



## Summary of Correspondence Received on an Official Plan Amendment and a Zoning By-law Amendment Applications

Below is a summary of the comments received by the Planning Services Division on files OPA No. 16 and ZBA/09/22.

### Infrastructure Services Department:

Infrastructure services has been working with the proponent on site plan and terms of reference for the traffic study. Although General Amherst is closing in June, the fate of the crosswalk in front of this property is undetermined. The drive through exit may need to be restricted to right turn only depending on the crosswalk and the determination of the TIS. All other servicing issues will be addressed during site plan control.

### Windsor Police Services:

I have reviewed the documents you provided pertaining to this proposed amendment to both the Official Plan and the Zoning By-Law and would advise as follows:

- The Windsor Police Service has no objections to the proposed official plan and Zoning By-law amendment being requested to permit a drive through restaurant on the subject lands, in conjunctions with a multi-unit commercial building. The conceptual site plan (subject to being finalized) for this development reveals a design that will provide for effective emergency police incident response access and general police patrolling capability.
- The introduction of a drive through lane operation at this busy section of Sandwich Street will generate an increase of vehicular turning movements onto and off of the property, compared to the previous land use. This will place high importance on a final design that results in no sight line obstructions for drivers entering and exiting Sandwich Street, most notably at the exit of the drive through lane. The safety importance of this will also be impacted over the long term of what/how the former General Amherst Secondary School site, situated directly across Sandwich Street, gets redeveloped.
- To ensure all detailed facets of public safety and security get addressed for the development, we will provide more site-specific remarks during the site plan review phase for the project. This will include examining elements such as safe vehicular access and maneuverability, site lighting, signage and pavement markings, etc.



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June 03, 2022

Ms. Tammy Fowkes  
Deputy Clerk  
Town of Amherstburg  
512 Sandwich St South, Amherstburg, ON, N9V 3R2  
Tel: 519-736-0012 ext: 2216

Dear Ms. Tammy Fowkes:

RE: Application for Official Plan Amendment (OPA 16) and Zoning By-Law Amendment (ZBA-09-22), 131 & 135 SANDWICH ST S  
ARN 372923000004300, 372923000004400; PIN: 705540222, 705540223  
Applicant: DAEI FOODS INC

The following is provided as a result of our review of the Notice of Public Meeting to consider Application for Official Plan Amendment (OPA 16) and Zoning By-Law Amendment (ZBA-09-22).

This Official Plan Amendment, if approved, will amend the existing General Commercial policies to permit a drive through restaurant on the subject lands in conjunction with a multiunit commercial building having a total gross floor area of approximately 419 square metres. The Rezoning, if approved, will establish site-specific lot and building regulations, in accordance with a final site plan to be approved by the Town.

## **DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT**

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

## **RISK MANAGEMENT AND SOURCE PROTECTION PLAN**

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015.

The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk

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Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats.

Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at [riskmanagement@erca.org](mailto:riskmanagement@erca.org) or 519-776-5209 ext 214.

If a Risk Management Plan has previously been negotiated on this property, it will be the responsibility of the new owner to contact the Essex Region Risk Management Official to establish an updated Risk Management Plan. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

### **WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

#### **SECTION 1.6.6.7 PPS, 2020 - Stormwater Management**

The public meeting notice confirms this development will be subject to Site Plan Control. Therefore, we request to be included in the circulation of the Site Plan Control application. We reserve to comment further on storm water management concerns, until we have had an opportunity to review the specific details of the proposal through the site plan approval stage.

### **PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020**

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

### **FINAL RECOMMENDATION**

With the review of background information and aerial photograph, ERCA has no objection to this application for Official Plan amendment and Zoning By-law amendment at this time. However, we request to be circulated at the time of Site Plan Control to comment further on storm water management. Should your proposal require the installation of fuel storage on the site, please contact the RMO



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to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Kim Darroch, B.A.(Hons.), M.PL., RPP, MCIP  
Team Lead, Planning Services

CC: Melissa Osborne Director, Development Services