TOWNSHIP OF SANDWICH SOUTH

The Planning Act and It's Procedures

*To be returned to the Clerk's office upon completion of term.**

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RELATIONSHIP OF ZONING TO THE OFFICIAL PLAN

(a) *Maintenance of Existing Pattern of Land Use*

A primary objective of most planning programmes is to maintain those parts of the community which are viewed as an asset because of their economic and aesthetic value. The by-law is the primary tool in maintaining the desired pattern of land use. It prevents, for example, the intrusion into a Residential area by an industrial use. Conversely, it may prevent the encroachment of Residential development upon an Industrial use, which encroachment might otherwise hamper the industry's operation or undermine its potential to expand. Similarly, the viability of the Central Business District can be protected through zoning provisions which direct "highway commercial" uses away from the downtown or which prohibit shopping centres in a community that has insufficient market for both the central commercial area and a new shopping centre.

(b) *Promotion of the Future Pattern of Land Use*

As to the lands which the Official Plan designates for future development, the by-law serves two important functions. First, it can hold development to ensure the kind of land use and the manner of development the Official Plan contemplates for an area can be achieved at the appropriate time. Second, when appropriate to expand into such an area zoning can ensure that the timing is correct, the services are available and the Official Plan policies on design and development standards are satisfied. Indeed, the zoning by-law establishes many of the municipality's standards for new development.

This technique is the one we described earlier as "development control" - a means of governing the sequence, timing and nature of development in areas designated for growth but not yet built upon.

(c) *The Implementation of Official Plan Objectives and Policies through the Zoning By-law*

There are numerous ways in which the zoning by-law can be used to implement the written policies of the Official Plan. It is unnecessary to cite every example. Rather, it should suffice to give a few examples from which it is possible to see how the by-law can be used in other respects to implement planning policies.

...

Plan Objective to Maintain the Central Business District

In implementing this policy, the by-law could first ensure that compatible uses only occur in the Central Business District and that uses serving or relating to the travelling public be relegated to another area. Second, provisions on the height and construction of buildings can help to maintain the desired appearance of the area. Similarly storage, screening, and buffering provisions can be devised to enhance the appearance of commercial uses. Parking and loading provisions could be established to minimize congestion and maximize customer convenience.

Plan Policy to Maintain Residential Neighbourhoods

Maintaining and/or promoting a desired residential character can also be achieved largely through the by-law. To illustrate, restrictions are placed on incompatible uses. Density provisions can serve to maintain the "village appearance" in a residential neighbourhood. Buffering, screening and setback provisions can protect a residential area from potential pollution problems or visual intrusions from nearby industrial development. The adequacy of apartment floor space area can be guaranteed by appropriate zoning standards.

Plan Policies Concerning Services and Environmental Protection

The zoning by-law can stipulate the level of servicing needed for a development to occur.

As to lands that may be susceptible to flooding, the zoning by-law is used to ensure no buildings or structures are erected that could otherwise aggravate the environmental problem.

439737

THE OFFICIAL PLAN

OF THE

SANDWICH SOUTH PLANNING AREA

Prepared for

THE CORPORATION OF THE TOWNSHIP OF SANDWICH SOUTH

by

PROCTOR, REDFERN, BOUSFIELD & BACON,
Consulting Engineers and Town Planners,
75 Eglinton Avenue East,
Toronto 12, Ontario.

REGISTERED

E.O. 66503

January 1968.

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REGISTERED

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REGISTERED

3/1/67

Official Plan for the

Sandwich South Planning Area

This Official Plan for the Sandwich South Planning Area which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South is hereby modified under the provisions of section 12 of The Planning Act, as follows:

1. Following Section 1.2 on page 6, the addition of a sub-section:

   1.2 (a) "No buildings of a permanent nature shall be permitted in areas subject to periodic flooding which are located as follows:

   (i) on the Pike Creek, near the eastern boundary of the Township and south of Tecumseh hamlet;

   (ii) on a tributary of the Canard River, near the south-west corner of the Township".

2. In Section 1.4, on page 7, the deletion of the first four lines and the substitution in its place:

   "1.4 Notwithstanding the fact that development in the Township will be encouraged to locate within the hamlets, the size of these will be limited as follows:

Adjacent to Windsor Airport	- infilling between existing houses,
Maidstone and Oldcastle	- approximate population of 1000 each,
Area South of the Town of Tecumseh	- approximate population of 2500.

   In the case of Maidstone, Oldcastle and the area south of Tecumseh, at the time this size is achieved future growth will be reviewed thus;"

3. Section 1.9 on page 9, added as a new section:

   "1.9 In view of the proximity of the Windsor Airport and the height regulations on buildings applied by the Department of Transport, uses in the industrial area adjacent to Highway No. 2 and the Chesapeake and Ohio Railway will be restricted to those that are appropriate to these regulations".

REGISTERED

4. Section 2.3 on page 11, the deletion of the words:

"and all other applicable circumstances".

As thus modified, this Official Plan is hereby approved pursuant to section 12 of The Planning Act, as the Official Plan for the Sandwich South Planning Area.

Date 3/2/69

Minister of Municipal Affairs.

REGISTERED

COPY OF BY-LAW NO. 1607

The Council of the Corporation of the Township of Sandwich South, in accordance with the provisions of The Planning Act, hereby enacts as follows:

1. The Official Plan of the Sandwich South Planning Area, consisting of the attached schedules and explanatory text, is hereby adopted.

2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 22nd day of April 1968.

Signed Bert R Bedford Clerk

Signed Robert Peabody Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. 1607 as enacted and passed by the Council of the Corporation of the Township of Sandwich South on April 22nd 1968

Signed Bert R. Bedford
Clerk of the Municipality

REGISTERED

3/1/67

I. Elmer Use .....cenify that this is the Original/ [redacted] of the Official Plan of the Sandwich South Planning Area.

THE OFFICIAL PLAN

OF THE

SANDWICH SOUTH PLANNING AREA

The attached schedules, policies and explanatory text, constituting the Official Plan of the Sandwich South Planning Area, were prepared by the Sandwich South Planning Board and were recommended to the Council of the Township of Sandwich South under the provisions of Section 10 of The Planning Act, on the..22nd...day of....April.....1968.

Elmer Use ..... Chairman

..Bert R. Bedford..... Secretary

CORPORATE SEAL OF PLANNING BOARD

This Official Plan was adopted by the Corporation of the Township of Sandwich South by By-law No..1607. in accordance with Section 11 of The Planning Act, on the .....22nd.day of.April..... 1968.

Robert Pulleyblank.. Reeve

..Bert R. Bedford..... Clerk

CORPORATE SEAL OF MUNICIPALITY

This Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South is hereby approved in accordance with Section 12 of The Planning Act, as the Official Plan of the Sandwich South Planning Area.

Date..... .....

Minister of Municipal Affairs

REGISTERED

3/1/67

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: H. H. Maenpaa

Seconded by: David J. Downs

Resolved that the attached Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date.....April 22.....1968

Carried

.....Elmer Ahe.....
Chairman

REGISTERED

3/1/67

THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

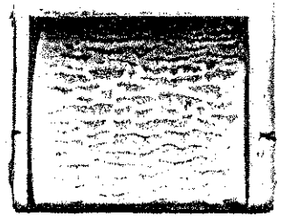
PURPOSE

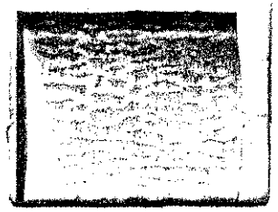
This Official Plan is a statement of intent that sets out by means of maps and a text, the policy of the municipality towards growth and development.

Its purpose is to contribute towards an attractive environment by organizing the pattern of land use and those aspects of development that are related to it. In doing this, the Plan is a deliberate attempt to reduce the element of speculation arising from uncertainties as to the manner and sequence of development.

The Plan will provide a guiding framework within which the provision of public works, the actions of local boards and municipal departments, and the proposals of private enterprise may be co-ordinated. It will give guidance and direction for implementing by-laws and for decisions of local bodies such as the Committee of Adjustment. It will also provide a standard against which proposals affecting the well-being of the Township may be judged and will clarify the need for public services so that these may not involve an excessive financial burden.

REGISTERED





THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

BASIS

The re-arrangement of municipal boundaries following the Windsor Annexation and current pressures for development mean changed conditions in the Township and underline the necessity for an adequate planning programme so that the more serious problems that have previously accompanied development in the Windsor Area may be avoided.

In order to come to grips with the present problems and to prevent future ones, this Plan is based on a time period of approximately fifteen years. Beyond this, in the absence of a Regional Plan which sets a framework, it is almost impossible to try to forecast events which will then be shaping the Township. Even beyond five years forecasting is difficult and therefore the policies in the Plan are also based on the assumption that the Plan will be reviewed at five year intervals.

It is recognized that the Township will eventually be brought into the urban sphere of the expanding Windsor Metropolitan Area. At such time it may well undergo development on a scale that is not provided for in this Plan. Again, in the absence of a guiding Regional Plan, it is not realistic to lay down any policies for such development. It is not expected that this development will occur sooner than the 15 year time span of this Plan, but provision has been made for a full scale review to meet any eventualities. In the meantime, it is the expressed purpose of the Plan to maintain the Township as a rural municipality.

The Plan is not based on any specified population forecast. Indicated trends suggest that if growth continues as it did prior to the annexation, grave problems of servicing will be encountered. The Plan is therefore based on the premise that population growth in the Township will take place in accordance with the municipal ability to provide services for it. This is a direct reversal of the way in which growth has occurred previously.

Apart from the central supply of water in areas adjacent to Windsor and Tecumseh the majority of services provided in the Township are rurally oriented. The Plan is based on the existing servicing level and sets out to limit development in rural areas to those uses that will not lead to demands there for urban services.

REGISTERED

However, it is not the intention of the Plan to prohibit further development altogether. In order to accommodate part of the demand for new homes which is presently a strong one in the Windsor Area, the Plan will guide such development into those areas where the demands for urban services can most reasonably be accommodated. In short, the Plan differentiates between urban and rural areas and seeks to maintain the amenity of both.

Since the costs of providing services to the bulk of non-farm residential development is not matched by the taxes generated, it is necessary for an accompanying amount of industrial-commercial assessment to be realized to offset the extra costs incurred by servicing homes. The Plan is therefore based on the premise that such residential development must be accompanied by an appropriate amount of non-residential development.

3/1/67

REGISTERED

THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

SECTION 1. LAND USE PLAN

In order to further the creation of an orderly, economic and attractive pattern of land use, the Planning Area is divided into groups of complementary land uses having related functions and which do not normally conflict with each other. The designation of these is based primarily on the provision of areas for limited urban growth and areas for rural development with a clear-cut distinction between the two. The general pattern of these uses is set out on Schedule 'A'. It is the expressed purpose of the Plan to maintain the Township generally as a rural municipality.

The Rural Area

1.1 This area contains the bulk of the land in the Township and includes most of the agricultural development as well as a large number of non-farm homes. It is the intent of this Plan that future development in the rural area shall be confined to uses which will not lead to a demand for urban services. The uses permitted shall include:

1.1.1 Agricultural uses, forest uses, uses for the purpose of hunting and those other uses which require substantial areas of land with relatively few buildings and depend for their continued existence on the maintenance of a rural environment;

1.1.2 Institutional uses such as schools, churches, parks, cemeteries, the Windsor Airport, and private recreation facilities, provided that these will not detract from the maintenance of the rural environment;

REGISTERED

THE PLAN

1.1.3 Rural residences consisting of single family homes on large lots provided;

1.1.3.1 The residence is on a lot of record existing at the time of adoption of this Plan; or,

1.1.3.2 Where a new lot is created by severance it is to be conveyed to a member of the applicant's own family; and,

1.1.3.3 The frontage of any new lot created is not less than approximately one third of the depth, provided the minimum frontage is of the order of 100 feet;

1.1.4 Ancillary commercial and service uses such as service stations and garages, retail outlets, motels, farm implement dealers and other similar businesses, provided that;

1.1.4.1 These primarily serve the rural area and are for the purpose of meeting the needs of the rural inhabitants; or,

1.1.4.2 Where they cater more to the needs of urban inhabitants they demonstrate that a rural rather than an urban location is necessary for their operation;

1.1.4.3 They are located on major roads as shown on Schedule 'C';

1.1.4.4 They are located in groups and not scattered along the roads where they would encourage ribbon development;

1.1.4.5 They shall be permitted after the date of adoption of this Plan only by way of an amendment to the Zoning By-law.

REGISTERED

1.2 Before any consent for a land severance is permitted or any amendment to a zoning by-law is made in the Rural Area, it shall be established that,

1.2.1 Good agricultural land may be preserved for agricultural purposes,

1.2.2 Scattered or ribbon non-farm development that would lead to future urban or semi-urban growth is not being encouraged,

1.2.3 The resulting development will in no way contribute to a demand for the enlargement of schools, the extension of watermains or for other urban services outside the vicinity of the Hamlets designated on Schedule 'A',

1.2.4 Soil and drainage conditions are suitable to permit the proper siting of buildings, the supply of potable water and the installation of an adequate means of sewage disposal,

1.2.5 No traffic hazards will ensue because of excess traffic generation or limited sight lines on curves or grades.

MODIFICATION NO. 1 UNDER SECTION 12(1) OF THE PLANNING ACT

Hamlets

1.3 These are the existing small communities in the Township which have the beginnings of an urban structure. It is the general intent of this Plan that development in the Township shall be encouraged to locate in these hamlets with the intention that they may continue as recognizable communities and may expand in an orderly and attractive way within the capacity of the Township to provide the required services. The uses permitted shall include:

1.3.1 Single family dwellings, including dwellings associated with a commercial use for the owner or operator,

REGISTERED

1.3.2 Associated institutional uses such as elementary schools, churches and neighbourhood parks, provided that they are for the purpose of serving the residences in their vicinity.

1.3.3 Agricultural uses while the land concerned is awaiting residential development. New agricultural uses will however, be resisted in these areas and will be encouraged to locate in the rural area,

1.3.4 Commercial uses such as retail stores, offices, small workshops and service operations, provided;

1.3.4.1. They are located on major roads, preferably at the junction of these;

1.3.4.2 Where feasible they are limited to the centres of the hamlets and where they are away from the centre they shall not be scattered randomly but shall be encouraged to form one or two small groups;

1.3.4.3 They are not located anywhere that would interfere with desirable residential development in the hamlet;

1.3.4.4 The total area devoted to commercial uses in any hamlet shall not exceed 5 acres.

MODIFICATION NO. 2 UNDER SECTION 120 OF THE PLANNING ACT

1.4 Notwithstanding the fact that development in the Township will be encouraged to locate within the hamlets the size of these will be limited to an approximate population of 2,500 people. At the time this size is achieved future growth will be reviewed thus;

1.4.1 Further expansion will require the provision of full municipal water supply and sewage treatment facilities;

1.4.2 A secondary plan will be required to set out development policies for the hamlet concerned in greater detail and will be incorporated by amendment to this Plan;

REGISTERED

10/1/68

1.4.3 If it is not feasible to provide full services at this time further growth will be restrained until such services are available.

1.5 Development will be encouraged by registered plans of subdivision, rather than by individual consents for land severances. Consents will only be granted where it is quite clear that the public interest does not make it necessary that a plan of subdivision be registered.

1.6 Before any land division and development takes place, either by consent or by plan of subdivision, it shall be firmly established that:

1.6.1 Soil and drainage conditions are suitable to permit the proper siting of buildings, the satisfactory supply of water and the installation of an adequate means of sewage disposal, all of which are satisfactory to the Medical Officer of Health;

1.6.2 No traffic hazards will ensue because of excess traffic generation or limited sight lines on curves or grades,

1.6.3 The land fronts on a public road which is of a reasonable standard of construction.

1.7 In the residential development of hamlets the following design principals will be adhered to:

1.7.1 Whenever the location of existing houses does not preclude it, provision shall be made for the future splitting of lots when urban services are available, and buildings shall be sited on one half of a lot for this purpose.

1.7.2 As far as possible new houses shall be located to fill in vacant land between existing development or shall be contiguous with existing development in order to consolidate the growth of the Hamlets.

REGISTERED

10/5/67

The Industrial Area

1.8 This area includes present industries and those other lands whose future function is considered most suitable as part of an industrial area. It is the general intent of this Plan to protect this area so that an optimum environment for industrial development shall be maintained. The uses permitted shall include:

1.8.1 Manufacturing, warehousing, storage or similar industrial or service industrial uses,

1.8.2 Such ancillary uses as may be shown to both service the industrial area and to increase its attractiveness for industry, such uses may include:

1.8.2.1 Commercial and service commercial operations such as banks, restaurants, garages, building material supplies etc.

1.8.2.2 Residential uses for persons such as caretakers, watchmen, etc., whose job makes it desirable for them to live in this area,

1.8.3 Ancillary uses shall only be permitted by way of an amendment to the Zoning By-law.

MODIFICATION
NO. 3
UNDER SECTION 12(1) OF
THE PLANNING ACT

REGISTERED

SECTION 2. AMENITY AND DESIGN

In order to enhance the amenity of the Township, it shall be general policy to improve the appearance and convenience of the area and to reduce levels of noise, pollution, conflict and other nuisances. To further this objective the Plan sets out the following policies.

Buffering

2.1 Adequate buffering shall be required between all uses of land where there may be a conflict such that one use will detract from the enjoyment and functioning of the adjoining use. Such buffering may include appropriate combinations of the following:

2.1.1 Sufficient vegetation in the form of landscaped strips, rows of trees and bushes, and grassed areas,

2.1.2 Architectural screening such as perforated or solid walls, fences, trellis work or other appropriate structures.

2.1.3 Separation of uses by extra distances between them.

Conflict of Uses

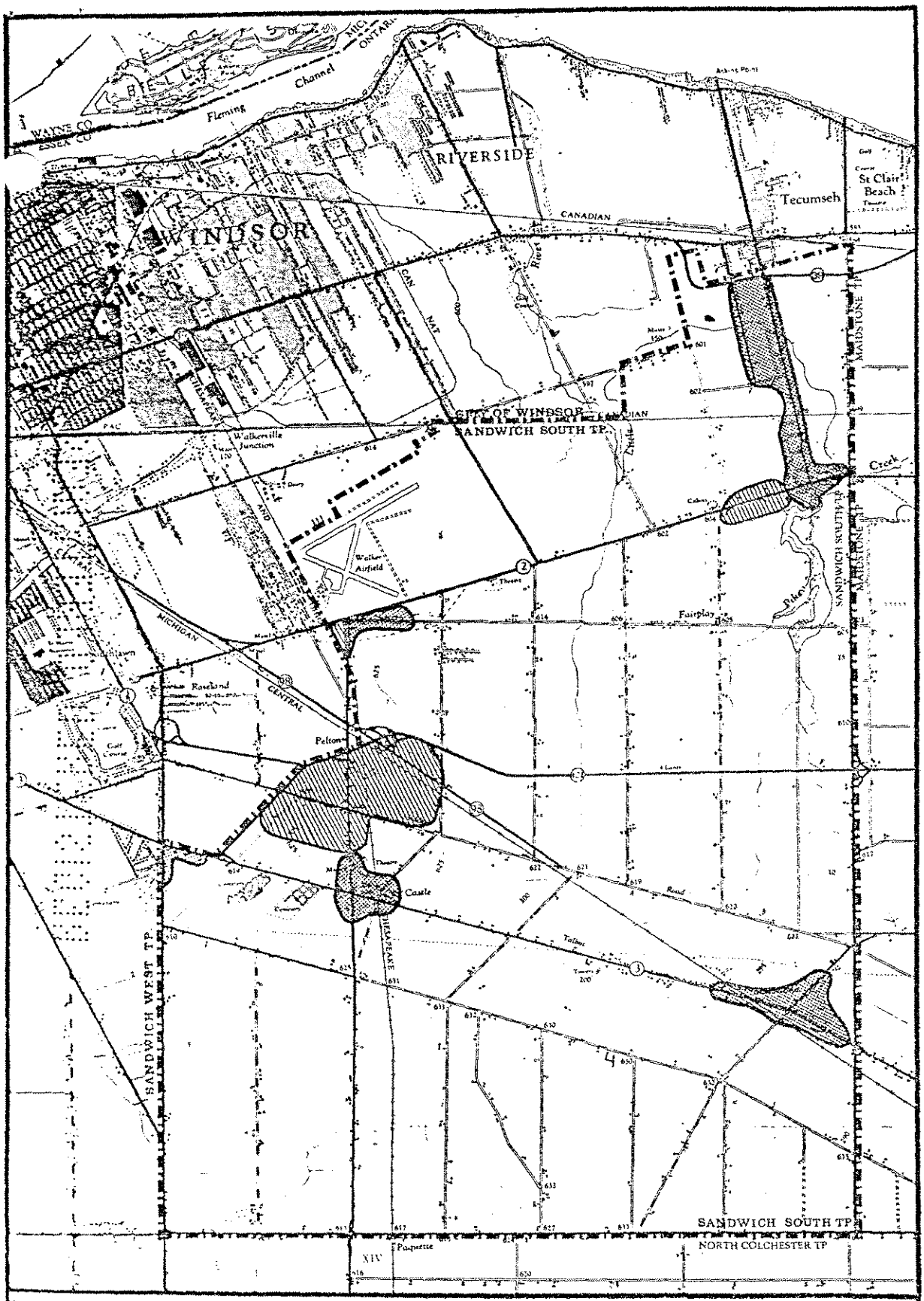
2.2 Where they adjoin residential uses, special restrictions, shall be required for industrial, commercial, institutional and other uses of land characterized by traffic generation, the use of trucks, goods handling, noise and fumes, congregations of people or other factors affecting residential amenity. For areas adjacent to residences such special restrictions may include:

2.2.1 The prohibition of outside storage;

2.2.2 The prohibition of parking;

2.2.3 The prohibition of loading and unloading;

REGISTERED



LEGEND

RURAL AREAS

HAMLETS

INDUSTRIAL AREA

1 0 1 MILE Approx

THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

SCHEDULE A

LAND USE PLAN

PROCTOR, REDFERN, BOUSFIELD & BACON
TORONTO

J 66503-1

2.2.4 The stringent regulation of lighting and signs so that they are deflected away or shielded from the residential uses and do not affect the residential amenity;

2.2.5 Separation of the uses from the residences by extra distances between them.

Non-conforming Uses

2.3 Some existing uses of land will not meet all the policies set out in this Plan. This situation is recognized and notwithstanding these policies, such uses may be zoned in any restricted area by-law in accordance with their present use and performance standards ~~and all other applicable circumstances~~, provided:

MODIFICATION NO. 4 UNDER SECTION 12(1) OF THE PLANNING ACT.

2.3.1 The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;

2.3.2 They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;

2.3.3 They do not pollute air and water to the extent of interfering with the ordinary enjoyment of property;

2.3.4 They do not interfere with the desirable development, or enjoyment of the adjacent area;

2.3.5 Where the use is discontinued any re-zoning may only take place in accordance with the policies and intent of this Plan.

2.4 Where an existing use in this respect does constitute a danger, give rise to pollution or interfere with development, it shall not be so zoned. Furthermore, the municipality will seek means to eliminate the use and may expropriate when sufficient funds are available or assist in whatever way possible in the relocation of the use.

REGISTERED

Parking and Loading

2.5 Adequate parking and loading facilities shall be required for all industrial, commercial, institutional and associated uses, where normal traffic generation so warrants. Such facilities shall be:

2.5.1 Adequately surfaced to minimize dust and mud,

2.5.2 Clearly defined for their purpose, and

2.5.3 Generally designed to present a satisfactory appearance.

REGISTERED

SECTION 3. PARKS AND SCHOOLS

The land use and public works policies set out in this Plan are designed to concentrate the bulk of future population growth into the general vicinity of Old Castle, Maidstone, the Lesperance Road area and, to a lesser extent, an area south of the Windsor Airport. The future provision of parks and the development of additional school facilities will therefore be made on this basis.

Parks

3.1 The existing park at the Weston Community Centre is well situated in the middle of the Township and will continue as a park to serve the whole municipality. At such time as the growth of the Township warrants the present area of five acres may be added to and additional recreation facilities may be provided.

3.2 It is the intent of this Plan that local neighbourhood parks, as indicated on Schedule 'B', will be provided for the Hamlets at Old Castle, Maidstone and Lesperance Road. These parks will be established when sufficient growth has occurred in these communities to make a demand for them, according to the following principals:

3.2.1 The parks will be of the order of three to four acres in size and will be equipped with swings, slides and other amusements for children as well as with passive open space and landscaping;

3.2.2 They will be located where possible central to the area that they serve;

3.2.3 Where there is a school in the community every effort shall be made to have the park and school close together, so that the optimum use may be made of the publicly owned land and facilities.

REGISTERED

Schools

3.3 It is the general intent of this Plan that only those schools in the Township which are in proximity to the Hamlets may be enlarged. Although it may not be feasible at the present time, it is the long term intent of the Plan that all education facilities shall be concentrated in these Hamlets and in pursuing this policy, schools remote from them may eventually be closed.

3.3.1 The following schools are those presently judged to be in proximity to Hamlets as indicated on Schedule 'B':

SEPARATE ELEMENTARY SCHOOLS

St. Mary's School, Maidstone
School No. 6

PUBLIC ELEMENTARY SCHOOLS

No. II, Fairplay
No. V Charles Collins
No. VI Frith

3.3.2 A minimum site area of 5 acres for each of these schools shall be acquired as soon as is feasible and further expansion of any school may be delayed until the minimum site area has been acquired;

3.3.3 At the time that any of these schools is enlarged and where the grades taught are less than the full complement, every effort shall be made to increase the number of grades with the eventual objective that each school will teach the full range of grades.

3.4 The Plan assumes that children in the Township attending secondary school will continue to be accommodated at the Essex District High School and at secondary schools within the City of Windsor.

REGISTERED

SECTION 4. PUBLIC WORKS

Apart from works carried out by other levels of government, particularly concerning roads, this Plan does not envisage any major public works programme being undertaken in the Township. In keeping with the general intent of the Plan to concentrate further growth in the vicinity of the Hamlets, public works in rural areas are expected to be mainly those necessary to sustain the agricultural health of the Township. Any proposals for works that would encourage non-rural developments anywhere other than in the vicinity of the Hamlets will be considered contrary to the intent of the Plan.

4.1 Major roads and railways in the Township are set out in Schedule 'C'. Special restrictions may be required along these roads and along railroads to afford adequate protection to adjacent residential uses and where necessary to maintain circulation and traffic flow. These restrictions shall apply adjacent to all railroads and adjacent to the roads indicated. Such special restrictions may include:

4.1.1 Extra setback requirements;

4.1.2 Requirements for reversed frontages for low density residential developments;

4.1.3 Adequate buffering to screen residential development from the road or railroad, such buffering may include the measures indicated in Section 2.1.

4.2 The proposed relocation of No. 3 Highway for the Essex Bypass is indicated diagramatically on Schedule 'C'. No further development will be permitted on the indicated alignment or within a reasonable distance from it in order to allow for future construction.

4.3 Existing water lines are shown on Schedule 'C'. These water lines may be extended to serve new developments in the Hamlets and Industrial Areas, but service shall not be extended to any Rural Area without an amendment being made to this Plan as provided in Section 5.4.

REGISTERED

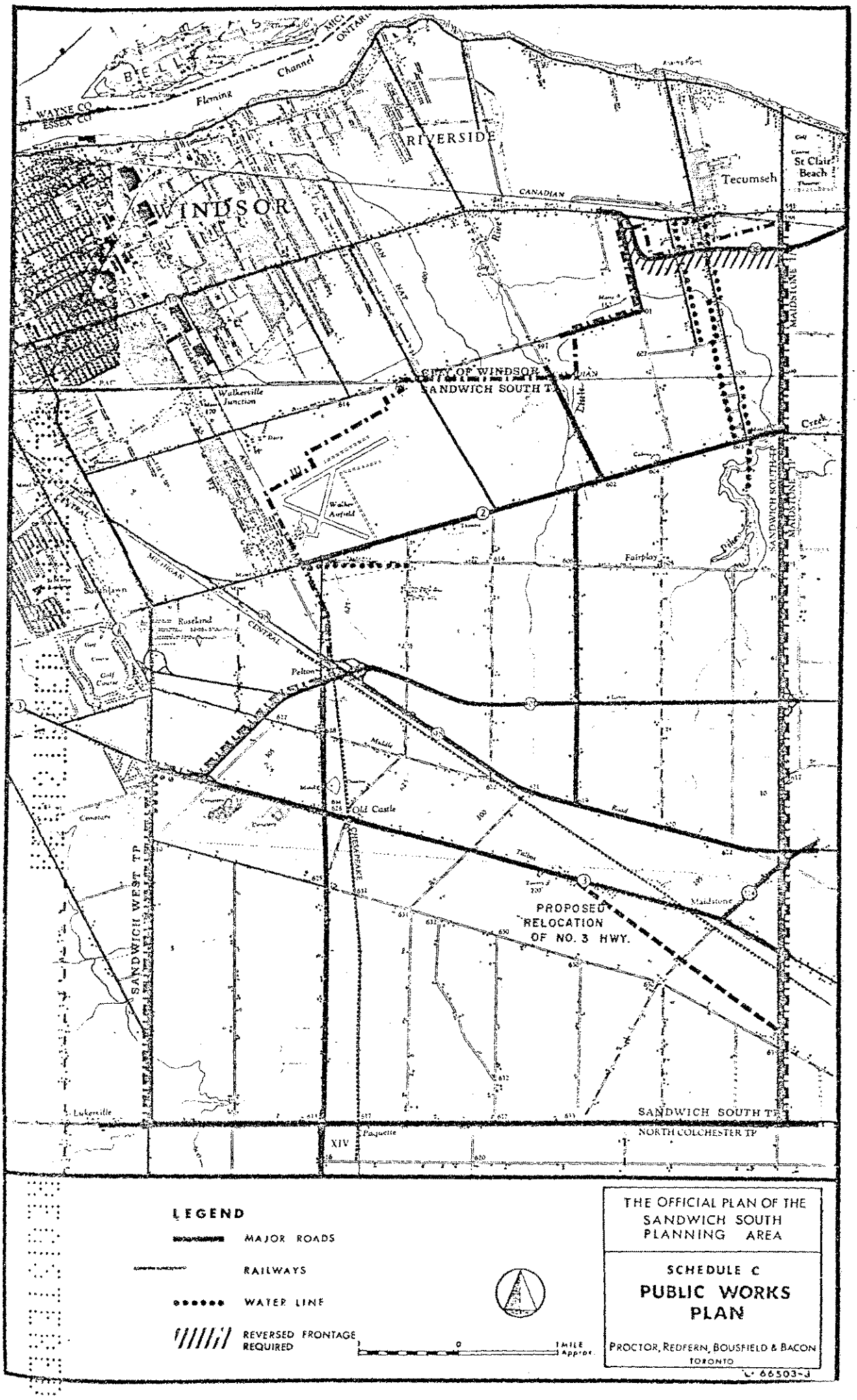
4.4 The provision of a municipal sewage disposal system appears remote at the present time. However, such a system might eventually be provided for some of the more urbanized parts of the Township. Before this may be done however, an amendment to this Plan will be required as provided in Section 5.4.

4.5 Where an industry proposes to locate in the industrial area, and it requires either municipal water supply or sewage disposal system, or both, a contribution to the cost of these services may be required so that no excessive financial burden may be incurred by the Township.

4.6 All development in the Hamlets, and Industrial Areas shall be accompanied by the provision of paved roads and storm drainage works to prevent flooding.

10/5/67

REGISTERED


WAYNE CO
ESSEX CO
Fleming Channel
RIVERSIDE
WINDSOR
CANADIAN
Tecumseh
St Clair Beach
CITY OF WINDSOR
SANDWICH SOUTH TP
Walkerville Junction
Walker Airfield
Fairplay
Rosekind
Pelton
Old Castle
Maidstone
PROPOSED RELOCATION OF NO. 3 HWY.
SANDWICH WEST TP
SANDWICH SOUTH TP
NORTH COLCHESTER TP
Lukerville
Paquette
XIV
LEGEND
MAJOR ROADS
RAILWAYS
WATER LINE
REVERSED FRONTAGE REQUIRED
1 MILE Approx.
THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA
SCHEDULE C
PUBLIC WORKS PLAN
PROCTOR, REDFERN, BOUSFIELD & BACON
TORONTO
C-66503-3

SECTION 5. FINANCES AND ADMINISTRATION

This Plan shall generally be implemented through powers given to municipalities and local boards by The Planning Act, the Municipal Act and other applicable Statutes. In implementing the Plan it is essential that a healthy balance between agricultural and residential assessment on the one hand and business and industrial assessment on the other, be maintained. In the exercise of the powers referred to the necessity for this balance shall be considered paramount.

5.1 The present 1966 assessment ratio in the Township is 84% residential and agricultural and 16% business and manufacturing. This ratio needs to be improved if future services are not to become a tax burden on the municipality. In order to achieve this improvement, the following policies are adopted by this Plan:

5.1.1 Notwithstanding any other policies in this Plan or in an amendment to it, no significant residential developments may be permitted which would have the effect of raising the proportion of residential assessment above that shown in the Clerk's Return for the previous year.

5.1.2 At the time the Clerk's Return is made the Council will review the assessment ratio, and if this shows a significant decrease in non-residential assessment, this Plan shall require that further residential development in the Township be delayed until such time as the Council is satisfied that an appropriate improvement in the ratio has been achieved.

5.2 It is intended that Zoning By-laws shall be passed to implement this Plan and to cover the whole of the Planning Area. While such By-laws will normally implement the Plan directly, they may reflect an interim state of affairs as follows:

REGISTERED

5.2.1 Some of the areas designated on Schedule 'A' may be zoned for agricultural uses or as holding zones where changes of land use may be expected, such as in hamlets or the Industrial Area, and notwithstanding the Plan designation on Schedule 'A', may reflect the existing situation until such time as firm development proposals are made. At this time amendments to the zoning to implement such proposals may only be made in accordance with this Plan.

5.3 Where, in the development of a hamlet or the Industrial Area or when any significant land use change is proposed, the general policies set out in this Plan need to be clarified or set out in greater detail, a secondary plan may be drawn up to facilitate implementation and may be incorporated into the Plan by amendment.

5.4 This Plan has been formulated on the assumption that it will be reviewed at five year intervals. It may be reviewed at more frequent intervals as appropriate and such a review shall be required when:

5.4.1 Any major land use change is proposed which would have an effect on the affairs of the Township as a whole;

5.4.2 Any major public works are proposed which would have an effect beyond the area immediately served by them;

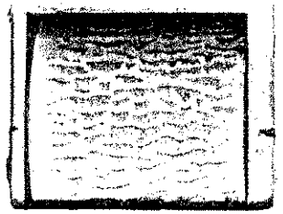
5.4.3 Furthermore, when the effects of such proposals have been established as far as is reasonably possible, appropriate policies shall incorporated into this Plan by amendment.

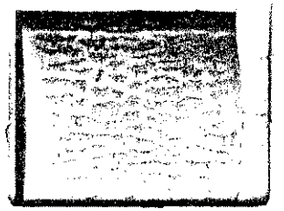
5.5 The intent of the Plan shall in all cases be considered flexible and no strict interpretation of any boundary line or any figure etc. is intended. Appropriate variations may be made in those cases where they are deemed to be necessary for the desirable development of the area provided that the general intent of the Plan is maintained.

REGISTERED

5.6 The Township will give very careful attention to proposed developments in adjacent areas and will object to any that would appear to prejudice the sound planning of the Planning Area as set out in this Plan.

REGISTERED





APPENDIX

This appendix contains a resumé of the survey and analysis that underlies the policies set out in this Plan. The resume is given here as a background so that the Plan may be more readily understood. For those wishing a more complete discussion of the factors which bear upon the Plan, the complete survey and analysis, entitled:

THE TOWNSHIP OF SANDWICH SOUTH
PLANNING STUDIES AND RECOMMENDATIONS

August, 1966

should be consulted.

REGISTERED

The Windsor Annexation took effect on the 1st January 1966. In the re-arrangement of municipal boundaries the urbanized north-west corner of the Township of Sandwich South was transferred to the City and a remaining part of the Township of Sandwich East was attached to the north side of Sandwich South, see Map No. 1.

This re-arrangement of boundaries has come at a time when economic activity in the Windsor Area has shown a marked upswing and has resulted in considerable development pressures being experienced in surrounding areas. The demand for housing is particularly strong and although the Township no longer contains any large urban areas, demands for further development are not likely to slacken.

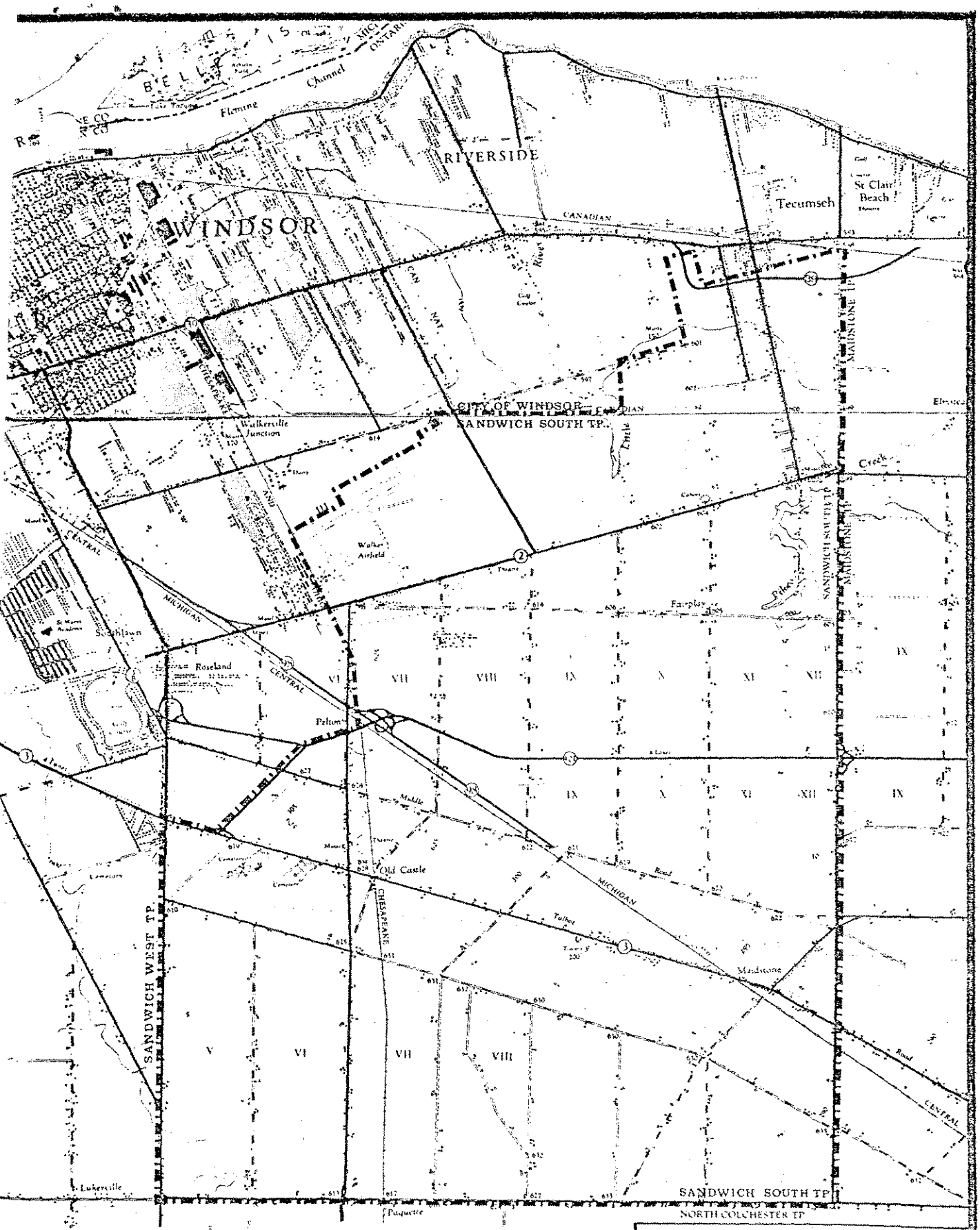
If the serious problems that have previously accompanied development in the Windsor Area are to be avoided in future, it is essential that the Township take stock of the situation. The changed circumstances faced by the Township after the annexation presented an opportunity to a review of the Township's future and the results of this review were set out in a report to the Council, entitled "Planning Studies and Recommendations".(1)

As a result of this report the Official Plan was formulated. While the uncertainties of the future increase with the number of years ahead, the Plan attempts to give guidance for a period of about 15 years, but it is expected that it will undergo major review at five year intervals.

---

(1) Township of Sandwich South - Planning Studies and Recommendations. Proctor, Redfern, Bousfield & Bacon, August 1966.

UNDATED



LEGEND

NEW TOWNSHIP BOUNDARY
Jan. 1, 1966

TWP. of SANDWICH SOUTH
PLANNING STUDIES
MAP No. 1
TOWNSHIP BOUNDARIES

PROCTOR, REDFERN, BOUSFIELD & BACON
TORONTO

E-66503-1

Up to the time of annexation the population of the Township was increasing by about 4% per annum. If this increase were sustained, a population of anything up to 7,000 might be expected within the next 15 years. Unless accompanied by a considerable amount of non-residential development, such a population would place intolerable strains on municipal finances.

Faced with these implications the Official Plan sets out a definite policy to come to terms with the future development of the Township and to accommodate the development pressure in a way which can be handled by the present levels of servicing and administration. It is envisaged that these levels will obtain for at least another five years, but should there be any major changes in the development pressures of the Windsor Area as a whole, the Plan may be reviewed to determine if any changes in policy are warranted.

The policies referred to may be summed up as a conscious attempt to guide non-farm development into those areas where a corresponding level of services may reasonably be provided, now, or in the future; and to limit development in all other areas designated as rural, to those uses of land which will not lead to the demand for such services.

It is realized that policies which involve a restriction on the building of homes anywhere in the Township will encounter resistance from the various land owners who see a chance for economic gain being taken away. Particularly difficult is the case of the more marginal part-time farmers who look for the money to be realized from the sale of individual lots. However, this latter problem is not one that is within the Township's own power to solve, since it has to do with agricultural economics on a large scale that can only be reasonably tackled on a Provincial or National level. To maintain a financially sound and physically attractive Township must be the first consideration of any planning programme and those who feel economically deprived because of such a programme should seek redress with appropriate authorities who are in a position to solve problems of agricultural economics.

3/1/67

REGISTERED

In permitting further development in any area of the Township the Plan seeks to maintain an equitable proportion between agricultural and residential on the one hand and commercial and industrial assessment on the other. In view of the necessity for offsetting the financial demands that are made by new housing the Plan provides for an area to be set aside for industrial development and tries to maintain a balance between industrial and residential assessment so that the demands for services may be met without excessive financial burden on future residents.

3/1/67

REGISTERED

LS
LS
LS
LEGEND
RESIDENTIAL
Semi Urban Densities
COMMERCIAL
INDUSTRIAL
INSTITUTIONS
PARK
RURAL
Including Non Farm Residences
THE TOWNSHIP OF SANDWICH SOUTH PLANNING STUDIES
MAP N92
EXISTING LAND USE
PROCTOR, REDFERN, BOUSFIELD & BACON

BY-LAW NUMBER 1689

The Council of the Corporation of the Township of Sandwich South in accordance with the provisions of the Planning Act hereby enacts as follows:

1) Amendment number 1 to the Official Plan of the Sandwich South Planning Area consisting of the attached Amendment Number 1 and Schedule "A" and explanatory text is hereby adopted.

2) The Clerk-Treasurer is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of this Amendment number 1 of the Official Plan of the Sandwich South Planning Area.

3) This By-law shall come into force and take effect on the date of the final passing thereof.

READ a First, Second and Third time and then enacted and passed this 3rd day of March, 1970.

Reeve

Clerk-Treasurer

CERTIFIED to be a true copy of By-law number 1689 as enacted and passed by Council of The Corporation of the Township of Sandwich South on March 3rd, 1970.

Clerk-Treasurer

W. 3a 1/6
#1

OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

AMENDMENT NO. 1

The attached map designated Amendment number 1 Schedule "A" and explanatory text constitute Amendment number 1 to the Official Plan of the Sandwich South Planning Area were prepared by the Sandwich South Planning Board and were recommended to Council of the Corporation of the Township of Sandwich South on the 3rd day of March, 1970 under the provisions of Sections 10 and 14 of the Planning Act.

Harold Maenpaa
Chairman, Sandwich South Planning Board

Bert K Bedford
Secretary, Sandwich South Planning Board

This Amendment was adopted by the Corporation of the Township of Sandwich South by By-law number 1689 in accordance with Sections 11 and 14 of the Planning Act on the 3rd day of March, 1970.

Robert Pulleyblank
Reeve

Bert K Bedford
Clerk-Treasurer

This Amendment to the Official Plan of the Sandwich South Planning Area which has been recommended by the Sandwich South Planning Board and adopted by Council of the Township of Sandwich South is hereby approved in accordance with Sections 12 and 14 of the Planning Act as Amendment number 1 to the Official Plan of the Sandwich South Planning Area.

DATE _____

_____
Minister of Municipal Affairs

Amendment No. 1

to the

Official Plan for the

Sandwich South Planning Board

This amendment to the Official Plan for the Sandwich South Planning Area which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South, is hereby modified under the provisions of sections 12 and 14 of The Planning Act, as follows:

1. An additional clause is hereby added to the section titled "Details of the Amendment and Policies Related Thereto" which reads as follows:

   "It is recognized that the land which is the subject of this Amendment is subject to an increasing level of aircraft noise due to the adjacent Airport. Accordingly, Planning Board and Council will draw this to the attention of owners and developers of this land and also ensure that appropriate studies are undertaken and their recommendations carried out in order to minimize the effects of noise on the occupiers of the site."

2. A further clause is hereby added to the section titled "Details of the Amendment and Policies Related Thereto" which reads as follows:

   "Any proposed use shall not require the use of water in its process. In considering any proposed development the Planning Board and Council shall ensure that satisfactory arrangements for the disposal of any sewage that may occur will be to the satisfaction of the Medical Officer of Health and or the Ontario Water Resources Commission."

As thus modified, this amendment is hereby approved pursuant to sections 12 and 14 of The Planning Act, as Amendment No. 1 to the Official Plan for the Sandwich South Planning Area.

Date 21/6/70

Minister of Municipal Affairs

Certified to be a true copy of Amendment No. 1 to the Official Plan for the Sandwich South Planning Board approved by the Department of Municipal Affairs on the 21st day of June, 1970.

Clerk-Treasurer

AMENDMENT NUMBER 1 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

The following text and map designated Amendment number 1 Schedule "A" attached hereto constitutes Amendment number 1

PURPOSE:

The purpose of this Amendment is to create an industrial zone and will change that land use from rural to industrial.

LOCATION:

The lands in question are located on the south side of Highway number 2 immediately east of the Hamlet area shown lying immediately south of the Windsor Air Port (Walker airfield). The lands are bounded on the west by the Hamlet area, on the north by Highway number 2 and on the east and south by Concession Roads.

BASIS:

At the time of preparation of the Official Plan it was difficult to predict an extension of the industrial area for the lands in question. This was because of the nearness of the lands to the Windsor Air Port and the established height restrictions maintained by the Department of Transport of Canada, which amongst other things limited height regulations of buildings to 27 feet. It now appears however that the lands are capable of being used for industrial purposes which will be capable of conforming with Department of Transport height requirements.

It is felt desirable, subject to appropriate requirements, to redress the imbalance between residential and rural uses uses and industrial and commercial uses. Therefore where industrial uses may be properly permitted it is felt desirable to provide an opportunity for industrial development.

It is not desirable to extend the Hamlet area in an easterly direction because of the nearness of the Hamlet area to the Windsor Air Port which with the advent of technological changes in air port usage will make residential or Hamlet

uses less desirable.

Part of the lands included in the Amendment lying immediately east of the Hamlet are used as an automotive wrecking yard and cognizance of the existence of the automotive wrecking yard has been given effect to under the Zoning By-law and the Official Plan.

The Council on the advice of the Planning Board now deems it desirable to make a change in the Official Plan to give effect to the foregoing views.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

The Amendment will be to change the lands in question and as shown on Schedule "A" from a rural to an industrial area. The easterly limit of the extension of the industrial area will be the Concession Road next east of Walker Road and the southerly limit will be the Concession Road next south of Highway number 2.

The provisions of the Official Plan as they relate to industrial areas will extend to and include the lands in this Amendment and the development of the lands will be governed by those provisions. At the same time the development will also be limited by the applicable regulations of the Department of Transport of Canada.

IMPLEMENTATION:

The Township Restricted Area By-law or Zoning By-law applicable to the area shown in this Amendment will be amended to provide for industrial zoning with the standards required thereunder applicable. Formal steps to amend the Restricted Area By-law will be taken on receipt of approval to this Amendment by the Minister of Municipal Affairs.

MODIFICATION NO. 1 UNDER SECTION 12(1) OF THE PLANNING ACT

MODIFICATION NO. 2 UNDER SECTION 12(1) OF THE PLANNING ACT

INTERPRETATION:

Provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.

THE TOWNSHIP OF SANDWICH SOUTH

Amendment No. 3 to the
Official Plan of the
Sandwich South Planning Area.

607231

No.
Registry Division of Essex (No. 12)
I CERTIFY that this instrument is registered as of
12 58 P.M. JUL 19 1974 in the
Registry Office
at Windsor
Ontario.

LAND REGISTRAR

REGISTRATION FEE		
LAND TRANSFER TAX		
RETAIL SALES TAX		

LAND REGISTRAR

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Twp. of Sandwich South is hereby approved in accordance with Section 17 of The Planning Act as Amendment No. 24 to the Official Plan of the Sandwich South Planning Area.

Date June 14, 1974

Minister of Housing

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IMPLEMENTATION	2
APPENDIX	3

I Bert R Bedford certify that this is the ~~Original~~/Duplicate Original/~~Certified Copy~~ of Amendment No. 3 to the Official Plan of Sandwich South Planning Area.

AMENDMENT NO. 3

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment No. 3 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 14th day of January 1974.

H. A. Shreve
Chairman

Bert R Bedford Seal
Secretary

This Amendment was adopted by the Council of the Township of Sandwich South under By-law no. 74-3. in accordance with Sections 13 and 17 of the Planning Act, on the 21 day of January 1974.

Bert R Bedford
Clerk

Reeve Seal

This ~~Amendment~~ No. 3 to the Official Plan of the Sandwich South Planning ~~Area~~, which has been recommended by the ~~Sandwich~~ South Planning ~~Board~~ and adopted by the ~~Municipal~~ Council of the Township of Sandwich South, ~~is hereby~~ approved in accordance with Sections 14 and 17 of the ~~Planning~~ Act, as Amendment No. 3 to the Official Plan of the Sandwich South Planning Area.

Minister of ~~Treasury, Economics~~ and Intergovernmental Affairs.

COPY OF BY-LAW NO. 74-3

Whereas this Amendment No. 3 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Area.

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of the Planning Act, enacts as follows:

1. The attached explanatory text and Schedule constituting Amendment No. 3 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Treasury, Economics and Intergovernmental Affairs for approval of the aforementioned Amendment No. 3 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 21 day of January 1974.

Signed Bert R Bedford Clerk Signed [signature] Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. 74-3 as enacted and passed by the Council of the Township of Sandwich South on .....January...21..... 1974.

Signed Bert R Bedford Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: [illegible]

Seconded by: Harold Thompson

Resolved that the attached Amendment No. 3 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date Jan 14 1974.

Carried

Chairman

THE BASIS OF THE AMENDMENT

1. The Subject Lands are the site of the former Percy McKee School which was closed by the Essex County School Board. Such an Institutional use is permitted within a Rural Area, however, as this use has been discontinued the Official Plan Amendment No. 3 designates the Subject Lands for a limited Commercial Use to permit the efficient use of an existing building. The Amendment is not intended to take existing agricultural lands out of production nor to encourage the expansion of commercial uses within the Rural Area but rather to maximize the productive use of an existing structure.

THE DETAILS OF THE AMENDMENT

THE DETAILS OF THE AMENDMENT

1. The Official Plan of the Sandwich South Planning Area is amended as shown by the amended Schedules 'A' and 'B' attached hereto. No person shall use the Subject Lands or any building or structure thereon, except for the Commercial Uses of packaging and distributing sandpaper loading devices and pads.

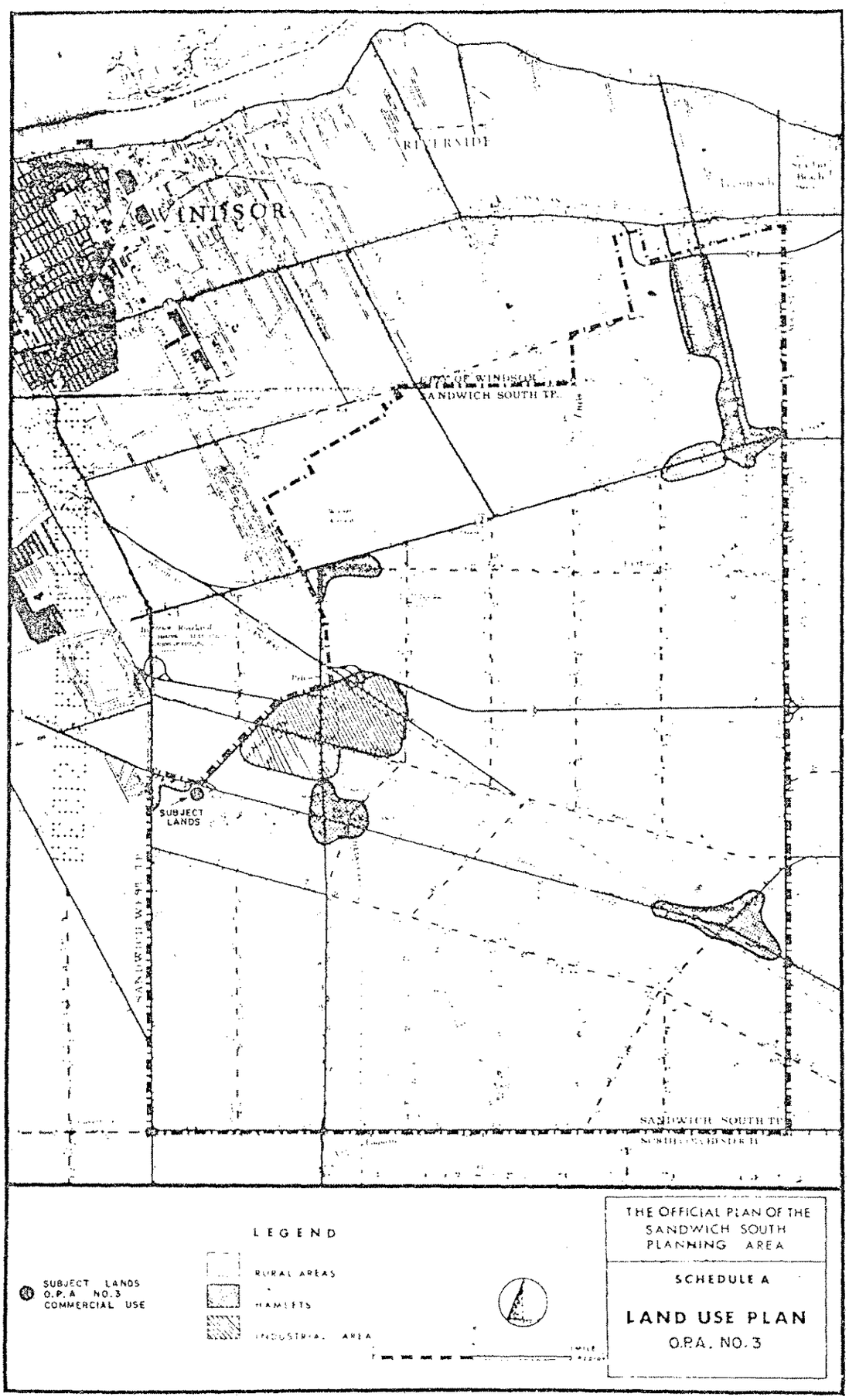
2. No person shall use the Subject Lands designated on Schedule 'A' hereto for any addition to any existing building or structure on the Subject Lands. Provisions regarding landscaping, parking and storage shall be detailed in a Land Use Control By-law.

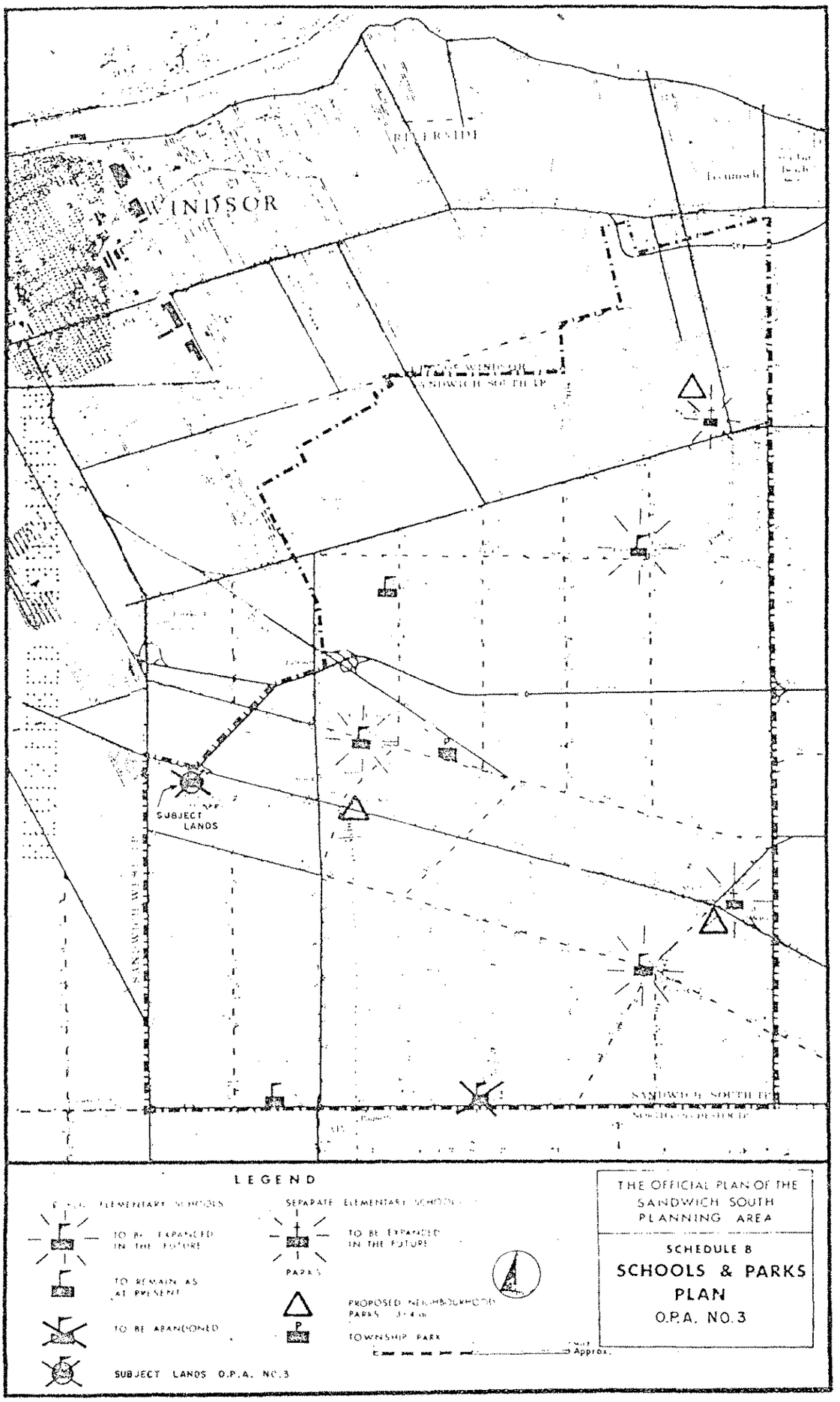
IMPLEMENTATION

Upon approval of this Amendment, By-laws may be passed, subject to the policies of this Amendment, to implement the Official Plan. Such By-laws shall be considered to be in conformity with the Official Plan, if they also comply with this Amendment.

APPENDIX

1. The Clerk-Treasurer has circulated to all landowners within four hundred (400) feet a copy of the Official Plan Amendment. No objections to the proposed restrictive use were received although objections to a general commercial use would have resulted. The owner of the Subject Lands is aware of the restrictive nature of the Official Plan Amendment and has agreed to its restrictive nature.


WINDSOR
RIVERSIDE
SANDWICH SOUTH TP.
SUBJECT LANDS
SANDWICH SOUTH TP.
LEGEND
SUBJECT LANDS O.P.A. NO.3 COMMERCIAL USE
RURAL AREAS
HAMLETS
INDUSTRIAL AREA
THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA
SCHEDULE A
LAND USE PLAN
O.P.A. NO. 3


WINDSOR
RIVERSIDE
Tecumseh
SUBJECT LANDS
SANDWICH SOUTH
LEGEND
TO BE EXPANDED IN THE FUTURE
TO REMAIN AS AT PRESENT
TO BE ABANDONED
SUBJECT LANDS O.P.A. NO.3
SEPARATE ELEMENTARY SCHOOLS
TO BE EXPANDED IN THE FUTURE
PARKS
PROPOSED NEIGHBOURHOOD PARKS
TOWNSHIP PARK
Approx.
THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA
SCHEDULE B
SCHOOLS & PARKS PLAN
O.P.A. NO.3

45 93 -12

THE TOWNSHIP OF SANDWICH SOUTH

AMENDMENT NO. 4 TO THE
OFFICIAL PLAN OF THE
SANDWICH SOUTH PLANNING
AREA

Certified True Copy
Clerk of Sandwich South

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Section 17 of The Planning Act as Amendment No. 4 to the Official Plan for the Sandwich South Planning Area.

Date: Mar 25/74

G. M. FARROW, Director,
Plans Administration Branch,
Ministry of Housing

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I _____ certify that this is the Original/Duplicate Original/Certified Copy of Amendment No. 4 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NO. 4

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment No. 4 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 12 day of November 1973.

_____ _____ Seal
Chairman Secretary

This Amendment was adopted by the Council of the Township of Sandwich South under Bylaw No. [illegible] in accordance with Sections 13 and 17 of the Planning Act, on the 19 day of November 1973.

_____ _____ Seal
Clerk Reeve

This amendment No. 4 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning act, as Amendment No. 4 to the Official Plan of the Sandwich South Planning Area.

_____
Minister of Treasury, Economic and Intergovernmental Affairs.

COPY OF BYLAW NO. 73-78

Whereas this Amendment No. 4 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of the Planning Act, enacts as follows:

1. The attached explanatory text, constituting Amendment No. 4 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Treasury, Economics and Intergovernmental Affairs for approval of the aforementioned Amendment No. 4 to the Official Plan of the Sandwich South Planning Area.

3. This Bylaw shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 19 day of December 1973.

Signed _____ Clerk

Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of Bylaw No. 73-78 as enacted and passed by the Council of the Township of Sandwich South on ....December 19.....1973.

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: A. R. LeBlanc

Seconded by: Ronald Lewis

Resolved that the attached Amendment No. 4 to the Official Plan of the Sandwich South Planning AREa, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date November 12 1973.

Carried

Chairman

THE BASIS OF THE AMENDMENT

1. Section 4.3 of the Official Plan refers to existing water lines which are in fact shown in Schedule 'C' to the Official Plan. Section 4.3 proposes that the water lines may be extended to serve developments in hamlets and in industrial areas but that service shall not be extended to any rural area without an amendment being made to the Plan.

2. Schedule 'C' which is the Public Works Plan shows that existing watermain service has been extended south from Kings Highway No. 3 along the east side of Howard Avenue. The watermain in fact ends at the southerly limit of Registered Plan 1381 (Block B) which is the southern limit of the residential area.

3. The reorganized Church of Jesus Christ of Latter-Day Saints is the owner of lands on the east side of Howard Avenue for a distance of some 850' south from the existing watermain. The owner of the lands for the same distance on the west side of Howard Avenue is Heavenly Rest Cemetery.

4. For the purpose of their church property the reorganized Church of Jesus Christ of Latter-Day Saints have requested a watermain extension for a distance of 760' south from the existing terminus, the whole cost thereof to be paid by the Church.

5. In order to conform with the technical requirements of Section 4.3 of the Official Plan, this amendment is necessary.

THE DETAILS OF THE AMENDMENT

The Official Plan of the Sandwich South Planning Area is amended as follows.

1. Watermain service is hereby permitted along the easterly side of Howard Avenue south of Kings Highway No. 3 for a distance of 760' southerly from the existing terminus of the watermain as shown upon Schedule 'C' (Public Works Plan) to the Official Plan.

2. No severance of the lands served by the extension of the watermain or of the lands owned by the reorganized Church of Jesus Christ of Latter-Day Saints will be permitted without a further amendment to this Official Plan.

3. The watermain in question shall not be further extended without an amendment to this Official Plan.

WL-0003-2

AMENDMENT NUMBER 5 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

693527

MARCH 1974

No. 693527
Registry Division of Essex (No. 12)
I CERTIFY that this instrument is registered as of
22 .M. APR 14 1977 in the
Registry Office
at Windsor,
Ontario.
LAND REGISTRAR

SANDWICH SOUTH PLANNING BOARD
OLDCASTLE ONTARIO

REGISTRATION FEE	10	00
LAND TRANSFER TAX		

This Amendment No. 5 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 5 to the Official Plan of the Sandwich South Planning Area.

Date: Feb 8/72

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I Bert R Bedford certify that this is the ~~Original~~/Duplicate Original/Certified Copy of Amendment Number ~~5~~ to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 5

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 5 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 14 day of May 1974.

Chairman Secretary Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 774 in accordance with Sections 13 and 17 of the Planning Act, on the 3rd day of June 1974.

Clerk Reeve Seal

This ~~Amendment~~ Number 5 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning Act, as Amendment Number 5 to the Official Plan of the Sandwich South Planning Area.

Minister of Housing

COPY OF BY-LAW NUMBER 74-36

Whereas this Amendment Number 5 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of the Planning Act, enacts as follows:

1. The attached explanatory text, constituting Amendment Number 5 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 5 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 3rd day of June 1974.

Signed _____ Clerk Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 74-36 as enacted and passed by the Council of the Township of Sandwich South on ....June 3rd..... 1974.

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: A R LeBlanc

Seconded by: [illegible]

Resolved that the attached Amendment Number 5 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date May 14 1974.

Carried

Chairman

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to provide for the extension of the water supply system.

2. LOCATION OF LANDS AFFECTED

This Amendment applies to the lands indicated on Scheduly Y attached hereto.

3. BASIS FOR THE AMENDMENT

The Council of the Township of Sandwich South recognises that there is a need for piped water supply to residents in parts of the Township. It is the intention that a piped water system shall be extended to serve these areas.

4. DETAILS OF THE AMENDMENT

(a) Schedule C - The Public Works Plan shall be amended by the addition of proposed water lines as shown on Schedule Y attached here as:

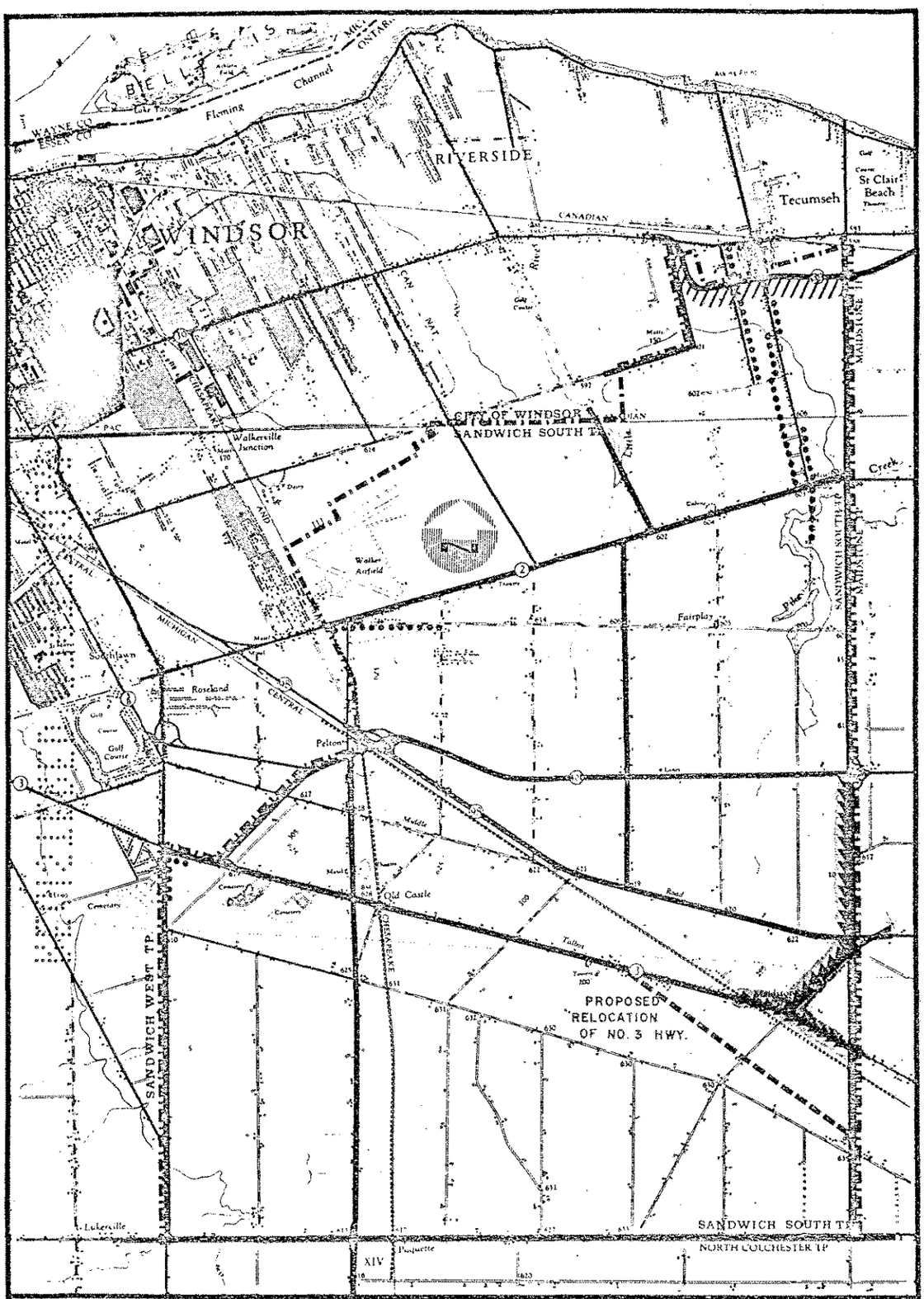
"WATER LINE STAGE TWO"

(b) Section 4, Subsection 3 shall be deleted and replaced by a new Subsection which shall read as follows:

"4.3 Existing and Proposed Water Lines are shown on Schedule C. These water lines may be extended to serve new developments in the Hamlets and Industrial Areas, but extension of service to any Rural Area beyond the routes shown on Schedule C shall not be permitted without an Amendment being made to this Plan as provided in Section 5.4."

INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.



LEGEND

Waterline

Stage two

OFFICIAL PLAN AMENDMENT No. 5

SCHEDULE Y

SANDWICH SOUTH PLANNING AREA

DILLON

0 1 miles 2

AMENDMENT NUMBER 6 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

MAY 1974

SANDWICH SOUTH PLANNING BOARD
OLDCASTLE, ONTARIO

This Amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 6 to the Official Plan of the Sandwich South Planning Area.

Date Jan 15/75

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I _____ certify that this is the Original/Duplicate Original/Certified Copy of Amendment Number 6 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 6

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 6 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 28 day of May 1974.

Chairman _____ Secretary _____ Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 74:33 in accordance with Sections 13 and 17 of the Planning Act, on the 24 day of June 1974.

Clerk _____ Reeve _____ Seal

This Amendment Number 6 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning Act, as Amendment Number 6 to the Official Plan of the Sandwich South Planning Area.

_____
Minister of Housing

COPY OF BY-LAW NUMBER 74-32

Whereas this Amendment Number 6 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of the Planning Act, enacts as follows:

1. The attached explanatory text, constituting Amendment Number 6 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 6 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 24th day of June 19 74.

Signed _____ Clerk Signed _____ Deputy Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 74-32. as enacted and passed by the Council of the Township of Sandwich South on . . June . . 24. . . . . 1974 .

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: W B Edwards

Seconded by: A R LeBlanc

Resolved that the attached Amendment Number 6 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date May 28 1974.

Carried

Chairman

1. Purpose of the Amendment

The purpose of this Amendment is to provide for the expansion of an industrial use into an area that was hitherto rural.

2. Location of Lands Affected

This Amendment applies to the lands indicated on Schedule "M", attached hereto.

3. Basis for the Amendment

The basis for this Amendment is the proposed expansion of an existing industrial use adjacent to the City of Windsor and an area designated industrial in the Official Plan for the City of Windsor.

4. Details of the Amendment

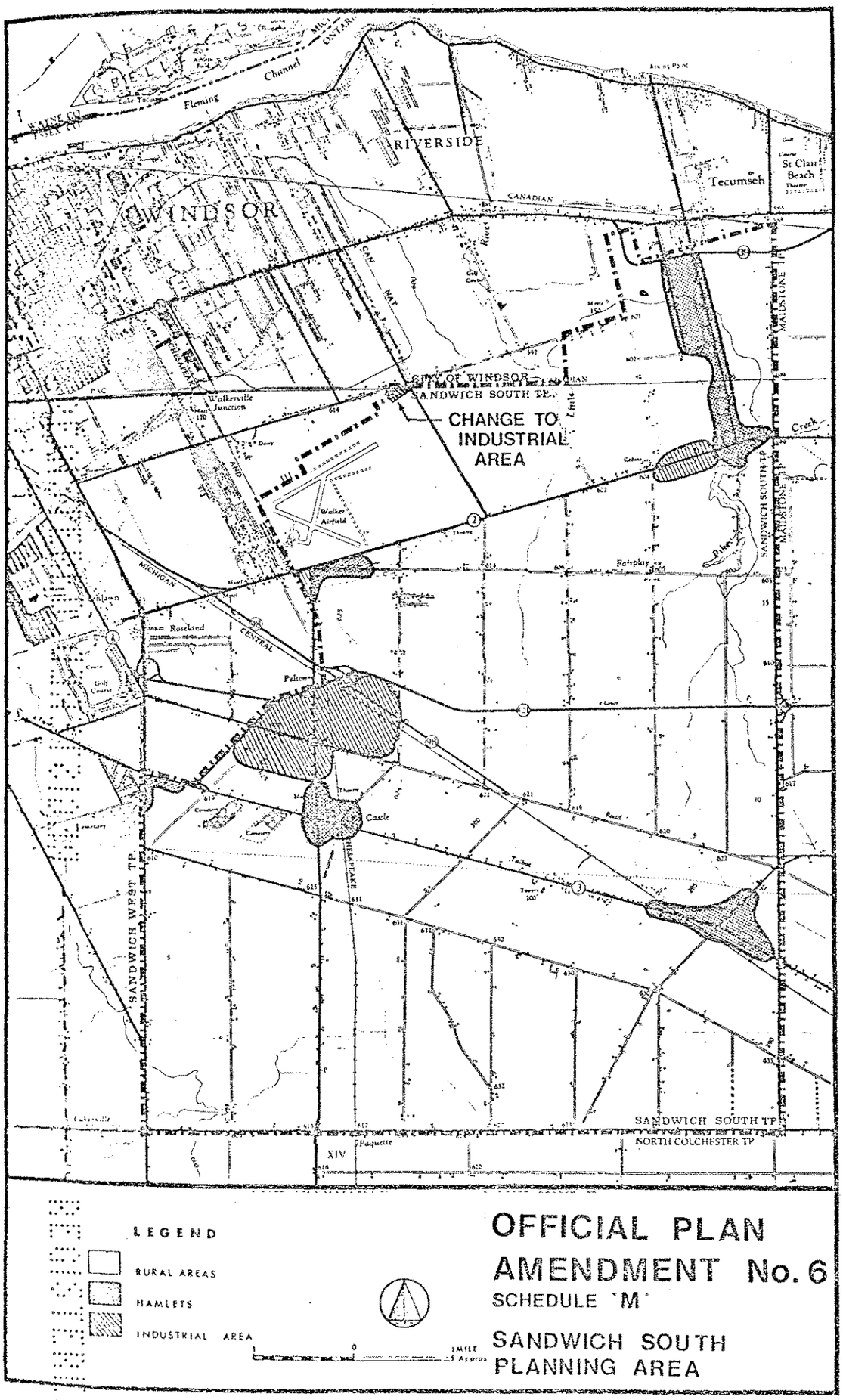
(a) Schedule "A", Land Use Plan, will be amended by changing the designation of lands shown on Schedule "M", attached hereto, from, "Rural Areas", to "Industrial Area".

5. Interpretation

The provisions of the Official Plan as amended from time to time regarding the interpretation of that plan shall apply in regard to this Amendment.

6. Implementation

The changes to the Official Plan described in this Amendment shall be implemented by an amendment to the Restricted Area (Zoning) By-law for the Township of Sandwich South.


CHANGE TO INDUSTRIAL AREA
CITY OF WINDSOR
SANDWICH SOUTH TP.
RIVERSIDE
Tecumseh
St Clair Beach
WINDSOR
Fleming Channel
CANADIAN
Walkerville Junction
Walker Airfield
Fairplay
Rosedale
Pelton
Castle
SANDWICH WEST TP
SANDWICH SOUTH TP
NORTH COLCHESTER TP
Paquette
XIV
LEGEND
RURAL AREAS
HAMLETS
INDUSTRIAL AREA
1 MILE
OFFICIAL PLAN AMENDMENT No. 6
SCHEDULE 'M'
SANDWICH SOUTH PLANNING AREA

APPENDIX 1

SUMMARY OF PUBLIC MEETING

A Notice of a public meeting in connection with the North part of Lots 114 and 115 abutting the property of the Ontario Hydro and adjacent to the Canadian Pacific Railways was advertised in the Windsor Star. The meeting was held on June 11th, 1974, and no one appeared in opposition to the proposed amendment. The Planning Board recommended through a resolution on page 2 that it be accepted. Council passed a by-law on the 24th of June, 1974, approving of the application and that it be directed to the Ministry of Housing for approval. Any comments that you may wish to make should be directed to the Clerk-Treasurer of the Township of Sandwich South, Oldcastle P.O. Ontario.

WL-00 28

AMENDMENT NUMBER 7 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

JULY 1974

SANDWICH SOUTH PLANNING BOARD
OLDCASTLE ONTARIO

Amendment No. 7

to the

Official Plan for the

Sandwich South Planning Area

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby modified under the provision of Section 17 of The Planning Act, as follows:

1. Section 4, "Details of the Amendment" is hereby modified by the addition of the following paragraph.

   "Any expansion of the proposed use or addition to the existing structures shall be undertaken in accordance with the policies of the Ministry of the Environment."

As thus modified, this amendment is hereby approved pursuant to Section 17 of The Planning Act, as Amendment #7 to the Official Plan for the Sandwich South Planning Area.

Date: Feb.19/75

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I Brit R Bedford certify that this is the ~~Original~~/Duplicate Original/Certified Copy of Amendment Number 7 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 7

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 7 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the COuncil of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 8th day of October 1974

Howard J. Shreve
Chairman

Brit R Bedford
Secretary Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 74-74 in accordance with Sections 13 and 17 of the Planning Act, on the 15th day of October 1974.

Brit R Bedford
Clerk

Howard J. Shreve
Reeve Seal

This Amendment Number 7 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning Act, as Amendment Number 7 to the Official Plan of the Sandwich South Planning Area.

Minister of Housing

COPY OF BY-LAW NUMBER 74-54

Whereas this Amendment Number 7 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of the Planning Act, enacts as follows:

1. The attached explanatory text, constituting Amendment Number 7 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 7 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 15th day of October 1974.

Signed Bert R Bedford
Clerk

Signed [illegible]
Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 74-54 as enacted and passed by the Council of the Township of Sandwich South on .....October 15th..... 1974.

Signed Bert R Bedford
Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: A R LeBlanc

Seconded by: W B Edwards

Resolved that the attached Amendment Number 7 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date October 8 1974.

Carried

Chairman

1. Purpose of the Amendment

The purpose of this Amendment is to provide for the establishment of a service industrial use in an area presently designated Rural.

2. Location of Lands Affected

This Amendment applies to the lands constituting part of Lot No. 4, Concession 10, in the Township of Sandwich South, as shown on Schedule N, attached hereto.

3. Basis for the Amendment

The basis for this Amendment is the proposed establishment of a newspaper publishing and printing shop in a vacant building, formerly the Charles Collins School.

4. Details of the Amendment

(a) Schedule "A", Lane Use Plan, will be amended by changing the designation of lands shown on Schedule "N", attached hereto, from, "Rural Area" to "Industrial Area".

