



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

**MISSION STATEMENT:** *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

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Author's Phone: 519 736-5408 ext. 2134	Date to Council: December 5, 2022
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**To:** Mayor and Members of Town Council

**Subject:** Statutory Public Meeting to Consider a Zoning By-law Amendment for 6101 County Road 20

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

It is recommended that:

1. Comments from the public, municipal departments, agencies and Council with respect to the proposed Zoning By-law Amendment for lands municipally known as 6101 County Road 20 (File ZBA-22-22) **BE RECEIVED and SUMMARIZED** in a future report to Council.

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

The Town is in receipt of an application for a Zoning By-law Amendment to By-Law 1999-52 from Seminary of Sacred Knowledge. The subject lands are located on the north side of County Road 20 east of Concession 6 S and is municipally known as 6101 County Road 20 (refer to Figure 1).

The purpose of the application is to define a student residence in the Zoning By-law and to establish a site-specific zone to add a student residence as a permitted use to the subject lands. The site currently contains an institutional school building currently being used as a seminary. The current use of the building is in compliance with the site's current zone provisions. A site picture is attached as Figure 2.

In preparing this information report for Council, planning staff have reviewed the following documents/submissions in order to provide comments to Council regarding the proposed development:

1. Town of Amherstburg Official Plan
2. Town of Amherstburg Zoning By-law
3. Relevant legislation – Planning Act
4. Comments Received as of November 23<sup>rd</sup> (Appendix “C”)

(Note: an administrative discussion and analysis of the documentation provided by the applicant will be provided as part of the subsequent report to Council.)

### **3. DISCUSSION:**

The subject lands are designated Low Density Residential in the Official Plan and is within the Settlement Area. The uses permitted in the Low Density Residential designation shall be limited to single detached, semi-detached, duplex, or converted dwelling units, home occupation uses and public uses.

Section 2.23 of the Official Plan states, “the development of institutional uses that serve the local community shall be permitted in all Settlement Areas without an amendment to this Plan.”

The Zoning By-law zones the lands Institutional (I). Currently at this location the following uses are permitted in the Town’s Comprehensive Zoning By-law:

- (i) cemeteries;
- (ii) colleges;
- (iii) day nurseries;
- (iv) government buildings;
- (v) hospitals;
- (vi) marina;
- (vii) manse;
- (viii) museums;
- (ix) nursing home;
- (x) parks;
- (xi) places of worship;
- (xii) recreational facilities owned and operated by a public authority;
- (xiii) schools.

The purpose of this initial public meeting is to provide an opportunity for the Applicant to present information and outline the purpose of the application to Council and to hear all comments regarding the rezoning. As Council is aware, notice for the proposed rezoning was circulated in accordance to the provisions of the Planning Act. As of the preparation of this report, a number of comments were received by the Town. A summary of the comments are attached to this report.

A Planning Act application must be assessed on its own merits. In this case the application is requesting an additional use be permitted on the site of a student residence defined as a dwelling operated and maintained by a school and may include a common

area, cooking facility or dining facility. A college residence or university student residence is a student residence.

Following this public meeting, staff will review all of the comments submitted as part of this application and prepare a report for a subsequent Council meeting. The second staff report will summarize all of the comments received and make recommendation(s) regarding the proposed rezoning and any applicable conditions if required.

**4. RISK ANALYSIS:**

The recommendation presents little to no risk to the municipality.

**5. FINANCIAL MATTERS:**

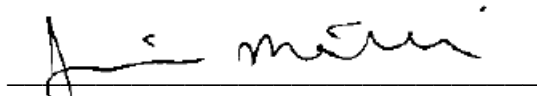
No applications fees were collected on this file as it is a Town driven housekeeping zoning by-law amendment. Should the decision be appealed to the Ontario Land Tribunal then the Town will incur costs.

**6. CONSULTATIONS:**

The Notice of Public Meeting was published in the local newspaper and on the Town website and circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations.

**7. CONCLUSION:**

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



Janine Mastronardi  
**Planner**

JM

**DEPARTMENTS/OTHERS CONSULTED:**

**Name: Office of Engineering and Public Works**  
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**Name: Building Services**

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**Email: [Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)**

**Name: Essex Region Conservation Authority**

**Phone #: 519 776-5209**

**Name: Windsor Essex Catholic District School Board**

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**Name: Greater Essex County District School Board**

**Phone #: 519-255-3200**

## Report Approval Details

Document Title:	Statutory Public Meeting to Consider a Zoning By-law Amendment for 6101 County Road 20.docx
Attachments:	- Figure 1- ZBA-22-22- Aerial.pdf - Figure 2- 6101 Cty Rd 20- Site Photo.pdf - Appendix C- Summary of Correspondence Received on ZBA-22-22 .pdf
Final Approval Date:	Nov 25, 2022

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



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox