Free spaces*

*for a total of 32 parking on an individual parcel. Phase 2 is proposed with a new, 4 storey building containing 34 unit residential condominiums with 42 parking spaces and 2 Barrier Free (BF) spaces. The two parcels are proposed to be developed with a total of 50 residential condominiums and 76 parking spaces.*

Please be advised, that, the subject property, is not a regulated property, under ERCA's jurisdiction and therefore will not require a permit from the Authority.

We therefore recommend, that Stormwater Management, be completed to the satisfaction of the Municipality. The ERCA does recommend, that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the *Stormwater Management Planning and Guidance Manual*, prepared by the Ministry of the Environment (MOE, March 2003) and the *"Windsor-Essex Region Stormwater Management Standards Manual"*.

No Natural Heritage or Source Water Protection concerns or issues, have been identified at this location.

It is recommended, that, the Municipality, should consult with the Province, to see if a *Record of Site Condition (RSC)* is required, if a more sensitive land use, is being proposed at this location (*i.e. residential from institutional*), subject to the applicable legislation. (*This Official Plan and Rezoning, if approved, will amend the existing official plan designation on this property from an "Institutional" to a "Medium Density Residential" designation, and will change the zoning from an "Institutional" zone to a new site-specific Residential Multiple Second Density (RM2) zone.*)

## Canada Post:

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.