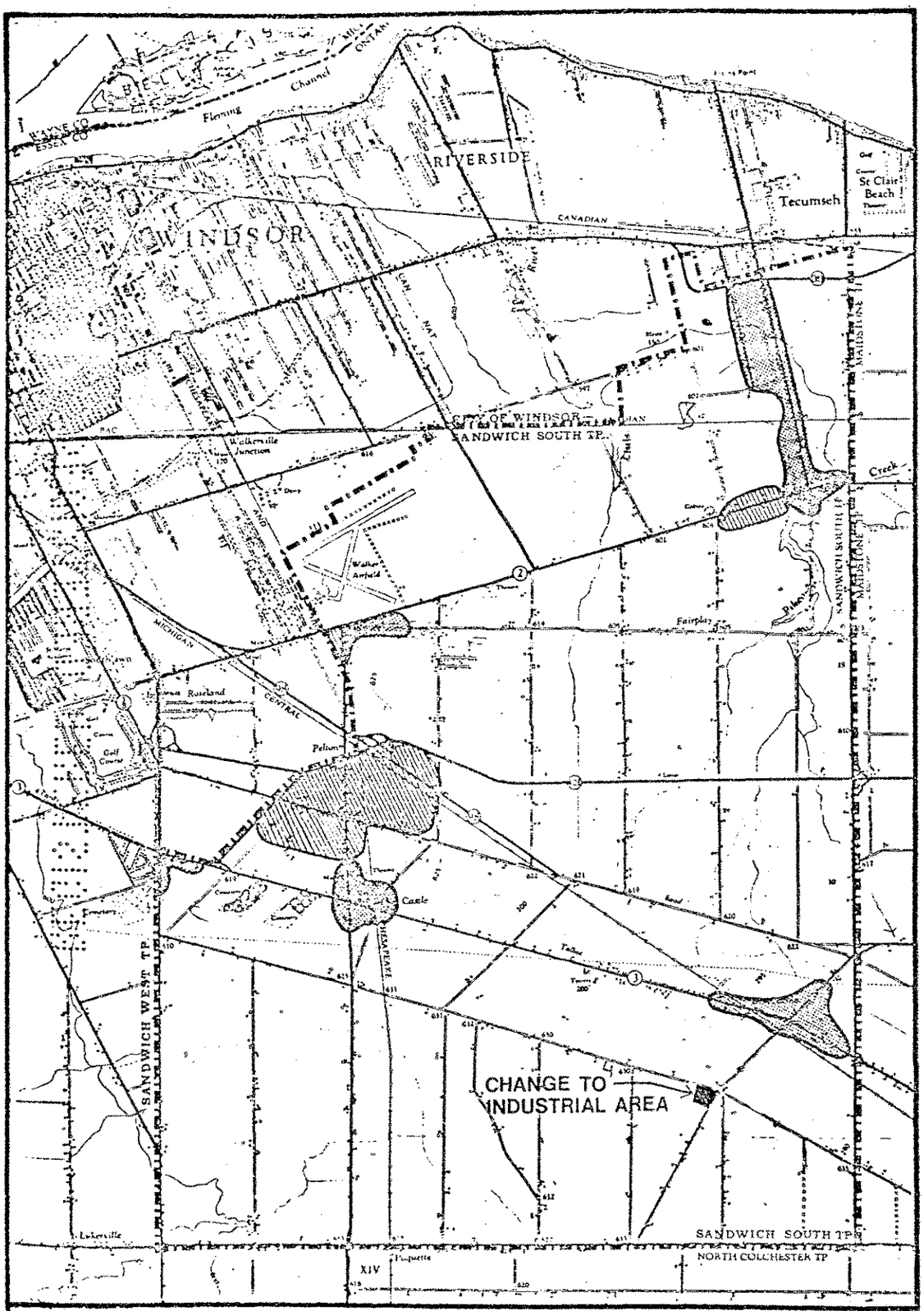
MODIFICATION NO. 1 UNDER SECTION 14(1) OF THE PLANNING ACT

5. Interpretation

The provisions of the Official Plan as amended from time to time regarding the interpretation of that plan shall apply in regard to this Amendment.

6. Implementation

The change to the Official Plan described in this Amendment shall be implemented by an amendment to the Restricted Area (Zoning) By-law, for the Township of Sandwich South.


RIVERSIDE
WINDSOR
Tecumseh
St Clair Beach
CITY OF WINDSOR
SANDWICH SOUTH TP.
SANDWICH WEST TP
CHANGE TO
INDUSTRIAL AREA
SANDWICH SOUTH TP
NORTH COLCHESTER TP
LEGEND
RURAL AREAS
HAMLETS
INDUSTRIAL AREA
OFFICIAL PLAN
AMENDMENT No. 7
SCHEDULE 'N'
SANDWICH SOUTH
PLANNING AREA

APPENDIX I

The following background information relates to a proposed light industrial use in an area designated Rural in the Official Plan of the Township of Sandwich South.

Property Description

The property, for which this Amendment to the Official Plan is proposed, consists of approximately 2.4 acres on which a vacant 2-room school building is located. The property is presently owned by D. Nicholson of the Essex Times.

Location

The property is located on part of Lot 4, Concession 10, on the south-west corner of the intersection of Malden Road and South Talbot Road, in the Township of Sandwich South. This is approximately one mile south-west of the Hamlet of Maidstone and Highway No. 3. The City of Windsor is located approximately eight miles to the north-west. Highways No. 401 and No. 2 are situated approximately 4 and 7 miles respectively to the north of the property to which road links are provided primarily by Malden Road and East Townline Road, and South Talbot Road and Walker Road.

Proposed Use

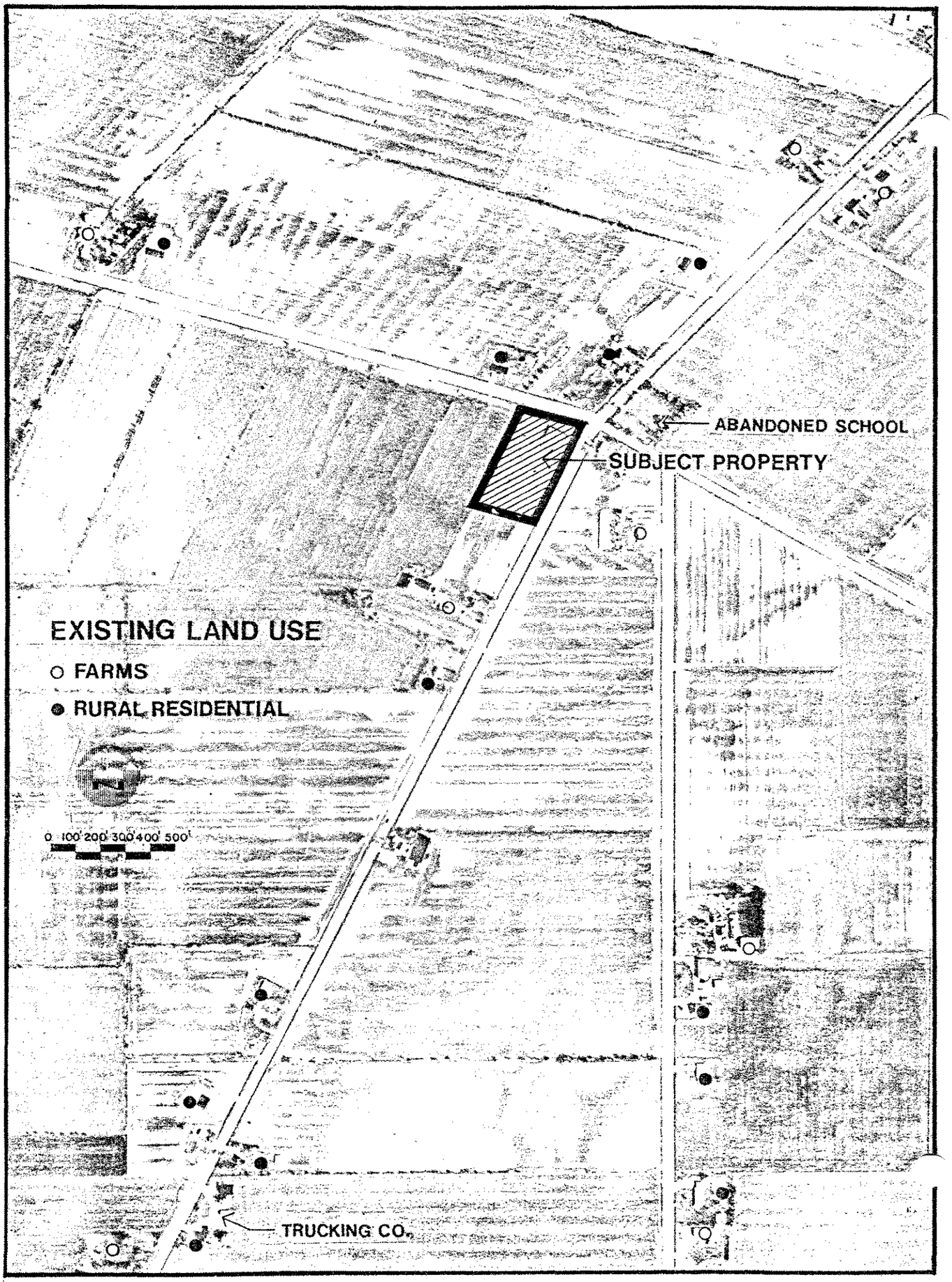
The property is proposed to be used as a weekly newspaper publishing and printing shop. This will entail the use of various types of printing machinery and equipment. An addition to the building is possible on this site, and if the proposed use becomes established, expansion of the use could take place in the future.

Initially, seven persons will be employed. Traffic to and from the site will consist mainly of employees, customers, and some deliveries. Heavy truck traffic will not be generated by the printing shop.

Surrounding Land Use

Land uses adjacent to the property are almost entirely agricultural, and will not be adversely affected by a use as is proposed.

A number of rural non-agricultural residences also exist along South Talbot Road and Malden Road. These will experience no adverse impacts as a result of the proposed printing shop.


ABANDONED SCHOOL
SUBJECT PROPERTY
EXISTING LAND USE
FARMS
RURAL RESIDENTIAL
0 100 200 300 400 500'
TRUCKING CO.

duplicate original

OPA-2615-8

AMENDMENT NUMBER 8 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

MAY 1975

SANDWICH SOUTH PLANNING BOARD

OLDCASTLE ONTARIO

Amendment No. 8

to the

Official Plan for the

Sandwich South Planning Area

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South, is hereby modified under the provisions of Section 17 of The Planning Act, as follows:

1. Section 4, Details of the Amendment, is hereby modified by adding sub-sections 4(a) and 4(b) to read as follows:

"4(a) Lands affected by noise from the Windsor Airport shall be subject to the following land use policy:

4(a)1 At the present time expansion proposals affecting the existing site of the Windsor Airport are under review by the Federal Minister of Transport, the Government of Ontario, the affected local municipalities, and the area residents. Noise Exposure Forecast estimates (NEF contours) have been defined by Transport Canada based on the forecast 1990 movements of the existing 07-25 runway, of a proposed 8,000' 08-26 runway, and of a proposed 10,000' 08-26 runway at the existing airport site. These NEF contours may be subject to slight variations as projected forecast demands are review from time to time.

4(a)1.2 Any land use development in any NEF contour shall comply with any height limitations imposed by the Minister of Transport by Order-in-Council.

4(a)2 Noise Exposure Forecast (NEF) contours as defined in September 1977 by Transport Canada are as shown on 'Schedule NEF' of this amendment. Slight variations to these contours based on a review by Transport Canada, of the forecasted air traffic demands, shall not necessitate an amendment to this document. Major variations of 05 NEF or more shall require an amendment.

4(b)1 The amendment is hereby further amended by the addition of 'Schedule NEF' attached hereto and forming part of this amendment.".

As thus modified, this amendment is hereby approved pursuant to Section 17 of The Planning Act, as Amendment No.8 to the Official Plan for the Sandwich South Planning Area.

Date: Jan 31 78

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

Until such time as a final Master Plan for the development of the existing airport site has been confirmed by the Federal Minister of Transport specifying:

a) whether or not the proposed 8,000' or 10,000' runway is to be constructed at the existing airport site south of the present runway, and

b) if such a new runway is to be constructed, the timing of its introduction and the point at which the existing runway and flight pattern will be closed to major commercial air traffic;

and until such time as the parent official plan has been suitably amended, the following land use policies shall apply to those lands affected by this amendment (No.8), which are located within the 30-35 NEF as defined by 'Schedule NEF' of this amendment:

4(a)1.1 Any new residential dwelling constructed in any area defined within a 30-35 NEF shall be subject to the noise abatement requirements established by Section E3 of the Central Mortgage and Housing Corporation Site Planning Handbook as revised 1972, or in any subsequent revisions, and the Supplement to the Site Planning Handbook for areas affected by noise from airports published by CMHC entitled 'New Housing and Airport Noise'.

I _____ certify that this is the Original/Duplicate Original/Certified Copy of Amendment Number 8 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 8

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 8 to the Official Plan of the Sandwich South Planning Area. The amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 28th day of January 19 76.

Maynard Shreve — Dorothy Croft (Seal)

Chairman — Secretary

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 76-7.. in accordance with Sections 13 and 17 of the Planning Act, on the 2nd day of February 1976.

Bert R. Bedford — Robert Pulleyblank (Seal)

Clerk — Reeve

~~This~~ Amendment Number 8 to the Official Plan of the Sandwich South ~~Planning~~ Area, which has been recommended by ~~the~~ Sandwich South Planning ~~Board~~ and adopted by the Municipal Council of the Township of Sandwich South, is hereby ~~approved~~ in accordance with Sections 14 and 17 of ~~the~~ Planning Act, as Amendment Number 8 to the Official Plan ~~of the~~ Sandwich South Planning Area.

Minister of Housing

COPY OF BY-LAW NUMBER 76-7 .

Whereas this Amendment Number 8 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of the Planning Act, enacts as follows:

1. The attached explanatory text, constituting Amendment Number 8 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 8 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing hereof.

Enacted and passed this 2nd day of February 19 76.

Signed Bert R. Bedford
Clerk

Signed Robert Pullenayegum
Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 76-7 as enacted and passed by the Council of the Township of Sandwich South on ...February. 2nd..... 19 76.

Signed Bert R. Bedford
Bert R. Bedford
Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: Robert Pulleyblank

Seconded by: Meredith White

Resolved that the attached Amendment Number 8 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date January 28 1976 .

Carried

Maynard Shreve
Chairman

1. Purpose of the Amendment

The purpose of this Amendment is to extend the area designated Hamlet to include an area of existing residential development to which water services are available.

2. Location of Lands Affected

This Amendment applies to Lots 1, 2, 3, 4, 5, and 8 of Registered Plan Number 1523, which are located on the south side of Base Line Road in the Township of Sandwich South, as shown on Schedule "E" of this Amendment.

3. Basis for the Amendment

The Planning Board and Council wish to amend the Official Plan by extending the Hamlet designation to include the Amendment Area, for the following reasons:

(a) The owners of the lots subject of this Amendment, which have a 150 foot frontage and minimum depth of 140 feet, wish to divide their lots so that half of the existing lot areas may be sold or developed for residential purposes, as the existing residences are situated on half of the present lot areas. Existing lot areas are such that they could be split, and amply meet the 7,500 square foot minimum area requirement of the Windsor-Essex County Health Unit.

(b) Planning Board and Council agree that a residential lot 21,000 square feet, or almost half an acre in size, may be in excess of what the average home owner can maintain at a reasonable standard, and that the extra tax and maintenance costs generated by the large lot could be reduced substantially by the division of the subject lots. Tax revenues to the Township would be increased by permitting the construction of new homes on the subdivided lots.

(c) The policy of the Official Plan is generally that new residential development in the Township be directed to existing urban centres, and minimized in the Rural areas. By extending the Hamlet designation to include the subject area, Planning Board and Council feel that additional residences may be developed as an extension of an existing urban area on land that is not in agricultural use, thereby helping to preserve viable agricultural land, and partially meeting the demand for residential development in the Township. The subject area is appropriately located so that it can be served by a municipal water supply system extending from the residential area to the west.

4. Details of the Amendment

The Schedule "A", Land Use Plan, will be amended by changing the designation of the lands shown on Schedule "E" attached hereto as "Change to Hamlets", from Rural Area to Hamlet.

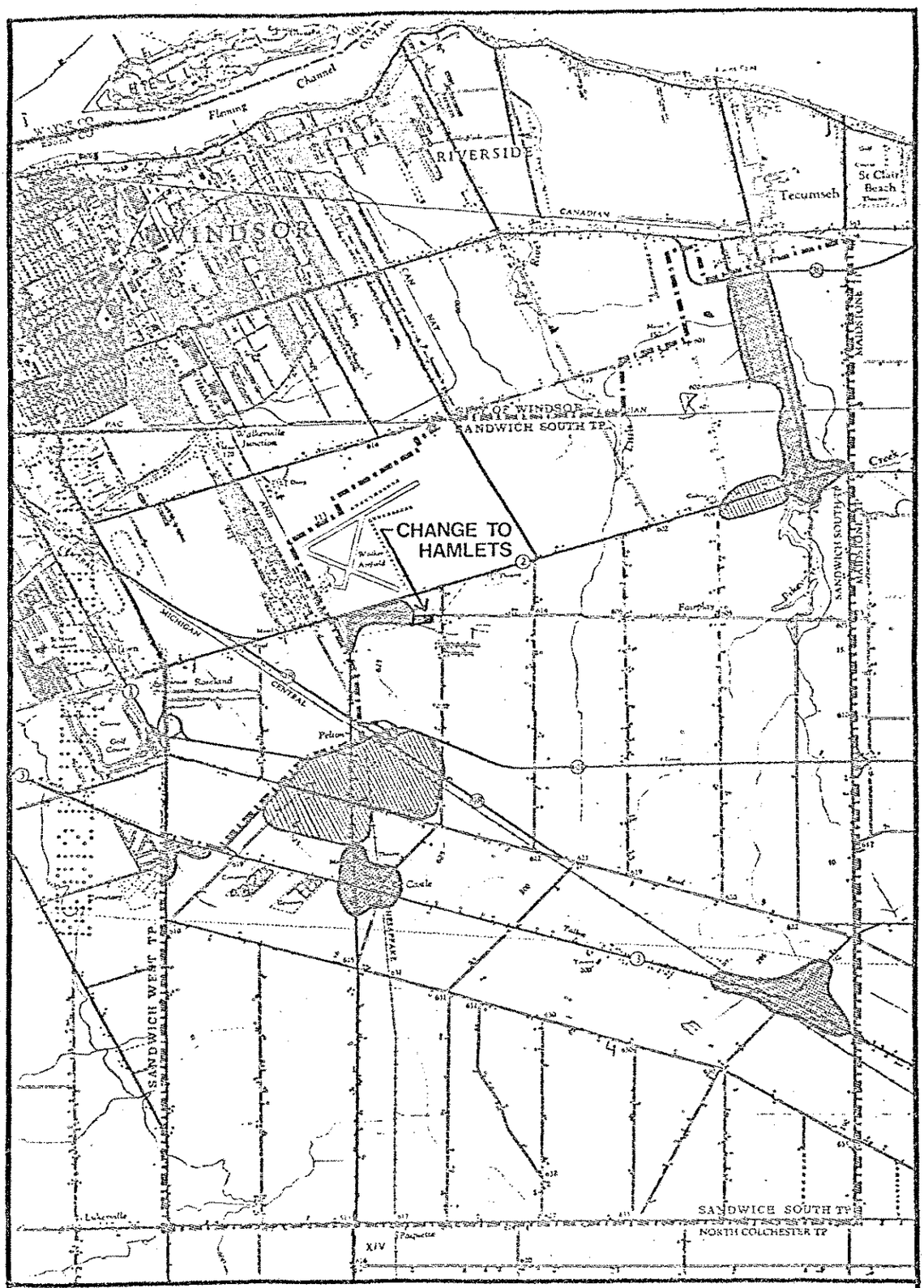
5. Interpretation

The provisions of the Official Plan as amended from time to time regarding the interpretation of that plan shall apply in regard to this Amendment.

6. Implementation

The Change to the Official Plan described in this Amendment shall be implemented by an Amendment to the Restricted Area (Zoning) By-law for the Township of Sandwich South.

MODIFICATION
NO 1
UNDER SECTION 14(1) OF



OFFICIAL PLAN AMENDMENT No. 8

SCHEDULE 'E'

SANDWICH SOUTH PLANNING AREA

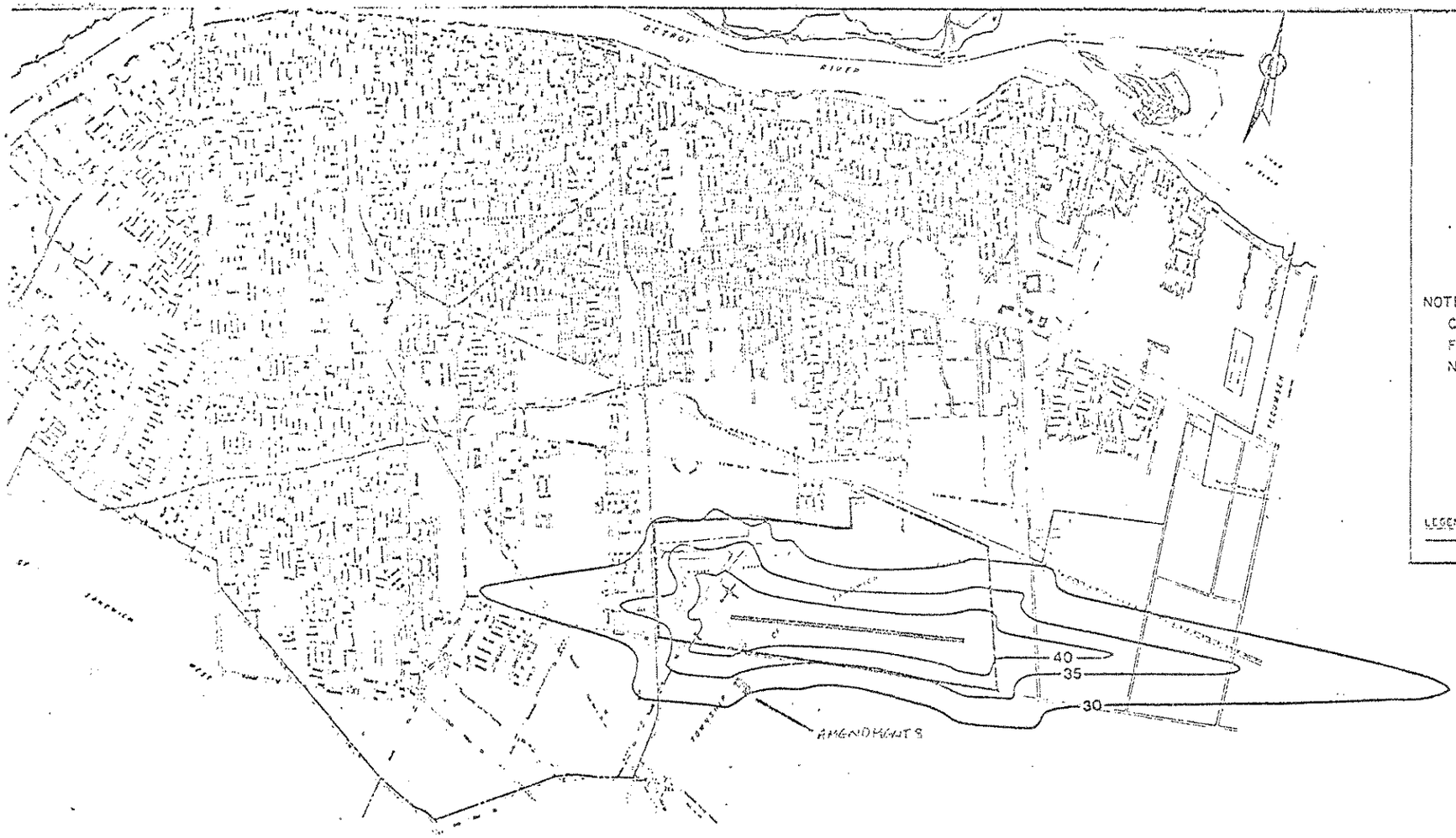


EXHIBIT 6

NOTE
CONTOURS BASED ON
FORECAST 1990 MOVEMENTS
NEW 10000' 08-26 RUNWAY

LEGEND
NEF CONTOURS

MODIFICATION

NO 1

UNDER SECTION 14(1) OF
THE PLANNING ACT

TORONTO AREA AIRPORTS PROJECT

S.W. ONTARIO AIRPORT PLANNING STUDIES
WINDSOR AIRPORT

WINDSOR AIRPORT
1990 NEF CONTOURS
NEW 10,000 FT. RUNWAY

0159 X 119 IN 008

Schedule NEF

APPENDIX 1

The following background information is provided as support material, and does not constitute part of this Amendment.

Property Location

The property subject of this Amendment is located on the south side of Base Line Road and north of the Sixth Concession Drain in the Township of Sandwich South, and includes Lots 1, 2, 3, 4, 5, and 8 of Registered Plan 1523.

Physical Characteristics

The subject lots are bordered on the south by the Sixth Concession Drain. This watercourse drains the surrounding areas as well as the subject lands. The drainage channel is relatively well defined and flow is not extensive throughout the majority of the year. Occasional overflow of the creek banks does occur at times during the spring season, but the extent of flooding is minor, and limited to the vicinity of the creek.

The soils of the subject area consist of a Brookston Clay Loam and natural drainage is imperfect. The Windsor-Essex County Health Unit may, therefore, require that tile drainage fields be larger than required under optimum drainage conditions depending on a perculation test of the soil found on the specific lots. Lot possible sizes are well above the 7,500 square foot minimum required in areas where only municipal water is supplied, and septic tanks are used.

Proposed Use

The owners of the subject lots anticipate dividing their lots, and since the existing homes are located on one half of the present lot, the new vacant lots could be sold or developed for residential uses.

Adjacent Land Uses

Uses adjacent to the subject lands consist of residences to the west; an automobile wrecking yard to the north, beyond which the Windsor Airport and agricultural lands are located; five residences, a cemetery and agricultural to the east; and the Sixth Concession Drain

and agricultural to the south. It is not anticipated that any of the adjacent uses except the Windsor Airport would adversely affect future development in the amendment area.

Windsor Airport

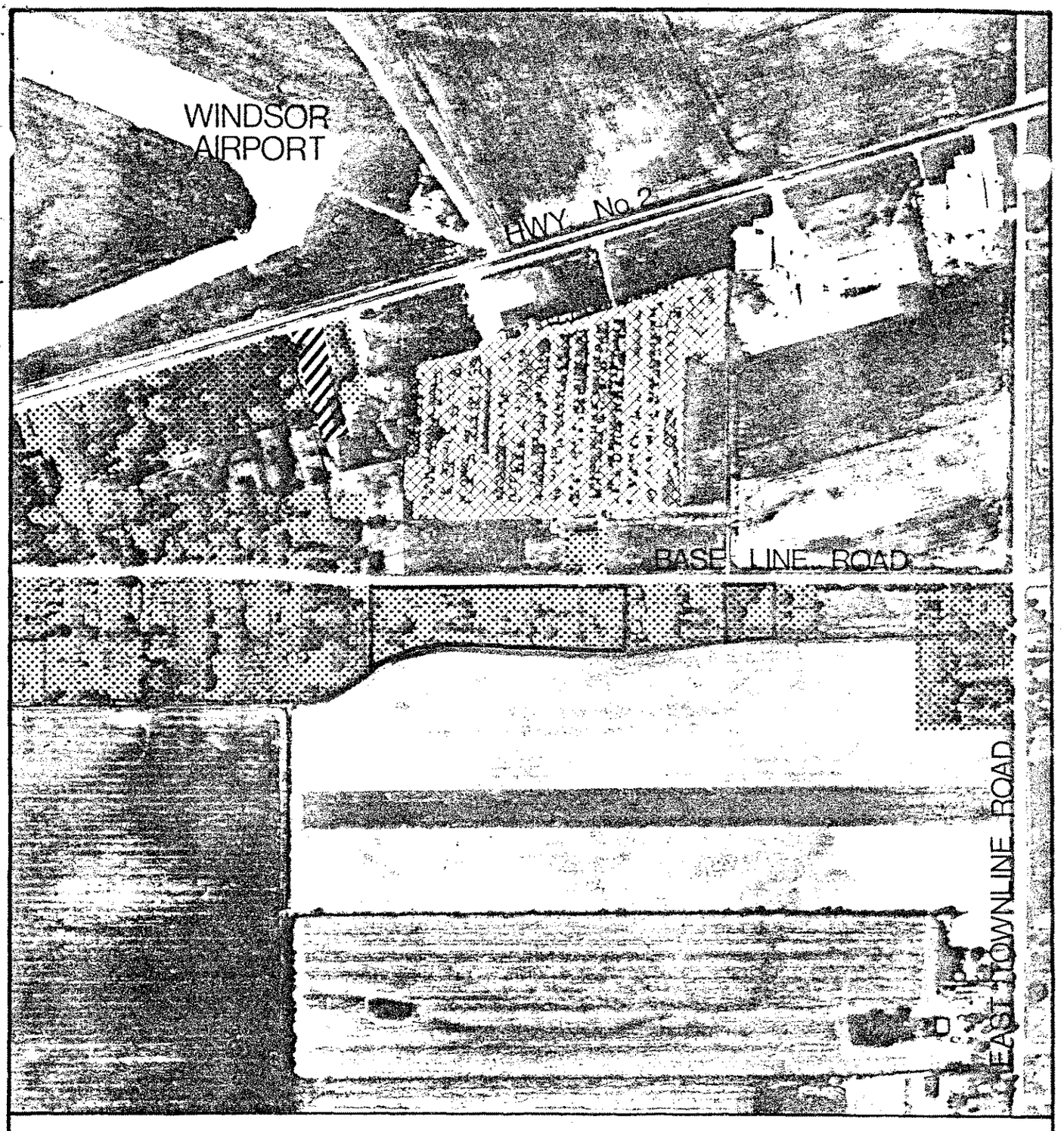
Projections of future noise levels resulting from the Windsor Airport have been made by the Ministry of Transport to be in the 30-35 NEF (Noise Exposure Forecasts) range for the amendment area.

The 30-35 NEF noise level range is considered to be in the intermediate noise zone by the Central Mortgage and Housing Corporation. In this zone, up to the 35 NEF limit, housing is denied financing under the National Housing Act unless adequate sound insulation is provided. New homes constructed in the subject area will, therefore, have to meet the noise insulation standards of the C.M.H.C. in order to achieve an acceptable interior living environment, below the 25 NEF limit.

The location of runways at the airport are presently under study by the Ministry of Transport. If the alignment of the runway is moved to the north as a result of this study, the index of Noise Exposure Forecasts would be reduced.

Access

Direct access to the subject area is provided by the Base Line Road. Access to the Windsor area is readily provided by Walker Road to the west, and County Road Number 42 north of the subject area.



residential

commercial

industrial

amendment area boundaries

DILLON

0 200 400 600 800 FEET

EXISTING LAND USE

AMENDMENT No. 8

OFFICIAL PLAN

Township of Sandwich South

Amendment No.9

to the

Official Plan for the

Sandwich South Planning Area

This Amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Township of Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South, is hereby modified under the provisions of Section 17 of The Planning Act, as follows:

1. Section 5.3 on page 7 is hereby modified by the deletion of lines 5-7 to be replaced by the following:

> "A, B and C of the amendment have defined the particular land use policies and designations of the secondary plan area. Any other general policies of the Official Plan shall also apply.".

2. Section 5 is hereby modified by adding the following subsections:

"5.1(d) Section 4(b) of Amendment 10 to the Official Plan for the Sandwich South Planning Area, which amended section 4.3 of the said Official Plan and which was added by Minister's modification No.1, is hereby deleted in its entirety.

5.1(e) Schedule B Land Use Plan to Amendment 9 is hereby modified to include the water line stage two as shown on Amendment 10, Schedule W, to the Official Plan.

The following general policies shall apply:

a) the land use designations on either side of County Road 42 affected by this water line shall be those shown on the Official Plan, ie. Rural;

b) notwithstanding the policies of the rural designation of section 1.1 of the Official Plan, any new residential development along this water line affected by noise from the Windsor Airport or Highways, shall be subject to the policies of sections 6.1.1.1.1, 6.1.1.1.2.".

3. Section 6.1.1 on page 9 is hereby modified by the deletion of paragraphs three and four to be replaced by the following:

"Areas affected by noise from the Windsor Airport, from Highways and/or from Railways shall be subject to the general land use policies of section 6.1.1.1.

Notwithstanding and complementary to the statements of intention and definition contained in sections 1-4 of this amendment relating specifically to those lands designated as 'Official Plan Amendment 9', the following general development policies shall apply".

4. Section 6.1.1 is hereby further modified by the addition of the following subsection:

"6.1.1.1. General Development Policies for Areas Affected by Noise from the Windsor Airport, Highways and/or Railways:

6.1.1.1.1. Areas Affected by Noise from the Windsor Airport

At the present time, expansion proposals affecting the existing site of the Windsor Airport are under review by the Federal Minister of Transport, the Government of Ontario, the affected local municipalities and the area residents. Noise Exposure Forecast estimates (NEF contours) have been defined by Transport Canada based on the forecast 1990 movements of the existing 07-25 runway,

of a proposed 8000' 08-26 runway, and of a proposed 10,000' 08-26 runway at the existing airport site. These NEF contours may be subject to slight variations as projected forecast demands are reviewed from time to time.

Until such time as a final Master Plan for the development of the existing airport site has been confirmed by the Federal Minister of Transport specifying

a) whether or not the proposed 8,000' or 10,000' runway is to be constructed at the existing airport site south of the present runway, and

b) if such a new runway is to be constructed, the timing of its introduction and the point at which the existing runway and flight pattern will be closed to major commercial air traffic, and

until such time as this Official Plan has been suitably amended, the following general land use policies shall apply to any lands of Amendment 9 contained within any one or more of these two NEF contours as defined by 'Schedule NEF' of this amendment, notwithstanding any other policies or designations of this amendment:

1) No new residential dwelling shall be permitted in any area defined in excess of 35 NEF.

2) Any new residential dwelling constructed in any area defined within a 30-35 NEF shall be subject to the noise abatement requirements established by Section E3 of the Central Mortgage and Housing Corporation site Planning Handbook as revised 1972, or in any subsequent

revisions, and the Supplement to the Site Planning Handbook for areas affected by noise from airports published by CMHC entitled 'New Housing and Airport Noise'.

3) Any land use development in any NEF contour shall comply with any height limitations imposed by the Minister of Transport by Order-in-Council.

4) Non-residential development in any area defined in excess of 35 NEF shall comply with the Provincial Land Use Compatibility Table as revised by the Minister of Housing, 1977, and any subsequent amendments thereto.

The policies of section 6.1.1.1. above shall be implemented in the following ways:

Notwithstanding and in addition to the policies of sections 6.1.2(d), 6.1.2(e), 6.1.2(h), 6.4.3, & 6.4.4 of this Plan, conditions and/or agreements shall be imposed by Council pursuant to sections 29(12a), 33(6), and/or 35a of The Planning Act to ensure adherence to the provisions of Section 6.1.1.1 of this Plan.

Noise Exposure Forecast (NEF) contours as defined in September 1977 by Transport Canada are as shown on 'Schedule NEF' of this Plan. Slight variations to these contours based on a review by Transport Canada, of the forecasted air traffic demands, shall not necessitate an amendment to this Plan. Major variations of 05 NEF or more shall require an amendment to this Plan.

Note: The lands owned by Mr. Docherty, located within the 35-40 NEF and more particularly described as being in lot 151, concession 3, as shown in green hatching on Schedule B, shall be excluded from the above. Since this matter will be referred to the O.M.B., the decision of the Board shall apply.

6.1.1.1.2. Areas Affected by Noise from Highways

New residential dwellings shall not be encouraged in any area where it is anticipated that the highway traffic noise level received by the resident shall be excessive. In this regard, vehicular noise levels generally exceeding 56 dBa for more than 10% of the time during the peak hours of the day are not considered by the Provincial Ministry of Transportation and Communications to be compatible with residential development. Any new residential development in such excessive noise areas shall be subject to noise abatement measures adequate to reduce the noise to an acceptable level. Council may require that any such noise abatement measures proposed by an applicant be reviewed by a qualified noise pollution consultant. Conditions deemed necessary shall be imposed as a condition of new development pursuant to Sections 29(12a), 33(6) and/or 35a of The Planning Act.

6.1.1.1.3. Areas Affected by Noise from Railways

Development applications for new residential dwellings affected by noise from railways shall be reviewed by Council in consultation with the Noise Pollution Control Section of the Ministry of the Environment and the affected rail authority. Noise abatement measures deemed necessary shall be imposed as a condition of new development pursuant to Sections 29(12a), 33(6) and/or 35a of The Planning Act.".

5. Section 6.1.2(d) (ii) on page 11 is hereby modified by the addition of the following:

..."Where in the opinion of Council or the Committee of Adjustment, these requirements cannot be met, then up to a 20% deviation may be permitted in the lot frontage or area requirements, provided that in no event shall any lot be less than 110 feet in depth. There shall be substantial justification for any deviation permitted.".

6. Section 6.1.4(f) on page 16 is hereby modified by the addition of the following:

..."All industries shall meet the requirements of, and where necessary, obtain the approval of the Ministry of the Environment with respect to water taking, waste water disposal, solid wastes disposal, and all emissions to the atmosphere, including odours, noise and vibrations.".

7. Section 6.1.6 on pages 18-20 is hereby modified by the deletion of paragraph one on page 19 to be replaced by the following:

"It is the policy of this amendment that development of permanent structures or buildings shall not be permitted in the vicinity of Pike Creek. Until such time as flood plain mapping has been prepared for this area and this Official Plan has been suitably amended, specific development applications shall be reviewed by Council in consultation with the Essex Region Conservation Authority to determine the flood-proofing measures and/or setbacks from the top of bank which may be required to develop lands within this designation or affected lands in any abutting designation. This policy shall be implemented by means of a Restricted Development Zone in the implementing Restricted Area By-law.".

8. Section 6.2.1(b) on pages 21-22 is hereby modified by the addition of the following to paragraph two on page 22:

..."Access to Highway No. 2 from Shawnee Road may be terminated once the E. C. Row Expressway is constructed to connect with the Highway. If, in fact, any termination on the existing access does take place, an adequate alternate access from Shawnee Road to the E. C. Row Expressway and the Town of Tecumseh should be provided. Shawnee Road, however, would provide access to Highway No. 2 until the ultimate stage of the expressway is complete in this area.".

9. Section 6.3 on pages 22-23 is hereby modified by the addition of a new subsection (e) on page 23 which reads as follows:

"e) The proposed major utility installations are generally running in a north-south direction and will cross the future expressway. Close liaison between the municipality and the Ministry of Transportation and Communications shall be required to establish proper locations, depths and provide protection of these utilities.".

10. Section 6.3.2 on pages 23-24 is hereby modified by the deletion of line two of paragraph one on page 24 to be replaced by the following:

..."-tion ponds and enclosed sewers. If storm water retention ponds become a necessity, they should only be used to hold water when absolutely required and the rest of the time kept empty. The development of new...".

11. Section 6.3.2 is hereby modified by the addition of the following paragraph on page 24:

"The area covered by this amendment is partially drained of storm water by using the facilities of the Town of Tecumseh, namely the Lesperance Road Pump and the Manning Road Pump. In the event that the pumping capacities at these outlets may need to be expanded to accommodate specific new development proposals in this area, appropriate cost sharing arrangements shall be negotiated by the municipalities involved as a condition of development.".

12. Section 6.3.3 on pages 24-25 is hereby modified by the addition of the following to paragraph one which ends at the top of page 25:

"Arrangements for an adequate water supply from the Tecumseh Public Utilities shall be negotiated by the municipalities involved as a condition of development.".

13. Section 6.4.2 on page 25-26 is hereby modified by the deletion of paragraph two at the top of page 26 to be replaced by the following:

"Holding zone categories under the provisions of Section 35 of The Planning Act and development control under the provisions of Section 35a of The Planning Act, RSO.1970, may be used in the implementing zoning by-law.".

14. Section 6.4.3 on page 26 is hereby modified by the deletion of line 4, paragraph 1, to be replaced by the following:

"development and where it is not necessary that road and/or municipal services be extended and/or created, and when not more than three new lots will ...".

15. Section 6.4.3(b) on page 26 is hereby modified by the deletion of lines 3-7.

16. Schedule B, Amendment 9, is hereby modified as follows:

a) by redesignating those lands shown Residential to Commercial, as shown shaded in red, and

b) by redesignating those lands shown Residential to Commercial/Industrial, as shown shaded in green.

17. The Official Plan is hereby amended by the addition of Schedule NEF attached hereto and forming part of the amendment.

Note: When new NEF contours have been prepared and there are significant changes to this schedule, the Official Plan shall be amended to incorporate the new schedule.

18. Amendment No.9 is hereby amended by the addition of Schedule W of Amendment 10 to the Official Plan, attached hereto and forming part of this amendment.

As thus modified, this Amendment to the Official Plan for the Sandwich South Planning Area is hereby approved pursuant to Section 17 of The Planning Act, save and except for:

The following which will be deferred for further consideration pursuant to Section 14(3) of The Planning Act:

1. Those lands shaded in yellow located within the 35-40 NEF and presently designated Residential.

The following which have been referred to the Ontario Municipal Board pursuant to Section 15(1) of The Planning Act.

1. Section 6.1.2(e), i-iii, (which affects the lands as requested for referral by Paul Mullins).

2. Those lands owned by Shaudrey Holdings Limited located in part of farm lot 150 and more particularly described as Part 1, Plan 12R-1146, as outlined in blue hatching on Schedule B, and requested for referral by Paul Mullins, Barrister and Solicitor, acting on behalf of the owners.

3. Those lands owned by Alex and Myron Choronoby located in part of farm lot 150 and more particularly described as Part 2, Plan 12R-1146, as outlined in red hatching on Schedule B, and requested for referral by Paul Mullins, Barrister and Solicitor, acting on behalf of the owners.

4. Those lands owned by Murray Whelpton as outlined in yellow hatching on Schedule B, and requested for referral by Paul Mullins, Barrister and Solicitor, acting on behalf of the owner.

5. Those lands owned by George Docherty bounded on the west by St. Alphonse Avenue, on the east by Lesperance Road, on the north by Pacific Street, and on the south by Leblanc Road, as outlined in green hatching on Schedule B, and requested for referral by Gordon Gervais, Barrister and Solicitor.

Date: July 12/78 CLAUDE F. BENNETT

Minister of Housing

I _____ certify that this is the Original/Duplicate Original/Certified Copy of Amendment Number 9 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 9

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached text and Schedules "A" and "B" constitute Amendment Number 9 to the Official Plan of the Sandwich South Planning Area. The amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the day of 19 .

_____ _____ Seal
Chairman Secretary

This amendment was adopted by the Council of the Township of Sandwich South under By-law Number ..... in accordance with Sections 13 and 17 of The Planning Act, on the day of 19 .

_____ _____ Seal
Clerk Reeve

This Amendment Number 9 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment Number 9 to the Official Plan of the Sandwich South Planning Area.

_____
Minister of Housing

BY-LAW NUMBER 76-3

The Council of the Corporation of the Township of Sandwich South in accordance with the provisions of The Planning Act, 1970, hereby enacts as follows:

1. Amendment Number 9 to the Official Plan of the Sandwich South Planning Area, consisting of the attached maps and explanatory text, is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of the aforementioned Amendment Number 9 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall not come into force or take effect until approved by the Minister of Housing.

Enacted and passed this 19th day of January 1976.

Signed Bert I. Bedford Signed Robert Pulleyblank
Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number as enacted and passed by the Council of the Township of Sandwich South on 197 .

Signed _____
Clerk of the Municipality

RESOLUTION OF THE SANDWICH SOUTH
PLANNING BOARD

Moved By: Wayne Dupuis

Seconded By: Steve Santo Jr.

Resolved that the attached Amendment Number 9 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date: January 15 1976.

Carried.

Wayne J. Greve
Chairman

Ontario

Ministry of Housing

Plans Administration Division
416/965-6418

Council 26 Nov 79 APD

56 Wellesley St. West, (2)
8th Floor
Toronto, Ontario
M7A 2K4

1979 11 23

Mr. R. Boisvenue
Clerk
Township of Sandwich South
P.O. Box 3455
Oldcastle, Ontario
N0R 1L0

SUBJECT: Amendment No. 9 to the
Official Plan for the
Sandwich South Planning Area
File No: OPL-2615-9

Dear Mr. Boisvenue:

We wish to inform you that on 1979 11 19 the Minister approved a further portion of the above noted plan with modification pursuant to sections 17 and 44(a) of The Planning Act as listed in the certificate page.

The original and 4 duplicate original copies have been endorsed by the Minister, but will be retained in this office until the remainder of the plan is approved.

We are enclosing a copy of the Minister's certificate page for your own use until the Minister's and OMB final decision is made and the original and other duplicate originals can be returned to you fully endorsed. We would ask that you insert this page into the true working copy which was sent to you at an earlier date.

Yours truly,

Phyllis Miller
Senior Planner
Official Plans Branch

Encl.

cc. C.P.A.B.-London

RECEIVED
NOV 26 1979
TOWNSHIP OF
SANDWICH SOUTH

Amendment No. 9

to the

Official Plan for the

Sandwich South Planning Area

I hereby approve in accordance with Sections 17 and 44a of The Planning Act a further portion being that area hatched in blue on the attached copy of a portion of Schedule 'B' and known as OMB referral #2, of Amendment No. 9 to the Official Plan for the Sandwich South Planning Area which has been recommended by the Council of the Township of Sandwich South subject to the following modifications:

19. That area outlined in red on the attached copy of a portion of Schedule 'B' is redesignated from "Residential" to "Open Space".

20. That area outlined in green on the attached copy of a portion of Schedule 'B' is redesignated from "Open Space" to "Residential".

As thus modified, this further portion of the amendment is hereby approved pursuant to Section 17 of The Planning Act, as Amendment No. 9 to the Official Plan for the Sandwich South Planning Area.

ORIGINAL SIGNED BY

Date Nov. 19, 1979

Claude F. Bennett

Minister of Housing

RESIDENTIAL TO OPEN SPACE

OPEN SPACE TO RESIDENTIAL

REFERRAL #2 TO O.M.B.

MODIFICATION

NO. 20

UNDER SECTION 14(1) OF

APPENDICES

TO

THE OFFICIAL PLAN

OF THE

SANDWICH SOUTH PLANNING AREA

AMENDMENT NO. _____

The following information is not intended to form part of the approved Official Plan Amendment No. _____ but is included only for the purpose of supplying supplementary information to support the proposals contained within the Official Plan Amendment

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Section 1 INTRODUCTION TO AMENDMENT NUMBER 9

Official Plan Amendment Number 9 has been prepared by Planning Board to provide detailed land use and development policies for an area which will be subjected to an accelerated rate of growth in the near future. This amendment will guide and direct such growth in a logical and orderly manner.

The Text and Schedules "A", "B" and "C" constitute Amendment Number 9. This amendment shall be adopted by the Township of Sandwich South as an amendment to the Official Plan of the Sandwich South Planning Area and will serve as a Secondary Plan for the Hamlet area in the north-east sector of the Township. Also included with the amendment are technical appendices which do not form part of the Amendment but provide background information in support of this document.

This amendment shall be subject to continued reviews by Planning Board and wherever it is found necessary to keep abreast of changes and trends, the Official Plan of the Township of Sandwich South shall be further amended.

Section 2 FUNCTION OF THE AMENDMENT

This amendment establishes the policies for development in the Hamlet area in the north-east section of the Township of Sandwich South. Policies shall provide a framework for future growth in a way which minimizes conflict between established and future land use activities. The policies also provide for sufficient development to assist in the financing of the proposed water and sanitary servicing schemes.

This amendment to the Official Plan of the Township of Sandwich South, being a Secondary Plan, is a legal document, but does not in itself control or regulate the development of lands by private interests. Once in effect, however, the Municipality may not pass by-laws or undertake public works contrary to the policies of the amendment. The Plan will guide municipal administrators and private interests to ensure the most desirable form of development.

This amendment will provide a basis for the programming of future municipal services such as roads, schools, parks, water supply, storm and sanitary sewers. This planning program will result in the provision of more adequate services in the most economical manner. Private interests in the Amendment Area will be made aware of the future development policies of the municipality so that private development operations can be planned with more certainty and in accordance with an overall development strategy.

Section 3 BOUNDARIES OF THE AMENDMENT AREA

The subject lands of this amendment, being the Secondary Plan Area, are located in the north-eastern sector of the Township of Sandwich South in the County of Essex. The Plan Area is approximately bounded on the north by Provincial Highway #2 and the Town of Tecumseh; on the east by farm lot 153 and East Town Line Road; on the south by Pike Creek and a limit 400 feet south of County Road #42; and on the west by farm lots 147 and 148 and by a limit of 600 feet west of Banwell Road.

MAP - [illegible] Project description

Section 4 BASIS OF AMENDMENT NUMBER 9

4.1 General

The Policies of this Amendment Number 9 have been developed to achieve a number of basic objectives. As background for the formulation of these objectives, surveys of public opinion, existing land use, and services have been undertaken. These are contained in the Appendix section of this amendment.

4.2 Population

The Ministry of the Environment has projected the population of the amendment area on the basis of a five per cent compounded annual growth rate. The Provincial Sewage Works Design Report[1] for the amendment area estimates the 1974 population to be approximately 1,500 persons. Population for the amendment area is forecast in the design report as follows:

YEAR	POPULATION
1974	1,500
1978	2,400
1982	2,800
1986	3,500
1990	4,000

In order to accommodate the design population of the sanitary sewage scheme and for economic reasons, it is necessary to provide for additional residential development within the amendment area.

1 *Ministry of the Environment, Provincial Sewage Works 1-0313-72 Design Report, Township of Sandwich South*

4.3 Factors Affecting Development

(a) The amendment area is located within commuting distance of the City of Windsor. The demand for residential housing as well as commercial and light industrial property will be influenced by the easy access to Windsor.

(b) The installation of sanitary and storm water drainage systems and the improvement of the potable water supply system will attract future development to the amendment area.

(c) Road access from the City of Windsor and surrounding communities with the completion of the E. C. Row Expressway will be adequate to serve future development in the area.

4.4 Basic Development Objectives

(a) To encourage development in this area of the Township within the limits of the amendment area as designated on Schedule "B", Land Use Plan.

(b) To provide for population growth to the limits of the design capacity of the available services.

(c) To encourage the growth of commercial and light service industrial development along County Road #42.

(d) To retain the rural, informal character of the Hamlet by developing large lots with frontage similar to that of existing lots.

(e) To provide for the recreation and open space needs of present and future local inhabitants by providing for sufficient park lands.

4.5 Capacity of Services

Sanitary sewers in the amendment area have been designed to service an ultimate residential population of 5,500 persons as well as commercial and industrial uses equivalent to a population of 1,760 perons. It is anticipated that lands designated for residential use in this amendment will result in an ultimate population growth to approximately 5,300 persons.

The remaining sewage capacity is available for commercial and commercial/industrial use.

Section 5 DETAILS OF AMENDMENT NUMBER 9

5.1 Schedule "A" to the Official Plan of the Township of Sandwich South is hereby amended by:

(a) redesignated from "Hamlets" to "Official Plan Amendment Number 9" the lands shown as "Change to Official Plan Amendment Number 9" on Schedule "A" of the Amendment, attached hereto;

(b) redesignated from "Industrial Area" to "Official Plan Amendment Number 9" the lands shown as "Change to Official Plan Amendment Number 9" on Schedule "A" of the Amendment, attached hereto; and

(c) redesignated from "Rural Areas" to "Official Plan Amendment Number 9" the lands shown as "Change to Official Plan Amendment Number 9" on Schedule "A" of the Amendment, attached hereto.

5.2 The Official Plan of the Township of Sandwich South is hereby amended by the addition of Schedule "B", "Land Use Plan - Official Plan Amendment Number 9" and Schedule "C", "Servicing Plan - Official Plan Amendment Number 9".

5.3 The Official Plan of the Township of Sandwich South is hereby amended by the addition of a Section "6.0" entitled "Official Plan Amendment Number 9 - Land Use and Development Policies". The policies and schedules A, B, and C of the amendment will supercede those policies and schedules of the Official Plan of the Sandwich South Planning Area pertaining to the Amendment Area.

Section 6.0 shall be added to the Official Plan of the Township of Sandwich South following Section 5.0 and shall read as follows:

Section 6 LAND USE AND DEVELOPMENT POLICIES

6.1 Land Use Policy

6.1.1 General

The land resources of the amendment area shall be developed in accordance with Schedule "B" which forms the Land Use Plan of this document and designates the Residential, Commercial, Commercial/Industrial, Open Space and Environmental Protection categories of land uses. Policies and provisions governing this use of lands within these designations are described in the following sub-sections.

Existing agricultural uses shall be permitted to continue on undeveloped lands until such time that such lands are developed for the designated land use. The establishment of new agricultural practices other than crop production shall not be permitted within the amendment area.

The effect of noise from aircraft using the Windsor Airport will be taken into consideration in the review of development proposals in the amendment area. The current policy of the Ministry of Housing will be used in determining appropriate land uses and suitable conditions to govern developments in the noise zone.

In view of the deficiency of data concerning the future of the runway facilities, noise zones cannot be included at this time. When the airport study and noise zone data becomes available, it will provide part of the development review criteria for the amendment area.

6.1.2 Residential

The predominant use of land designated Residential shall be for low density residential uses, for which full municipal services including storm drainage systems can be made available. In addition, such uses as serve, or are complementary to, the basic residential use, shall be permitted on a limited and controlled basis.

The following policies shall apply to the area designated Residential:

(a) Permitted uses are single family residential units, constructed one per lot, home occupational uses, public and institutional uses and a limited number of local convenience uses.

In considering rezoning applications for local convenience uses, Planning Board and Council will have regard to the following:

- that the proposed use be located on a Collector Road as per Schedule "B",
- that the proposed use is necessary to the neighbourhood and will not cause a surplus of similar uses in the amendment area;
- that the proposed use will function as a local convenience use servicing primarily the immediate neighbourhood, and
- that the proposed use be adequately buffered from adjacent residential uses by means of landscaping and adequate setback.

(b) Home occupation uses shall be permitted, provided they are compatible with the predominant residential uses and do not adversely affect the residential character by obtrusive lighting, signs, parking, traffic, outdoor storage or other evidence of commercial or industrial activity and provided that the home occupation use remains secondary to the residential use.

(c) Adequate off-street parking shall be provided for all permitted uses.

(d) Development will generally be by Plan of Subdivision, but, as the development of excessively large existing lots is essential for the complete development of the amendment area, severance of land under the provisions of Section 29 (1) of The Planning Act, RSO 1970, shall be permitted as follows:

(i) The frontage of a residential lot created by consent shall generally not be less than 75 feet; and the minimum lot area shall be 10,000 square feet.

(ii) Where the 75 foot frontage requirement cannot be met, up to a 20% deviation from this requirement may be permitted, provided that the lot size is not less than 10,000 square feet.

(iii) Notwithstanding paragraph (ii), where Planning Board deems it necessary in the interest of preserving the character of the neighbourhood, lots having a frontage greater than 75 feet may be required.

(iv) Where a severance application does not meet the requirements of the implementing Zoning By-law, the consent will be granted only subject to rezoning or a minor variance.

(v) Land severances will be subject to a park dedication of land or cash in lieu of land, as established by the Municipality.

(vi) Council may establish impost charges for lot development to recover municipal costs of servicing development.

(e) The following policies shall apply to the development of lands by Plan of Subdivision:

(i) The frontage of individual lots created by Plan of Subdivision shall generally be 75 feet but may be reduced below 75 feet to accommodate design constraints. The average frontage of all residential lots in a Plan of Subdivision shall not be less than 75 feet.

(ii) The density of lots shall not exceed 4 lots per acre, inclusive of roads.

(iii) Approval of plans of subdivision shall be subject to the provision of a 5 per cent of gross land dedication or cash in lieu thereof to the Municipality, subject to the approval of the Minister, as set forther in Sections 33 (5) and (8) of The Planning Act, RSO 1970. Where cash in lieu of the required parkland dedication is received, the equivalent cash value of the 5 per cent parkland dedication

to be paid by the developer shall be the fair market value of the land as if it were fully serviced and subdivided into individual lots available for sale.

(f) Natural features and tree cover shall be retained where possible, and incorporated into the overall development scheme.

(g) Mobile homes shall not be permitted.

(h) Policies will be implemented by Restricted Area By-law. Regulations including minimum frontage, lot depth, side yards, lot area, and minimum gross floor area will be specified in the implementing Restricted Area By-law.

In the Residential designation a number of commercial uses exist which Council wishes to recognize as such. These include the Pink Haven Motel, Kent Safety Equipment and Machinery and the Shell and Sunoco Service Stations, all on County Road #42, and the Shawnee Steak House and Tavern and Lindquist Bros. Bait Company, both on Shawnee Road.

These uses may be recognized in the implementing Zoning By-law, though they are in a Residential designation.

(i) Building permits will be issued in compliance with the Building By-law, and the Restricted Area (Zoning) By-law of the Township of Sandwich South.

(j) The cost of servicing new development shall be borne by the developer.

6.1.3 Commercial

The predominant use of land designated Commercial shall be for the buying and selling of goods and services.

The policies to be considered in the development of Commercial uses are as follows:

(a) Permitted uses include those Commercial uses which serve primarily the amendment area and adjacent rural residents and can be incorporated in a neighbourhood shopping centre. A site in the order of 15 acres is designated Commercial on Schedule "B" of this plan to accommodate service retail space, a supermarket and other retail outlets not requiring outdoor storage facilities.

(b) All development shall be fully serviced by municipal sewers, water supply and storm drainage systems, to be installed by the developer at his own expense.

(c) To discourage the development of a shopping centre of regional magnitude, the Commercial area shall not be developed as one unit, but rather in individual commercial establishments or groups of retail outlets and/or service developments. Lots in the Commercial designation shall not exceed 5 acres in size inclusive of parking, pedestrian access and delivery facilities. The maximum building coverage of a lot shall not exceed 30% of the lot area.

(d) Adequate off-street parking will be provided for uses within the Commercial designation.

(e) Adequate buffering shall be provided to adjacent residential uses.

(f) The Commercial Policies contained herein will be implemented by a Restricted Area By-law, and by the approval of a Site Plan by Council. Regulations including minimum frontage, lot depth, side yards, lot area, minimum gross floor area, and parking and loading requirements will be included in the implementing Restricted Area By-law.

(g) Setback and parking requirements will be covered in the implementing Restricted Area By-law.

(h) The Building Inspector shall be satisfied that construction methods and materials comply with the Township Building By-law prior to the issuance of a Building Permit.

6.1.4 Commercial/Industrial

The predominant use of land in the area designated Commercial/Industrial shall be for warehouse, wholesale commercial and light industrial uses which are compatible with adjacent uses. Heavy manufacturing uses are not permitted.

The policies to be considered in the development of Commercial/Industrial uses are as follows:

(a) Permitted uses include those uses which require highway access as well as a large storage or display area for successful operation. These include automobile sales and service facilities, light manufacturing, warehousing, wholesale establishments, wholesale retail outlets, factory sales outlets, a bank and building material supply.

The location and type of display and storage facilities permitted will be subject to the review and discretion of Planning Board and Council.

Accessory office and commercial uses are also permitted.

(b) Commercial uses to serve the workers in this Commercial/Industrial area shall be permitted, including eating establishments, service stations and variety stores.

(c) Heavy industrial uses, wrecking yards, salvage yards or construction yards requiring extensive outside storage and generators of extensive heavy-truck traffic, will not be permitted in the Commercial/ Industrial area.

(d) Development shall be fully serviced by municipal sewers, water supply and storm drainage facilities to be provided by the developer at his own expense. Where improvements to existing sewers, water supply and storm drainage are required, such improvements shall be paid by the developer.

(e) Adequate off-street parking and loading space shall be provided.

(f) The establishment of uses which would harmfully pollute the air, or water, or create excessive noise, or are of an obnoxious nature, or incompatible with the surrounding residential uses will not be permitted.

(g) The Commercial/Industrial policies contained herein shall be implemented by a Restricted Area By-law and by the approval of a Site Plan by Council.

(h) The local Building Inspector shall be satisfied that construction methods and materials comply with the Township Building By-law prior to the issuance of a Building Permit.

6.1.5 Open Space

The predominant use of land designated Open Space shall be for outdoor recreation, conservation, or parkland, and may be developed to provide community recreation facilities.

The policies to be considered in the development of Open Space areas are as follows:

(a) Permitted uses shall include conservation, recreation, storm water collection areas and the development of community recreation facilities.

(b) The establishment of commercial recreation facilities shall be permitted where such use will benefit the overall community.

(c) Adequate off-street parking shall be provided for recreation or open space areas.

(d) Open Space dedications to the Municipality of the Township of Sandwich South shall be required as part of future subdivision agreements between Council and private developers. Such dedications shall not be less than 5 per cent of the gross residential area of the proposed plan.

Cash received by the Township in lieu of the 5 per cent parkland dedication shall be used to finance the purchase and improvement of parks and recreation projects in the Township.

(e) Parklands and recreation areas shall be integrated with school sites where possible so that optimum use may be derived from publicly owned land and facilities.

(f) Open Space Policies will be implemented by Restricted Area By-law and through land dedications when subdivision plans are approved.

(g) Where a 5 per cent land dedication is provided by the developer as a condition of subdivision approval, such land shall be landscaped and prepared to the satisfaction of the Township at the developer's expense prior to the assumption of such lands by the Township.

6.1.6 Environmental Protection Area

The Environmental Protection designation includes land having environmental development hazards, including floodplain and steep slopes. Uses permitted under such designation are limited to public or private parks, outdoor recreation, agricultural or forestry uses and the conservation of soil or wildlife.

Where land is delineated as "Environmental Protection" on Schedule "B", the purpose is primarily for the preservation and conservation of the natural environment and as a protection of adjacent land uses from physical hazards or their effects.

It is the policy of this amendment that development of permanent structures or buildings shall not be permitted in the vicinity of Pike Creek. Until such time as flood-plain mapping has been prepared, the construction of buildings is prohibited within 50 feet of the top of the bank as shown on Schedule "B" of this amendment. This Policy shall be implemented by means of a Restricted Development Zone in the implementing Restricted Area By-law.

Where permitted uses are developed within the Environmental Protection designation, provision shall be made for an easement along the drain for the purpose of periodic cleaning of the drain, as required by the Township.

Where Planning Board and Council are considering an application for the redesignation of Environmental Protection Area, they shall consult with the Ministry of Natural Resources and the Conservation Authority and have consideration for the general policies of this amendment and the following criteria:

(i) The existing environmental and/or physical hazards;

(ii) The potential impact of these hazards;

(iii) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and

(iv) That an easement along the drain is retained as required by the Township for the purpose of periodic cleaning of the drain.

Where new development is proposed on a site, part of which has physical limitations or hazards, then such Environmental Protection area shall not necessarily be acceptable as part of the 5 per cent park dedication under The Planning Act. All lands dedicated to the municipality for public purposes shall be conveyed in a physical condition satisfactory to the municipality.

6.1.7 Ontario Hydro Right-of-Way

The Ontario Hydro right-of-way as shown on Schedule "B" of this amendment passes through the central portion of the amendment area.

The right-of-way is under the jurisdiction of Ontario Hydro and use of such lands for uses other than transmission lines or recreation uses is not permitted. This Hydro right-of-way may be used for recreation activities which do not conflict with use of this corridor for transmission line purposes. Such uses as walking trails, bicycle paths, active recreation areas and parkland will be permitted subject to the regulations and approval of the Ontario Hydro Corporation and the Municipality.

6.2 Roads Policy

The road pattern as shown on Schedule "B" of this Plan is based on following considerations:

(a) Movement of large volumes of traffic through the interior of the amendment area will be discouraged.

(b) The interior road pattern will facilitate the orderly flow of traffic generated primarily by local residents.

(c) Adequate road access will be provided to and from the interior of the Hamlet.

6.2.1 Road Classification

The roads which serve the amendment area are classified on Schedule "B" of this Plan according to their planned function. Where land is required for roads which presently do not exist or for widenings or extensions, such rights-of-way shall be obtained by means of land dedications made in accordance with conditions of approval of applications made under Section 33 (5) of The Planning Act, RSO 1970.

The following descriptions apply to the classification of roads as shown on Schedule "B" of this Plan.

(a) Arterial Roads

Arterial Roads are designed to facilitate through movements of medium volumes of traffic on 2 to 4 lanes, and provide limited access to adjacent properties. A minimum right-of-way of 86 feet is required.

(b) Collector Roads

Collector roads are designed to collect and carry local traffic to arterial roads, distribute traffic to local roads and provide access to adjacent properties. Generally collectors are two lane roads and have a minimum right-of-way width of 66 feet.

Where the widening and improvement of collector roads is necessary abutting new developments, the developer shall dedicate the required right-of-way

for such widenings, and bear the cost of the necessary improvements.

Lesperance Road, St. Alphouse Avenue, Shawnee Road and Intersection Road function as collector roads in the amendment area. Rights-of-way of 66 feet will be required for all collector roads except Intersection Road which shall have an 86 foot right-of-way.

Future traffic is not considered to be of sufficieny volume to warrant 86 foot rights-of-way for collectors with the exception of Intersection Road.

(c) Local Roads

The remaining existing and proposed roads in the amendment area function as local roads. Their purpose is primarily to provide access to abutting properties. These roads are two-lanes, with a minimum right-of-way width of 66 feet.

Local roads will be constructed in future subdivisions by the developer to the specifications set forth in the Subdivision Policy established by Council as amended from time to time, subject to Section 33 (6) of The Planning Act, RSO 1970.

6.3 Servicing Policy

The municipal water and sanitary sewer services to be provided in the amendment area are shown on Schedule "C". The provision of services to the amendment area is based on the following considerations:

(a) Pollution abatement from existing development in the Hamlet;

(b) Adequate provision for future growth within the Hamlet;

(c) Provisions for a safe potable water supply for the entire Hamlet and adequate water for fire protection; and

(d) All future development in the amendment area shall be permitted only on full services, namely, sanitary services, piped water and storm drainage facilities.

6.3.1 Sanitary Sewers

Sanitary sewers convey sanitary waste and/or storm water which does not meet the current Ministry of the Environment standards for open watercourses.

Sanitary sewers will be constructed in the amendment area in two phases. Phase I will include the installation of sanitary sewers to serve all existing development. The cost of such services will be financed by the Township. Phase II will include the extension of sewers as required for new development; these extensions will be financed by the developer.

Provision of over-sized trunk mains extensions to serve areas outside the amendment area may be made, subject to an amendment of the existing Sewage Works Agreement for sewage collection and treatment.

6.3.2 Storm Drainage

Storm sewers are designed to convey solely surface run-off and ground water which meets current Ministry of the Environment standards for open water courses.

Storm drainage systems may consist of storm water retention ponds and enclosed sewers. The developers of new residential, commercial and commercial/industrial uses within the amendment area will be required to provide adequate storm drainage facilities in accordance with current Ministry of Transportation and Communications and Ministry of the Environment standards. This may require oversizing of trunks to accommodate upstream improvements, and may also require downstreat improvements, in accordance with a Master Plan to be prepared by the Township. Where improvements to existing municipal drains are required to facilitate adequate storm drainage of new developments, the cost of such improvements shall be borne by the developer.

Provision shall be made in new developments for the cleaning of open drainage channels where they exist. Easements shall be maintained along such ditches as required by the Township for periodic cleaning of such municipal drains.

The establishment of uses which by their nature will increase the velocity and volume of storm water runoff shall only be permitted where provision is made to accommodate the storm water in a storm drainage system which does not interfere with adjacent farm uses, or their drainage systems, and where adequate easement is retained for cleaning and maintenance of the drain.

6.3.3 Water Supply

The existing water supply system in the amendment area will be improved and expanded by the construction of new supply and distribution watermains from the Town of Tecumseh as described in the "Township of Sandwich South

Water Supply from the Tecumseh Public Utilities Commission" Report.

Where new subdivisions are proposed, the developer shall extend trunk watermains to the development and construct an internal water supply distribution system to serve the new development in accordance with Township standards.

6.4 Implementation

6.4.1 General

This amendment shall be implemented by means of the powers conferred on the Township of Sandwich South Planning Board, by The Planning Act, the Municipal Act, and such other statutes as may be applicable.

A Restricted Area By-law shall be adopted by the Township of Sandwich South for the purpose of implementing this Official Plan Amendment. In addition, this amendment shall be implemented by legislation pursuant to the Municipal Act, and by means of public works and capital works program as may be undertaken by the Township of Sandwich South.

6.4.2 Restricted Area (Zoning) By-law

The Zoning By-law of the Township of Sandwich South shall be amended in accordance with the land designations and policies contained in this amendment, and shall establish regulations to control the use of land, character, and use of buildings and structures.

Holding zones under the provisions of Section 35 (a) of The Planning Act, RSO 1970 may be used in the implementing Zoning By-law.

6.4.3 Subdivision and Part-Lot Control

Land development shall generally take place by Plan of Subdivision. Under circumstances where a plan of subdivision is not necessary for the proper and orderly development and where not more than three new lots will result, consent to a land severance may be granted in accordance with the following consent policies:

(a) Consents shall be granted where additional serviceable lots may be created by the division of existing lots having sufficient frontage and depth.

(b) Consents shall be granted only where the land fronts on an existing public road of acceptable standard. Where a public road has not been constructed, but is shown on Schedule "B" of the Plan, a decision on consent will be held over until such time that a public road is constructed to serve the area in question.

(c) Consents shall be granted for the purpose of infilling in built-up areas where new lots can be created by the division of larger lots.

(d) The number of new lots created by consent shall generally be limited to three. Where more than three new lots would be created, the creation of such shall be by Plan of Subdivision.

(e) Consents shall not be granted for parcels of land adjacent to a road from which access is to be obtained, where a traffic hazard would ensue unless this hazard can be eliminated.

(f) Where a new road is required to serve new development, such development shall occur by plan of subdivision rather than by way of individual land severances, and the required road shall be constructed by the developers as a condition of the Subdivision Agreement.

6.4.4 Plans of Subdivision

It shall be the policy of the Township of Sandwich South to recommend to the Minister for approval only those plans of subdivision which comply with the following policy:

The subdivider shall agree to enter into a Subdivision Agreement with the Township of Sandwich South prior to release for registration of the Plan of Subdivision, as required by the Municipality.

Subdivision Agreements shall be registered against the title of the property subject of the Subdivision Agreement.

6.4.5 Public Works and Capital Works Program

The Township of Sandwich South will be responsible for the control of the development of water supply and sanitary sewage works for the amendment area and for the development of parklands, roads and storm drainage systems in order that future development can occur.

The costs of extending services for the purpose of serving new development in the amendment area shall be borne by the developers. Provision shall be made in Subdivision Agreements for the Township to recover the cost of works that are undertaken by the Township to facilitate new development.

Council shall, from time to time, establish subdivision policy by resolution, including impost charges for lot development. Included in the impost charge will be an allocation with respect to the sanitary services developed within the amendment area.

6.4.6 Public Information

To inform the general public as to the policies and land use designations contained in this amendment, Council shall, upon receiving the Minister's approval of this document, reproduce this amendment and make it available to the public upon request.

6.5 Interpretation

6.5.1 Land Use Boundaries and Roads

Land use boundaries as shown on Schedule "B" of this Plan should be considered as approximate, and absolute only where bounded by fixed features such as collector or arterial roads, railways, natural watercourses, or other geographic barriers. The location of proposed roads is approximate. Therefore, provided the general intent of this amendment is satisfied, minor adjustments to the land use boundaries or roads will be permitted without further amendment to the Official Plan.

6.5.2 Population Estimates

It should be noted that population figures contained herein are approximate. A reasonable variance from such figures will be permitted subject to the availability of necessary services and the approval of Council.

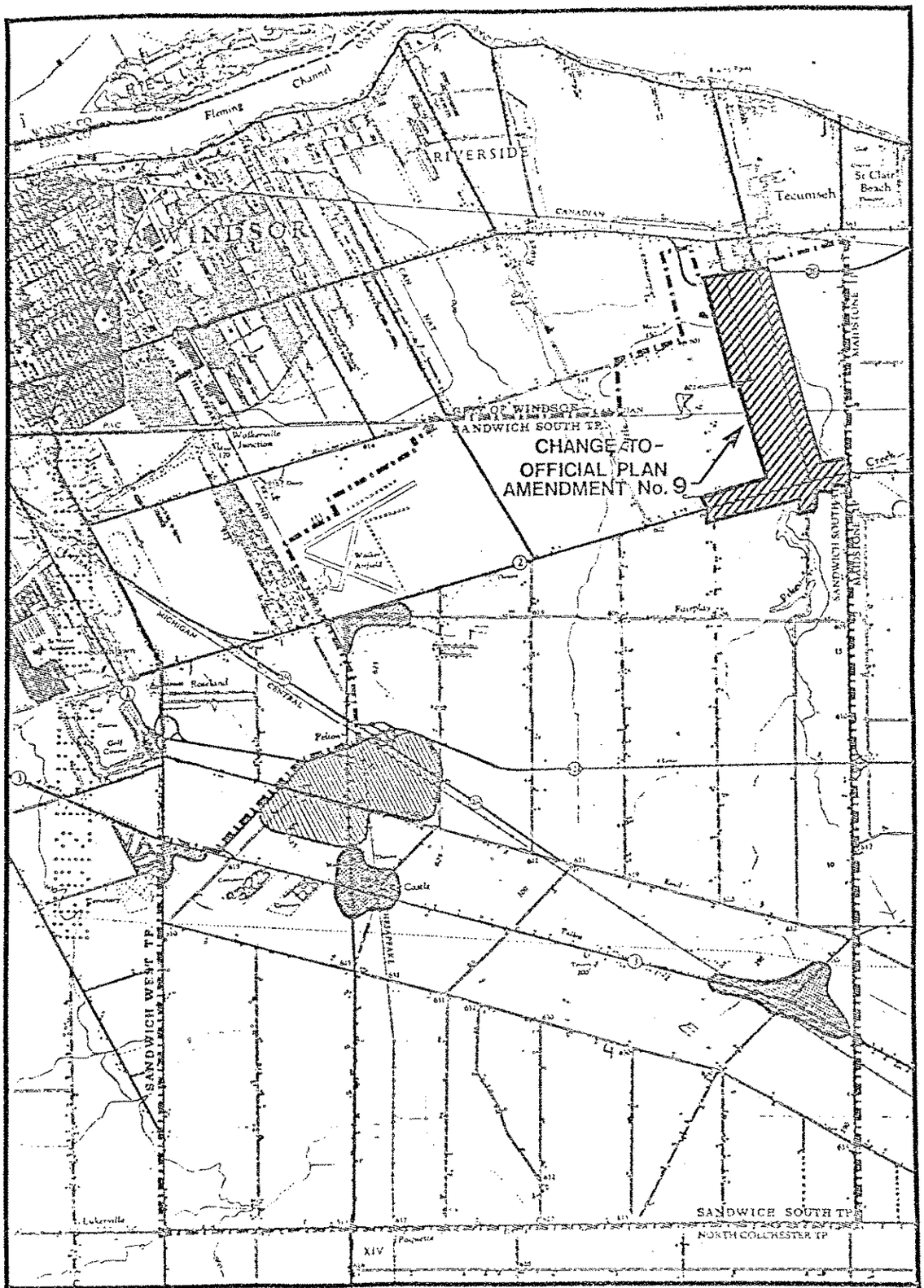
6.5.3 Accessory Uses

Where a use is permitted in a land use classification, uses, buildings or structures normally incidental and accessory, but essential to that use shall also be permitted.

6.5.4 Amendment Procedure

This Amendment Number 9 shall be incorporated into the Official Plan of the Township of Sandwich South, in accordance with Section 17 of The Planning Act, RSO 1970.

Following the Minister's approval of this Plan, sufficient copies shall be prepared for public distribution, and a notice shall be placed in the local newspaper advising of such approval and that copies of this amendment may be obtained from the Clerk of the Township.


WINDSOR
RIVERSIDE
Tecumseh
St Clair Beach
Fleming
Channel
CANADIAN
CITY OF WINDSOR
SANDWICH SOUTH TP.
CHANGE TO-
OFFICIAL PLAN
AMENDMENT No. 9
MICHIGAN
CENTRAL
Rowland
Belle
Creek
Cuelo
Fairplay
SANDWICH WEST TP
SANDWICH SOUTH TP
NORTH COLCHESTER TP
XIV
LEGEND
RURAL AREAS
HAMLETS
INDUSTRIAL AREA
AMENDMENT AREA
SCHEDULE 'A'
AMENDMENT No. 9
TO THE
OFFICIAL PLAN OF THE
SANDWICH SOUTH PLANNING AREA

APPENDICES

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LOCATION AND CHARACTER

The Amendment Area, hereafter referred to as the "Hamlet or Study Area" consists of the areas as shown in Figure 1, located in the north-eastern sector of the Township of Sandwich South in the County of Essex. It is approximately bounded on the north by Highway #2 and the Town of Tecumseh, on the east by farm lot 153 and East Town Line Road, on the south by Pike Creek and a limit 400 feet south of County Road #42, and on the west by farm lots 147 and 148 and by a limit 600 feet west of Banwell Road.

It would appear that the Hamlet Area has developed as an extension of the Town of Tecumseh into Sandwich South Township. Existing development is of an urban nature relative to the remainder of the Township where land use is primarily agricultural, and although areas of non-agricultural use and other Hamlets do exist in the Township, the Study Area is by far the largest area of non-farm residential development. A certain rural atmosphere is evident in the Hamlet which local residents wish to preserve. The area is partially developed on large lots, some of which are 75 x 500 feet in size. The population density presently stands at approximately 2.1 persons per acre.

The Hamlet Area appears to function as a residential community in a rural environment, which does not exert any noticeable influences on the surrounding area, but is, in turn, influenced by the surrounding urban centres of the City of Windsor, the Village of St. Clair Beach and the Town of Tecumseh. These centres function as a source of employment, provide the necessary goods and services, and have provided a stimulus for growth in the Study Area.

Present population has been established at approximately 1,600 persons for the year 1974, in the Provincial Sewage Works Report for the Area[1]. Future growth has been estimated at the compounded rate of 5 per cent per annum, which is in line with the growth estimate for St. Clair Beach and Tecumseh. Of the total growth increase in the Windsor area, it is anticipated that a large percentage of such growth will occur in the Town of Tecumseh, in the Townships of Sandwich South and in Sandwich West. Population in the Study Area is anticipated to reach 2,600 persons by 1980 and 4,000 by 1990[1].

PHYSICAL FEATURES

The physical characteristics of the Study Area consist primarily of flat topography, limited tree cover, drainage ditches and Pike Creek located in the southern extent of the Area.

Topography:

The topography in the Hamlet Area is relatively flat as in the majority of Essex County. Contours vary within a range of 8 feet from north to south, and indicate higher points towards the northern extent of the Area, and just south of the CPR Railway. Slopes fall from these high points towards Highway #2, and Pike Creek, and a slight depression is formed in the central portion of the Hamlet. It appears that the flat topography would impair the natural drainage of the area.

1 Design Report - Provincial Sewage Works - Township of Sandwich South

Soils:

The soils in the Study Area are basically a deep, silty clay with the upper portion being a very stiff to hard, brown silty clay underlain by a very stiff, grey, silty clay. Soils are very similar throughout the general surrounding region. The depth to bedrock is approximately 100 feet in the Study Area.

Drainage:

Natural drainage characteristics are generally poor in the Study Area. The heavy clay soils, combined with the flat topography tend to restrict both ground seepage and surface fun-off. As a result, ponding and accumulation of surface water in local depressions does occur. Pike Creek which forms the southern boundary of the Study Area drains the surface run-off only in the immediate area. The creek does not provide proper drainage for the rest of the Study Area due to the limited slope of the landscape and the geographic location of the creek relative to the Study Area. Surface drainage within the Hamlet is primarily by roadside ditches and swales.

Vegetation:

Tree cover in the Hamlet area is largely restricted to property boundaries, and scattered clumps, and is of a very limited nature. Existing tree cover should, therefore, be retained and incorporated into the development scheme where possible. A woodlot is located immediately adjacent to the Study Area on the west side, south of the CPR tracks. This area appears suited for park or open space purposes and is not included in the sanitary service area.

EXISTING LAND USE

The land uses in the Hamlet Area consist primarily of residential, and limited commercial, industrial, and institutional uses. A large percentage of the Area is undeveloped, or included in the large lot areas characteristic of the Hamlet.

Residential:

Residential development which consists of approximately 340 single-family detached dwellings is concentrated along the existing streets in the Hamlet Area. Residential lots are generally quite large, having depths of up to 500 feet, especially along the east side of Lesperance Road. These large lots are constraints to the overall design and development of the Hamlet if retained in their present state. Five farm residences are also located in the Study Area, although the entire extent of accompanying farmland is outside the Area boundary.

Commercial:

A limited amount of commercial development has taken place in the Study Area, the most noticeable being the Checker Flag Raceway on County Road #42. Others include a motel, service station, greenhouses, steak house and tavern and a small grocery store. The Checker Flag Raceway apparently generates a considerable amount of undesirable noise on race days[1] as well as an increase in traffic in the immediate area. The Restricted Area By-law 1641 of the Township of Sandwich South

1 Local resident comment at Public Meeting

presently provides for the continued operation of the Checker Flag Raceway, therefore provided that parking requirements are met, the raceway is a legal, conforming use.

Industrial:

Industrial land uses are located primarily along County Road #42 and include light industrial uses such as the Libby Manufacturing Company Limited, a cabinet manufacturer, an upholstering and sewing establishment and a woodworking shop. It seems that additional light industry and retail uses could be suitably located along County Road #42.

Institutional:

The St. Peter's Separate School, the Sandwich South Fire Hall and the Essex County Roads Department yard are situated near the intersection of St. Alphonse Avenue and County Road #42. It was determined from discussions with Mr. G.D. Dwyer, Superintendent of Education of the Essex County Separate School Board that no additional separate school site is required to serve projected needs in the Secondary Plan Area. St. Peters' School can be expanded on the present site from 11 to 16 classrooms, and St. Mark's School close by in Maidstone Township can also be expanded to meet future area requirements.

From discussion with Mr. G.E. Seguin, Director of Education of the Essex County Board of Education it was similarly determined that no public school site is required in the Hamlet Area to serve anticipated needs. A.V. Graham School in the Town of Tecumseh presently provides sufficient classrooms to accommodate Hamlet students, and is not filled to capacity. Also, the Public School

Board owns a 30 acre site in St. Clair Beach which will be developed as needs dictate. Therefore, public school students will be bussed to other centres from the Hamlet Area as population increases.

Local high school students are accommodated at Essex District High School, and in the City of Windsor.

Vacant:

Approximately 262 of the total 606 acres in the Study Area are vacant. The majority of Vacant lands are presently used for agricultural purposes, until such time that these lands can be developed for residential purposes. As municipal sewers will be available in the near future, it seems that the development of these lands would be appropriate.

ROADS NETWORK

External access to the Tecumseh Hamlet is presently provided by Provincial Highway #2 and County Road #42.

Highway #2 is a major route which extends easterly from the City of Windsor, passes adjacent to the northern limits of the Study Area, and continues easterly to Belle River, Tilbury and Chatham. At present, Lesperance Avenue and Shawnee Road provide direct access to the Study Area from Highway #2.

With the E.C. Row Expressway being built along the northern limit of the Study Area, direct access to the Expressway from Shawnee Road will be terminated.

A major interchange at the intersection of Lesperance Avenue and the E.C. Row Expressway will permit direct access to the Expressway from the Hamlet Area as well as to the Township of Tecumseh at this point. An internal road connection to Shawnee Road from Lesperance will be required to facilitate traffic movement from the northern extent of Shawnee Road to the Expressway interchange.

County Road #42 which passes through the southern portion of the Hamlet Area extends from the City of Windsor and intersects with East Town Line Road, the eastern limits of Sandwich South Township. Direct access to the Study Area is provided from County Road #42 by St. Alphonse Avenue, Lesperance Avenue and the 12th Concession Road.

The interior road pattern consists primarily of Lesperance Road, St. Alphonse Avenue, St. Anne Street, and Shawnee Road. These roads run parallel to each other in a north-south direction in a very straight manner. Shorter, connecting streets join the above roads at intervals to facilitate cross-traffic movement.

It appears that Lesperance Road functions as a major interior collector, as it runs from Highway #2 to County Road #42, and provides the only existing crossing of the C.P. Railway in the Hamlet Area. This is an at-grade, level crossing, and may need improvement at a future date.

Development along the present roads network has resulted in a long, linear settlement pattern with homes fronting on existing roads and large areas of undeveloped land being removed from road frontage. The design and development of a roads

system to serve these areas is necessary in order to permit development of vacant lands in the Study Area.

MUNICIPAL SERVICES

Sanitary Facilities:

In May of 1972 the Council of the Township of Sandwich South requested that the Ministry of the Environment consider the provision of Sanitary Sewers to the Hamlet Area of the Township[1]. The proposed outlet would be to the Lesperance Road sewer within the Town of Tecumseh, which would be oversized to accommodate services to the Hamlet Area. Subsequently, a Provincial Sewage Works was established by the Township of Sandwich South.

Phase I will provide service to existing development and consists of the construction of a major trunk line and collectors, a pumping station and force main to the trunk line.

The trunk line ranges in size from 24 to 18 inches, tapering in diameter towards the southern limit of the drainage area, and terminating in the vicinity of the Sandwich South Fire Hall near Leblanc Road. The pumping station will be located near the intersection of County Road #42 and St. Alphonse Avenue. Gravity flow can be used to service the majority of the area, but the pumping station is required to draw from the collectors extending along County Road #42 and the southern extent of the drainage area and to provide lift to the main trunk line by means of a force main.

1 M.O.E. - Design Report, Provincial Sewage Works in the Township of Sandwich South

Phase II will be constructed as required by future development in the drainage area. It consists primarily of collectors which will lead to the main trunk line.

Presently, the Hamlet Area is serviced by septic tanks. It was found that future growth and existing conditions within the Hamlet are considered to be undesirable without the provision of sanitary sewers[1].

Water Supply:

A study has been recently completed to assess the water requirements of the Hamlet Area in the Township of Sandwich South for the 1974 to 1994, 20-year period[2].

Over this period, water is to be supplied to the Hamlet by the Town of Tecumseh Public Utilities Commission. Design capacities are based on the 1974 population of 1,500 persons, 2,600 in 1984 and 4,000 in 1994. The report finds that the present water supply in the Hamlet Area is inadequate for fire demand, and cannot meet peak demand requirements. A combination of existing and new watermains will be utilized to serve the Study Area as described in the Report[2].

1 M.O.E. - Design Report, Provincial Sewage Works in the Township of Sandwich South

2 Township of Sandwich South Water Supply From Tecumseh Public Utilities Commission
Prepared for Township of Sandwich South by LaFontaine, Cowie, Burattor and Associates Limited

Storm Drainage:

Design alternatives are being investigated for a storm drainage system for the Study Area. It is anticipated at this time that a storm water retention basin is needed towards the northern extent of the Study Area. Present storm drainage is by roadside ditches and swales, and inadequate to serve future development.

PUBLIC INVOLVEMENT

At the start of the Secondary Plan Program in September, 1974, a public meeting was held in St. Peter's School in the Study Area. The objectives of the meeting were to acquaint the local residents with the planning program and to obtain public input prior to the Secondary Plan preparation. Also, it was not known whether owners of excessively deep lots (up to 500 feet) wished to divide their land to permit the construction of roads and development of rear lots.

The results of the meeting are summarized as follows:

- by distribution and analysis of returned questionnaires it was found that the majority of local property owners were agreeable to the division of deep lots.

- new lots should be in the order of 10,000 square feet in size to maintain the present low-density nature of the area.

- frontage of new lots should not be less than 75 feet,

- the informal, rural character of the area should be retained.

- local residents have negative feelings towards the Checker

Flag Raceway which is the source of considerable noise.

- the establishment of an additional runway at Windsor Airport would increase the noise levels in the Study Area. Residents are strongly opposed to this. Noise generated by the existing airport appears to be sufficient cause for complaints.

OPL-2615-10

AMENDMENT NUMBER 10
TO THE
OFFICIAL PLAN
OF THE
SANDWICH SOUTH PLANNING AREA

693526

FEBRUARY, 1976

No.
Registry Division of Essex (No. 12)
I CERTIFY that this instrument is registered as
2:26 .M. APR 14 1977 in the
Registry Office
at Windsor,
Ontario.
LAND REGISTRAR

SANDWICH SOUTH PLANNING BOARD
OLDCASTLE, ONTARIO

Amendment No. 10

to the

Official Plan of the

Sandwich South Planning Area.

This Amendment No. 10 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby modified under the provisions of Section 17 of The Planning Act, as follows:

1. Details of the Amendment, Section 4(b), is hereby modified by the addition of the following to amended Section 4.3 of the Official Plan to read as follows:

> ...."In this regard, until such time as approved development policies have been incorporated into this plan for those lands affected by noise from the Windsor Airport, and the Secondary Plan for the lands subject to Amendment No. 9 to this Plan has been approved, new development proposals for those lands subject to Amendment No. 10 to this Plan shall not be permitted if there is a potential Noise Exposure Forecast of 30 NEF or above."

As thus modified, this Amendment is hereby approved pursuant to Section 17 of The Planning Act, as Amendment No. 10 to the Official Plan of the Sandwich South Planning Area.

Date: Feb. 8/77

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I Reid R Bedford certify that this is the ~~Original~~/Duplicate Original/Certified Copy of Amendment Number 10 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 10

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 10 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the 23 day of March 1976.

Chairman

Secretary Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 76-22 in accordance with Sections 13 and 17 of The Planning Act, on the 12 day of April 1976.

Clerk

Reeve Seal

This Amendment Number 10 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment Number 10 to the Official Plan of the Sandwich South Planning Area.

Minister of Housing

COPY OF BY-LAW NUMBER 76-22

Whereas this Amendment Number 10 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of The Planning Act, enacts as follows:

1. The attached Schedule W and explanatory text, constituting Amendment Number 10 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 10 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 12 day of April 1976.

Signed _____ Clerk Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 76-22 as enacted and passed by the Council of the Township of Sandwich South on April 12 1976.

Signed _____ Clerk

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to provide for the extension of the water supply system.

2. LOCATION OF LANDS AFFECTED

This Amendment applies to the lands indicated on Schedule W attached hereto.

3. BASIS FOR THE AMENDMENT

The Council of the Township of Sandwich South recognises that there is a need for piped water supply to residents in parts of the Township. It is the intention of this amendment that a piped water system shall be extended to serve these areas.

4. DETAILS OF THE AMENDMENT

(a) Schedule C - The Public Works Plan shall be amended by the addition of proposed water lines as shown on Schedule W attached here as: "Water Line Stage Two".

(b) Section 4, Subsection 3 shall be deleted and replaced by a new Subsection which shall read as follows:

"4.3 Existing and Proposed Water Lines are shown on Schedule C. These water lines may be extended to serve new developments in the Hamlets and Industrial Areas, but extension of service to any rural area beyond the routes shown on Schedule C shall not be permitted without an Amendment being made to this Plan as provided in Section 5.4."

5. INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.

(2) Proper credit is allowed for salvage materials, less 15 per cent to cover expense of supervision, inspection, store expense, accounting, handling and transportation.

8. Contract Work

To the contract price of work done by an outside contractor, there may be added a premium of 3 per cent to cover supervision, accounting and inspection.

9. Rental of Equipment

Equipment rental charges may be allowed at rates relative to the rental of similar types of equipment in the area involved. Percentage allowance shall not be added to equipment rentals.

(SGD) ROD. KERR,

Chief Commissioner,
The Board of Transport Commissioners for Canada.

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South, is hereby approved in accordance with Section 17 of The Planning Act as Amendment No.11 to the Official Plan for the Sandwich South Planning Area.

Date: Nov. 19/77.

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: Robert Sullivan

Seconded by: Murray Edwards

Resolved that the attached Amendment Number 10 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date March 23 19 7.

Carried.

Chairman

I EDWARD G. BODNAR. certify that this is the ~~Original~~/Duplicate ~~Original~~/~~Certified~~ Copy of Amendment Number 11 to the Official Plan of the Sandwich South Planning Area.

Signature Original

AMENDMENT NUMBER 11

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 11 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the 14 day of June 1977.

Chairman

Secretary Seal

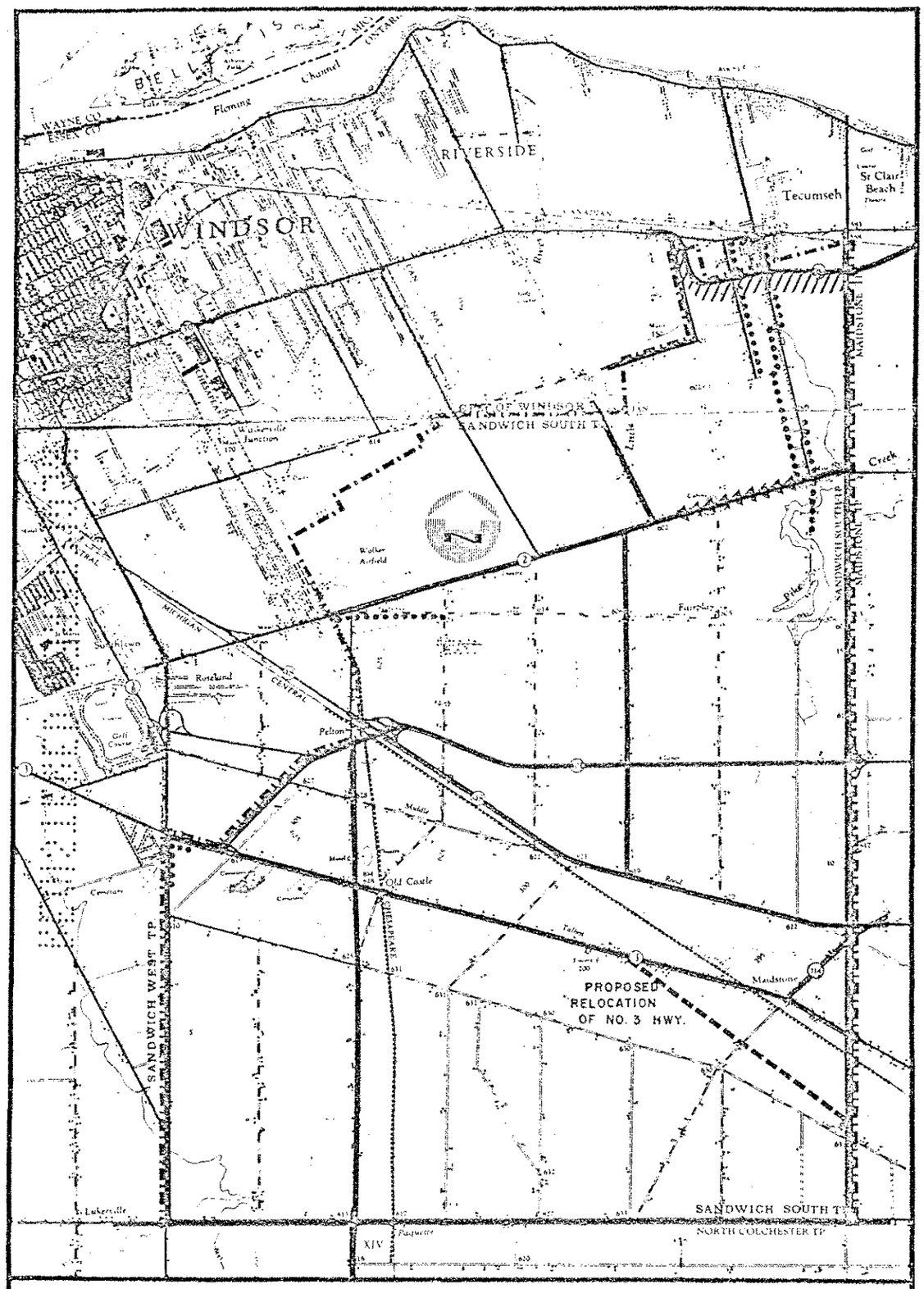
This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number 77-51 in accordance with Sections 13 and 17 of The Planning Act, on the 20th day of June 1977.

Clerk

Reeve Seal

~~This~~ Amendment Number 11 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment Number 11 to the Official Plan of the Sandwich South Planning Area.

Minister of Housing



LEGEND

Waterline

Stage two

OFFICIAL PLAN AMENDMENT No. 10

SCHEDULE W

SANDWICH SOUTH PLANNING AREA

DILLON

0 1 miles 2

duplicate original

OPL 2615-11

-4

AMENDMENT NUMBER 11
TO THE
OFFICIAL PLAN
OF THE
SANDWICH SOUTH PLANNING AREA

FEBRUARY 1977

SANDWICH SOUTH PLANNING BOARD
OLDCASTLE, ONTARIO

COPY OF BY-LAW NUMBER 77-31

Whereas this Amendment Number 11 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of The Planning Act, enacts as follows:

1. The attached Schedule H and explanatory text, constituting Amendment Number 11 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 11 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 30th day of June 19 77.

Signed _____ Clerk

Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number 77-31 as enacted and passed by the Council of the Township of Sandwich South on June 30 1977.

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: [illegible]

Seconded by: Wayne Dupuis

Resolved that the attached Amendment Number 11 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date June 14 19 77

Carried.

[illegible]
Chairman

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to provide for the extension of a waterline in the rural area of the Township of Sandwich South.

2. LOCATION OF LANDS AFFECTED

This Amendment applies to lands along Howard Avenue south of Provincial Highway #3, as indicated on Schedule "H" attached hereto.

3. BASIS FOR THE AMENDMENT

Schedule C, of the Official Plan, the Public Works Plan, indicates an existing waterline along the east side of Howard Avenue, south of Provincial Highway #3.

Amendment Number 4 to the Sandwich South Official Plan, approved by the Minister of Treasury, Economics and Intergovernmental Affairs in 1974, provided for an extension of this waterline from its terminus at the southerly limit of Registered Plan 1381 (Block B), to the south for a distance of 760 feet.

Planning Board and Council of the Township of Sandwich South recognize the need for a further extension of this waterline along the east side of Howard Avenue to South Talbot Road for a distance of 940 feet.

This Amendment has been prepared in accordance with Section 4.3 of the Official Plan to permit the construction of this waterline.

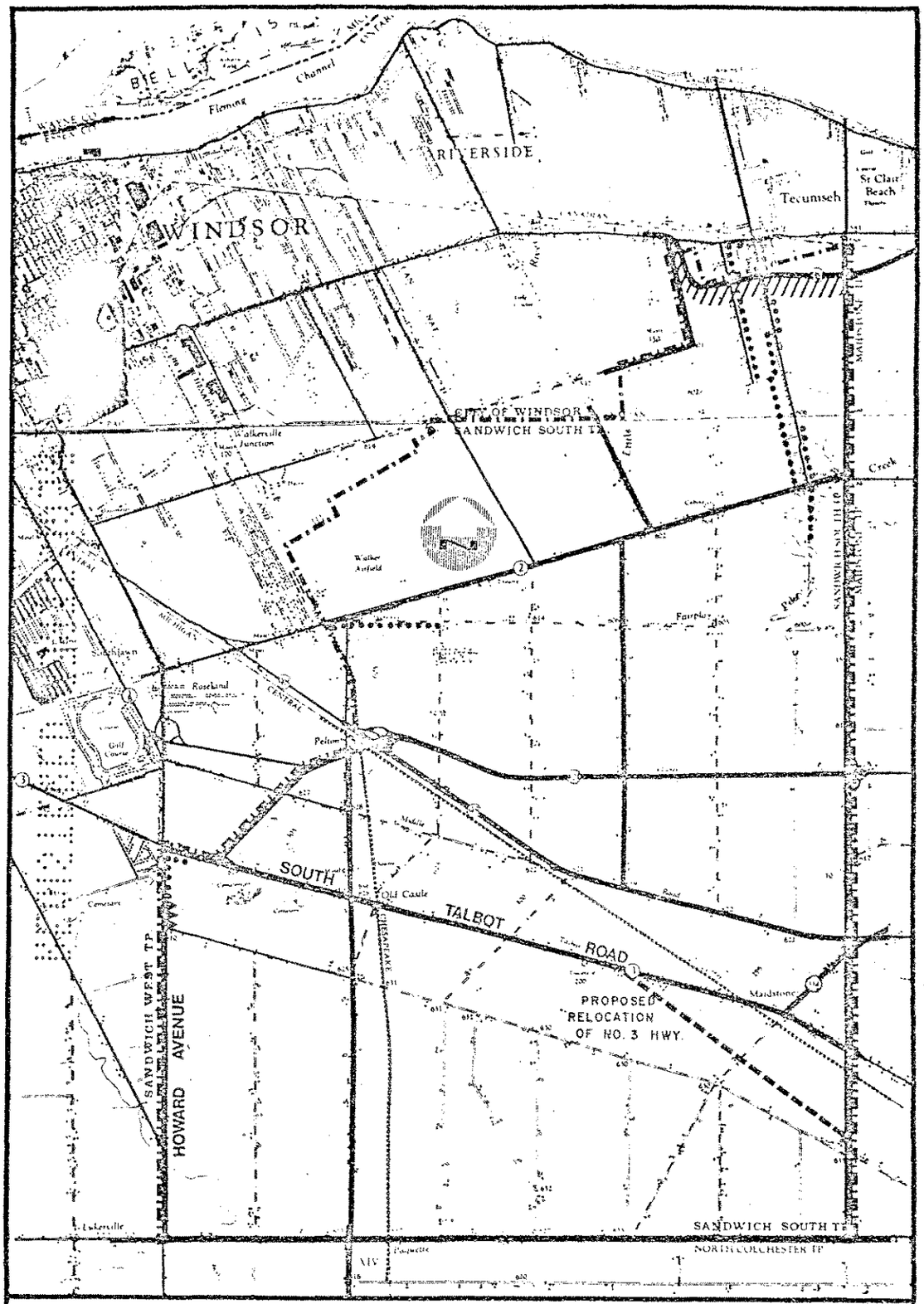
"Section 4.3 - Existing water lines are shown on Schedule 'C'. These water lines may be extended to serve new developments in the Hamlets and Industrial Areas, but service shall not be extended to any Rural Area without an amendment being made to this Plan as provided in Section 5.4."

4. DETAILS OF THE AMENDMENT

Schedule C - The Public Works Plan shall be amended by the addition of a proposed waterline as shown on Schedule "H" attached here as: "Waterline Extension".

5. INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.



LEGEND

Waterline Extension ▲▲▲

Existing Waterline ●●●●

DILLON

0 1 miles 2

OFFICIAL PLAN AMENDMENT No. 11

SCHEDULE H

SANDWICH SOUTH PLANNING AREA

1. LOCATION

This Amendment affects the area in the Township of Sandwich South located along Howard Avenue between Provincial Highway No. 3 and South Talbot Road.

The waterline that is proposed in this Amendment is to be constructed as an extension to the existing waterline on the east side of Howard Avenue and will run southerly to the north side of South Talbot Road where it will terminate.

2. EXISTING DEVELOPMENT

The existing waterline serves a concentration of development along the east side of Howard Avenue including approximately 20 residences, and retail commercial uses. This developed area, covered by Registered Plan 1381 has been served by a waterline for some time.

In 1974 an extension to this waterline was constructed for a distance of 750 feet to serve the Church of Jesus Christ of Latter Day Saints. On the west side of Howard Avenue in Sandwich West Township there are at present no connections to the waterline. The cemetery and existing residential development closer to Highway #3 obtain their water from sources in Sandwich West.

3. PROPOSED WATERLINE EXTENSION

The proposed extension to the waterline will be constructed to serve three churches and one

individual land owner in the Township of Sandwich West, and one individual land owner located to the south of the Church of Latter Day Saints in the Township of Sandwich South.

The waterline will consist of 940 feet of 6 inch diameter cement-lined ductile iron watermain. Construction costs and the frontage dimensions of properties to be served are included in the following Engineer's Report.

4. ENGINEER'S REPORT

March 8th, 1977.
Our Ref. No. SS/147

CONSULTING ENGINEERS
LAFONTAINE, COWE, DUPUTO & ASSOCIATES LIMITED
3060 Dougall Drive,
Windsor, Ontario
N8X 4L4
Telephone
(519) 966 2250
Cable Address
LACOBUR

Mr. Bert Bedford,
Clerk-Treasurer,
Township of Sandwich South,
Oldcastle Post Office,
OLDCASTLE, Ontario.
N0R 1L0

RECEIVED
MAR 10 1977
TOWNSHIP OF
SANDWICH SOUTH

Dear Sir:-

Our estimate of the cost of constructing a 6" watermain on Howard Avenue in Farm Lot 306, S.T.R., from the end of the existing watermain to South Talbot Road, in the Township of Sandwich South is $17,700.00, made up as follows:-

940	ft. of 6" dia. cement-lined ductile iron watermain, Class 52, furnished and laid complete, including restoration @ $9.00 per ft. ----------	$ 8,460.00
2	Fire Hydrants, furnished and installed complete, including 6" tee, 6" valve, 6" branch connection, and 18" dia. x 10'-0" C.S.P. culverts @ $1,550.00 each ----------	$ 3,100.00
1	6" valve and box, furnished and installed complete @ $400.00 each ----------	$ 400.00
	Blow-off removal and relocation ----------	$ 150.00
1	Private Service Connection (Short side) @ $150.00 each ----------	$ 150.00
4	Private Service Connections (Long side) @ $325.00 each ----------	$ 1,300.00
1	1" Private Service Reconnection complete (to be assessed in frontage rate) ----------	$ 100.00
	Testing and Chlorinating ----------	$ 500.00
	Total for Construction ------	$14,160.00
	25% for Incidentals and Contingencies ------	$ 3,540.00
	TOTAL ESTIMATE ----------	$17,700.00

We would recommend that the cost of the private service connections be charged directly to the properties receiving same. The total estimated cost of the private service connections, including incidentals and contingencies is $1,812.50. The estimated cost for new private service connections is $362.50.

We further recommend that the whole cost of the work, exclusive of the cost of the private service connections, be assessed upon the frontage of the lands to be services. The schedule of lands proposed to be assessed showing the amounts of assessable frontage is appended herewith.

The Total Amount Chargeable on Assessable Frontage --- $15,887.50

The Total Length of Assessable Frontage is ---------- 1,747 ft.

The Estimated Cost per Foot Frontage is ---------- $ 9.094

The estimated annual cost per foot frontage when paid off over a period of ten (10) years with interest at the rate of 11% per annum is ---------- $ 1.544

The estimated lifetime of the work is Thirty-Five (35) years.

We would recommend that the Special Assessment be made payable in ten (10) years.

All of which is respectfully submitted.

LaFONTAINE, COWIE, BURATTO & ASSOCIATES LIMITED

per _____

E. O. LaFontaine, P. Eng.

RFB/lw
cc. Mr. R. W. Dalgleish, Clerk-Administrator, Township of Sandwich West

SCHEDULE OF LANDS TO BE ASSESSED

FOR THE PROPOSED WATERMAIN

ON HOWARD AVENUE

IN THE TOWNSHIP OF SANDWICH SOUTH

NAME	LEGAL DESCRIPTION	TOTAL FRONTAGE	ASSESSABLE FRONTAGE
Reorganized Church of Jesus Christ of the Latter Day Saints	Pt. of F.L. 306, S.T.R. Con., Twp. of Sandwich South	874.5'	100'
John Dziver	Pt. of F.L. 306, S.T.R. Con., Twp. of Sandwich South	865.93'	760'
	TOTAL ASSESSABLE FRONTAGE IN THE TOWNSHIP OF SANDWICH SOUTH ----------		860 '
Gospel Meeting Church	Pt. of Lots 3 & 4, L'Assomption Con., Twp. of Sandwich West	225'	225'
Apostolic Christian Church	Pt. of Lot 4, L'Assomption Con., Twp. of Sandwich West	300'	300'
St. Nicholas Macedonian Church	Pt. of Lot 4, L'Assomption Con., Twp. of Sandwich West	235'	235'
Henry Schwab	Pt. of Lot 4, L'Assomption Con., Twp. of Sandwich West	1,807.79'	127'
	TOTAL ASSESSABLE FRONTAGE IN THE TOWNSHIP OF SANDWICH WEST ----------		887 '

TOTAL ASSESSABLE FRONTAGE IN BOTH MUNICIPALITIES---1,747 feet

5. LAND USE CONTROLS

By-law Number 1641 which has been approved by the Ontario Municipal Board in 1969 applies to the Township of Sandwich South and controls the use of land in the area of the waterline extension. The area south of the existing residential development in Registered Plan 1381 is presently zoned "Agricultural". Section 5 of the By-law lists permitted uses and lot requirements as follows:

SECTION 5 - AGRICULTURAL (A) ZONE

5.1 No person shall use land, or erect or use a building or structure in the Agricultural (A) Zone except for one or more of the following permitted uses:

agricultural uses together with residential accommodation for the owner and resident staff
a single family detached dwelling, on a lot created prior to the passing of this Zoning By-law or on a lot created by the Committee of Adjustment hereafter
parks, playgrounds, golf courses, conservation and reforestation areas, recreation or sports fields
churches, schools and institutions
cemeteries
air strips and air fields
establishments for the breeding of birds, fish or animals
establishments for the storage or processing of agricultural produce, and
hunting preserves.

5.2 No person shall use land, or erect or use a building or structure in the Agricultural (A) Zone unless the following regulations are complied with.

5.2.1	Minimum Lot Area	- one acre
5.2.2	Minimum Lot Frontage	- 100 feet
5.2.3	Min. Building Floor Area	- 1,000 sq. ft.
5.2.4	Minimum Building Setback	- 85 feet from the centreline of the highway or road
5.2.5	Minimum Side Yard	- 20 feet

Further development along the waterline will be contingent on the granting of consents by the local Committee of Adjustment. At this time, the Official Plan is used as a guide in the consideration of applications for consent and it is felt that the Zoning By-law provides adequate controls for the development of such severed lots. At such time that the Official Plan is updated, the Zoning By-law will be amended to implement the new Official Plan Policies.

OPL 515-12

THE TOWNSHIP OF SANDWICH SOUTH

-17

Amendment No. 12 to the
Official Plan of the
Sandwich South Planning Area.

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 12 to the Official Plan of the Sandwich South Planning Area.

Date ....May 17/77.

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

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IMPLEMENTATION	2

I Bert R Bedford certify that this is the Original/~~Duplicate Original~~/Certified Copy of Amemdment No. 12 to the Official Plan of Sandwich South Planning Area.

AMENDMENT NO. 12

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment No. 12 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 8 day of February, 1977.

Chairman

Secretary Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law No. 77-9 in accordance with Sections 13 and 17 of the Planning Act, on the 14 day of February, 1977.

Clerk

Reeve Seal

This Amendment No. 12 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning Act, as Amendment No. 12 to the Official Plan of the Sandwich South Planning Area.

Minister of Treasury, Economics and Intergovernmental Affairs

COPY OF BY-LAW NO. 77-9

Whereas this Amendment No. 12 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board.

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of the Planning Act, enacts as follows:

1. The attached explanatory text and Schedule constituting Amendment No. 12 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the Minister of Treasury, Economics and Intergovernmental Affairs for approval of the aforementioned Amendment No. 12 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 14 day of February, 1977.

Signed Bert R Bedford Clerk Signed [illegible] Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. 77-9 as enacted and passed by the Council of the Township of Sandwich South on February.....14.... 1977.

Signed Bert R Bedford Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by: A R LeBlanc

Seconded by: W M Edwards

Resolved that the attached Amendment No. 12 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date: February 8 1977

Carried

Chairman

THE BASIS OF THE AMENDMENT

1. The Subject Lands are the site of the former Percy McKee School which was closed by the Essex County School Board and the institutional use discontinued. Amendment No. 3 to the Official Plan designated the Subject Lands for a limited Commercial Use,(namely packaging and distributing sand paper loading devices and pads)to permit the efficient use of the then existing building. The utilization of the lands did not take existing agricultural lands out of production, nor has it encouraged the expansion of commercial use within the rural area.

2. It is not intended to affect or change the use designated by Amendment No. 3. It now appears, however, that the limitation of the use which prohibits the addition of any additional building is too restrictive. This Amendment No. 12 is for the purpose of removing the restrictive nature of that prohibition.

THE DETAILS OF THE AMENDMENT

1. The Official Plan of the Sandwich South Planning Area is amended as it relates to the lands which are designated in Amendment No. 3 to delete from Amendment No. 3 the prohibition against further additions to the existing building or structure on the subject lands. However, a Land Use Control By-law will detail the limitations on the building coverage upon the subject lands as well as restrain height limitations to single storey.

IMPLEMENTATION

Upon approval of this Amendment, By-laws may be passed, subject to the policies of this Amendment, to implement the Official Plan. Such By-laws shall be considered to be in conformity with the Official Plan, if they also comply with this Amendment.

OPL 2615-12A

-4

AMENDMENT NUMBER 12
TO THE
OFFICIAL PLAN
OF THE
SANDWICH SOUTH PLANNING AREA

SANDWICH SOUTH
PLANNING BOARD

OCTOBER 1977

OLDCASTLE, ONTARIO

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South, is hereby approved in accordance with Section 17 of The Planning Act as Amendment No. 12A to the Official Plan for the Sandwich South Planning Area.

Date ... Nov. 20/78

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I _____ certify that this is the ~~Original~~/Duplicate Original/~~Certified~~ Copy of Amendment Number 12 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 12

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 12 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the ___ day of _____ 19__.

_____ _____ Seal

Chairman Secretary

This Amendment was adopted by the Council of the Township of Sandwich South under Bylaw Number ___ in accordance with Sections 13 and 17 of The Planning Act, on the ___ day of _____ 19__.

_____ _____ Seal

Clerk Reeve

This Amendment Number 12 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment Number 12 to the Official Plan of the Sandwich South Planning Area.

_____

Minister of Housing

COPY OF BYLAW NUMBER [illegible]

Whereas this Amendment Number 12 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13 (2) of The Planning Act, enacts as follows:

1. The attached Schedule M and explanatory text, constituting Amendment Number 12 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 12 to the Official Plan of the Sandwich South Planning Area.

3. This Bylaw shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this [illegible] day of [illegible] 19[illegible].

Signed _____ Clerk

Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of Bylaw Number [illegible] as enacted and passed by the Council of the Township of Sandwich South on Feb 6, 1973 19[illegible].

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH PLANNING BOARD

Moved by: Murray Edwards

Seconded by: Harold Kemp

Resolved that the attached Amendment Number 12A to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to theCouncil of the Township of Sandwich South for adoption.

Date December 13 1977.

Carried.

Chairman

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1. PURPOSE OF THIS AMENDMENT

This Amendment to the Official Plan of the Sandwich South Planning Area proposes a change to Schedule "A", Land Use Plan, whereby the designation of the subject lands is changed from "Rural Areas" to "Industrial Area".

2. LOCATION OF LANDS AFFECTED

The lands subject of this amendment are located adjacent to the southern boundary of the Sandwich South Industrial Area. The site is bordered on the west by the Chesapeake and Ohio Railway and on the north by North Talbot Road, and consists of Part of Lot 304 North Talbot Road Concession, in the Township of Sandwich South.

3. BASIS FOR THE AMENDMENT

This amendment to the Official Plan of the Sandwich South Planning Area was initiated by Planning Board to recognize two existing industrial uses in the rural area of the Township.

These uses, J.F.J. Mold Processors Ltd., and B. & B. Tool and Mold, have been in existence and operation and have owned the subject property for approximately 9 years. It had been the intent of Planning Board to include these lands in the Industrial Area, prior to the approval of the Official Plan in 1969, but due to an oversight, this did not occur. Consequently these operations have existed to date as non-conforming uses. It is now the wish of Planning Board and Council to extend the Industrial designation to cover the subject lands to remove the non-conformity of these existing uses.

4. DETAILS OF THE AMENDMENT

This amendment proposes a change in the designation of lands in the Township of Sandwich South.

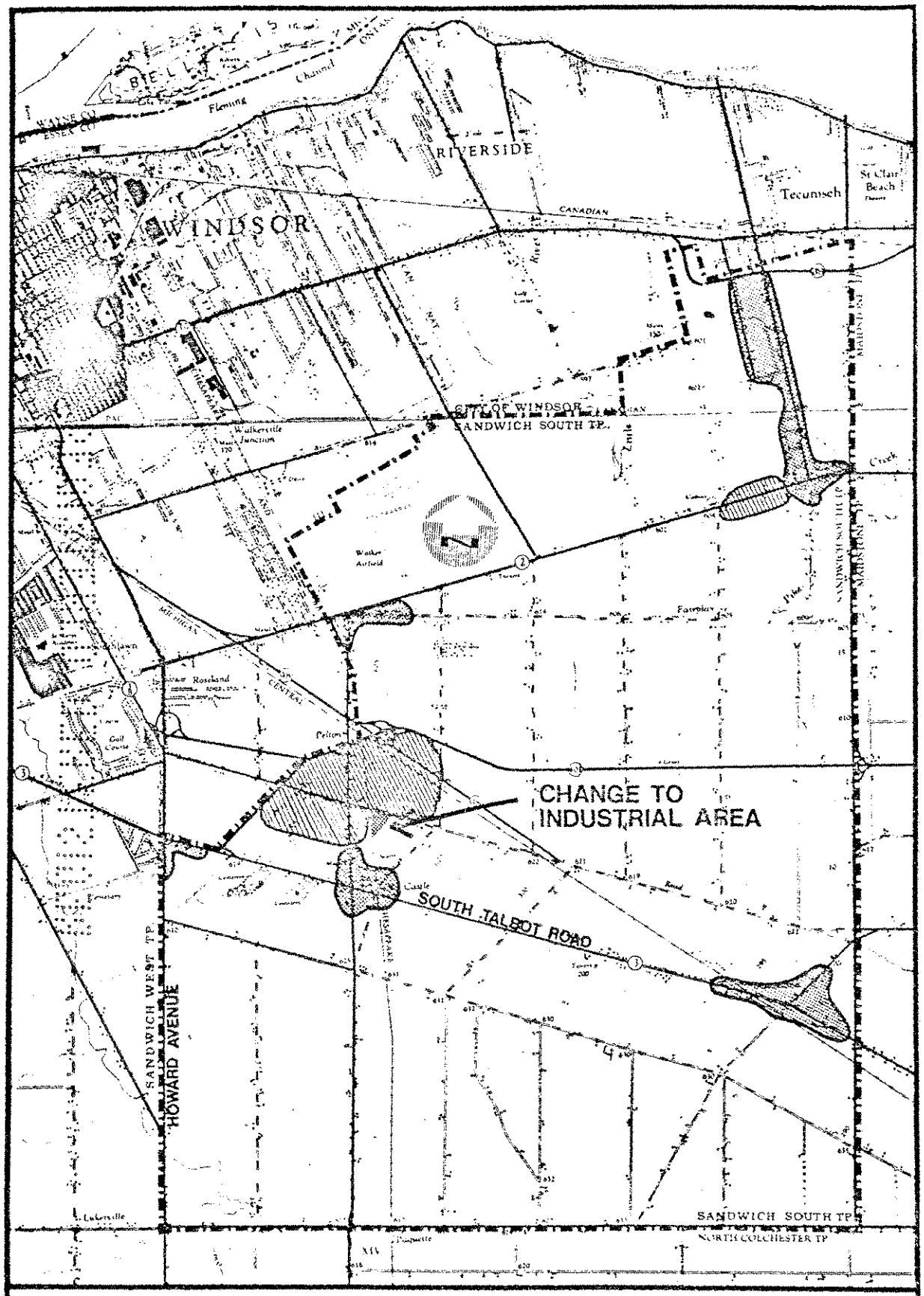
"Schedule A, Land Use Plan" will be amended by changing the designation of lands shown as "Change to Industrial Area", as shown on schedule "M", attached hereto, from "Rural Area" to "Industrial Area".

5. INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of such Plan shall apply to this Amendment.

6. IMPLEMENTATION

The changes to the Official Plan described in this Amendment shall be implemented by the Restricted Area (Zoning) Bylaw of the Township of Sandwich South.



LEGEND

- Rural Areas
- Hamlets
- Industrial Areas
- Amendment Area

0 1 miles 2

OFFICIAL PLAN AMENDMENT No. 12A

SCHEDULE M

SANDWICH SOUTH PLANNING AREA

1. Background

The 13½ acre site subject of this Amendment has been owned by J.F.J. Mold and Processors Ltd. and B. & B. Tool and Mold since 1968. Approximately 10½ acres of the parcel are currently owned by J.F.J. Mold while approximately 3 acres at the north east limits of the site are owned by B. & B. Tool.

Both uses were established prior to the approval of the Official Plan in 1969, and were among the first industrial uses to be established in the Township's industrial area. This industrial area now contains approximately 35 industries. J.F.J. Mold and B. & B. Tool are considered to be part of the present Industrial Park.

2. Existing Land Use

J.F.J. Mold and B. & B. Tool are involved in the manufacture of plastic moulds, plastic products, and machine tools. Combined, they employ approximately 32 full time employees. Existing floor space is approximately 14,000 and 6,000 square feet respectively, inclusive of office area.

Other industrial uses to the north across North Talbot Road include, Windsor Pallet, Bulzano Tool & Die, Proto Manufacturing, Saturn Tool and Die, Moir Cartage, and Martin Tobacco.

Eastern Wire Farming is located to the west on the west side of the C. & O. Railway, farmland is to the south, and the Sandwich South Municipal Offices are immediately adjacent on the east.

The designation of the subject lands for industrial use would therefore not create a situation with which local residents are not familiar.

The existing uses on the site are compatible with neighbouring land uses, provide local employment, and are a viable component of the industrial park.

3. Access and Services

Access is provided from North Talbot Road which connects to Walker Road and the City of Windsor.

Access to a rail siding from the Chesapeake and Ohio Railway to the western portion of the site which is currently vacant, may be possible at a later date.

Services presently consist of private septic tank disposal facilities and private wells.

Private services are anticipated to continue to serve the industrial area. In view of the large lots available, and industries being of a relatively "dry" nature, no servicing problems are anticipated.

THE TOWNSHIP OF SANDWICH SOUTH

Amendment No. 13 to the
Official Plan of the
Sandwich South
Planning Area.

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Township of Sandwich South is hereby approved in accordance with Section 17 of The Planning Act as Amendment No. 13 to the Official Plan of the Sandwich South Planning Area.

Date..... _____

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I Roch P. Boisvenue certify that this is the Original/Duplicate Original/Certified Copy of Amendment No. 13 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NO. 13

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment No. 13 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of the Planning Act, on the 21st day of November, 1978.

Meredith White
Chairman

R. P. Boisvenue
Secretary

Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law No. 78-20 in accordance with Sections 13 and 17 of the Planning Act, on the 18th day of December, 1978.

R. P. Boisvenue
Clerk

Reeve

Seal

This Amendment No. 13 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of the Planning Act, as Amendment No. 13 to the Official Plan of the Sandwich South Planning Area.

Minister of Housing

COPY OF BY-LAW 78-20

Whereas this Amendment No. 13 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board.

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of the Planning Act, enacts as follows:

1. The attached explanatory text and Schedule constituting Amendment No. 13 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of the aforementioned Amendment No. 13 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 18th day of December, 1978.

Signed _____ Clerk

Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. 78-20 as enacted and passed by the Council of the Township of Sandwich South on December 18, 1978.

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH PLANNING BOARD

Moved by: Wayne Dupuis

Seconded by: Dorothy Croft

Resolved that the attached Amendment No. 13 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date: November 21, 1978

Carried

Meredith White
Chairman

THE BASIS OF THE AMENDMENT

1. Schedule "C" to the Official Plan sets forth existing and proposed water lines. Section 4.3 of the Official Plan permits the extension of such water lines to serve new developments in the hamlets and industrial areas but provides that extension of service to any rural area beyond the routes shown on Schedule "C" are not to be permitted without amendment being made to the Official Plan.

2. Certain of the residents in the Township have applied for a piped water supply. Some of these residents live in a part of the Township immediately adjacent to the Township of Sandwich West and a water supply is available through the Township of Sandwich West from the Windsor Utilities Commission. Certain of the residents live in a part of the Township immediately adjacent to the Township of Maidstone; a water supply is available from the Tecumseh Public Utilities Commission and in addition residents upon the immediately abutting lands within the Township of Maidstone have also requested that municipality for piped water supply and an agreement has been entered into between the Township of Maidstone and the Township of Sandwich South for the construction of an appropriate water main extension pursuant to The Local Improvement Act.

3. The Council of the Township of Sandwich South recognizes that there is a need for piped water supply to the residents in question and it is the intent of this amendment that the piped water system be extended to serve such areas as shown on the schedule attached hereto.

THE DETAILS OF THE AMENDMENT

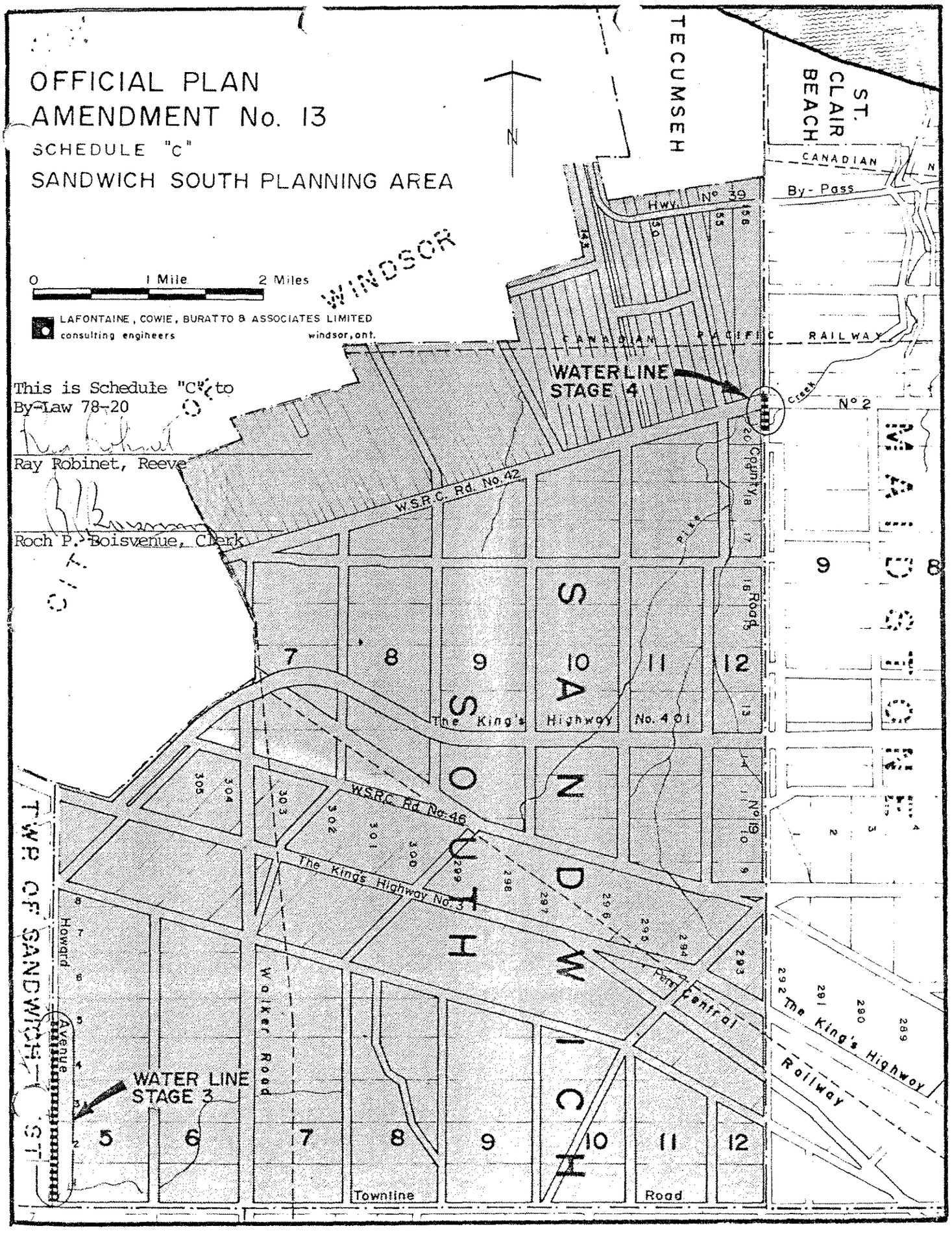
1. The Official Plan of the Sandwich South Planning Area is amended as follows:

   (a) Schedule C - The Public Works Plan shall be amended by the addition of proposed water lines as shown on schedule attached hereto as "Water Line Stage Three" and "Water Line Stage Four".

   (b) The water mains in question shall not be further extended without an amendment to the Official Plan.

INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.


OFFICIAL PLAN
AMENDMENT No. 13
SCHEDULE "C"
SANDWICH SOUTH PLANNING AREA
0 1 Mile 2 Miles
LAFONTAINE, COWIE, BURATTO & ASSOCIATES LIMITED
consulting engineers windsor, ont.
This is Schedule "C" to
By-Law 78-20
Ray Robinet, Reeve
Roch P. Boisvenue, Clerk
N
TECUMSEH
ST. CLAIR BEACH
CANADIAN
By-Pass
Hwy. No 39
WINDSOR
CANADIAN PACIFIC RAILWAY
WATERLINE STAGE 4
Creek
No 2
County Road
W.S.R.C. Rd. No. 42
Pike
SANDWICH SOUTH
The King's Highway No. 401
W.S.R.C. Rd. No. 46
The King's Highway No. 3
Penn Central Railway
The King's Highway
Howard Avenue
Walker Road
WATER LINE STAGE 3
Townline Road
TWP. OF SANDWICH
MAIDSTONE

OPL 2615-14
-7

THE TOWNSHIP OF SANDWICH SOUTH

Amendment No. 14 to the
Official Plan of the
Sandwich South
Planning Area.

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Amendment No. 14

to the

Official Plan for the

Sandwich South Planning Area

This amendment to the Official Plan for the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Council of the Corporation of the Township of Sandwich South, is hereby modified under the provisions of Section 17 of The Planning Act, by adding Schedule C, Public Works Plan to follow Schedule "A".

As thus modified, this amendment is hereby approved pursuant to Section 17 of The Planning Act, as Amendment No. 14 to the Official Plan for the Sandwich South Planning Area.

Date .....

G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

I, ROCH BOISVENUE certify that this is the Original/Duplicate Original/ Certified Copy of Amendment No. 14 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NO. 14

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment No. 14 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the 3rd day of April, 1979

Chairman

Secretary Seal

This Amendment was adopted by the Council of the Township of Sandwich South under By-law No. 79-20 in accordance with Sections 13 and 17 of The Planning Act, on the 9th day of April, 1979

Clerk

Reeve Seal

This Amendment No. 14 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment No. 14 to the Official Plan of the Sandwich South Planning Act.

Minister of Housing

COPY OF BY-LAW NO. 79-20

Whereas this Amendment No. 14 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board.

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of the Planning Act, enacts as follows:

1. The attached explanatory text and Schedule constituting Amendment No. 14 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of the aforementioned Amendment No. 14 to the Official Plan of the Sandwich South Planning Area.

3. This By-Law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 9th day of April, 1979

Signed _____ Clerk

Signed _____ Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-Law No. 79-20 as enacted and passed by the Council of the Township of Sandwich South on the 9th day of April, 1979

Signed _____ Clerk

RESOLUTION OF THE SANDWICH SOUTH PLANNING BOARD

Moved by: Ray Robinet

Seconded by: Murray Edwards

Resolved that the attached Amendment No. 14 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date: April 3, 1979

Carried

Chairman

THE BASIS OF THE AMENDMENT

1. Schedule "C" to the Official Plan sets forth existing and proposed water lines. Section 4.3 of the Official Plan permits the extension of such water lines to serve new developments in the hamlets and industrial areas but provides that extension of service to any rural area beyond the routes shown on Schedule "C" are not to be permitted without amendment being made to the Official Plan.

2. Certain of the residents in the Township have applied by way of petition under The Local Improvement Act for a pipe water supply. Responding to the petition will require the construction of a water main on the east side of 8th Concession Road within the Township from the end of an existing water main to the north limit of Highway 401. A water supply is available from the Windsor Utilities Commission and approval has been secured from the Commission for the supply of water.

3. Council of the Township of Sandwich South recognizes that there is a lack of potable water available to the residents in question. Council therefore recognizes there is a need for pipe water supply to the residents in question and it is the intent of this amendment that the pipe water supply system be extended to serve the area (water line stage 5) shown on a schedule attached hereto.

THE DETAILS OF THE AMENDMENT

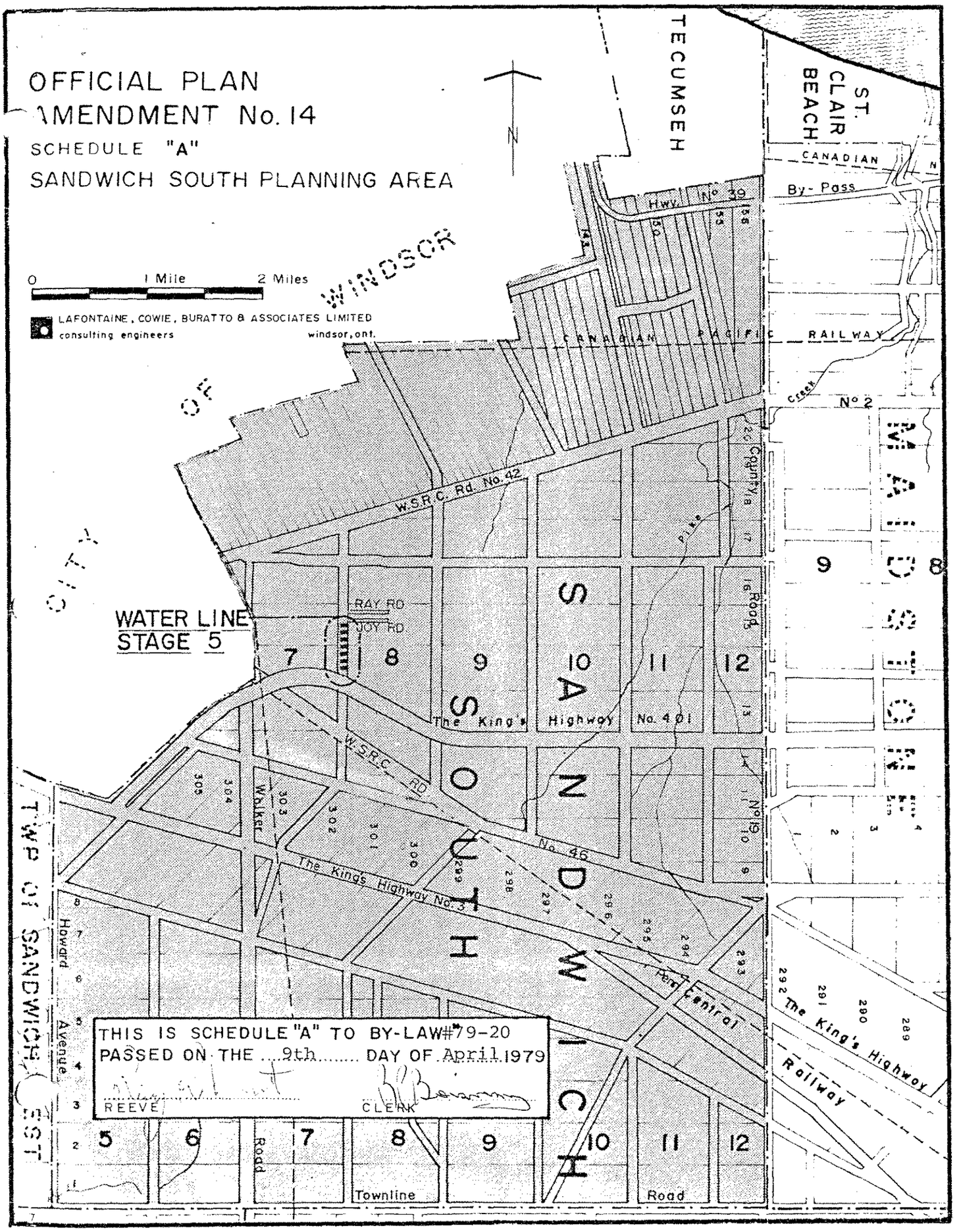
The Official Plan of the Sandwich South Planning Area is amended as follows:

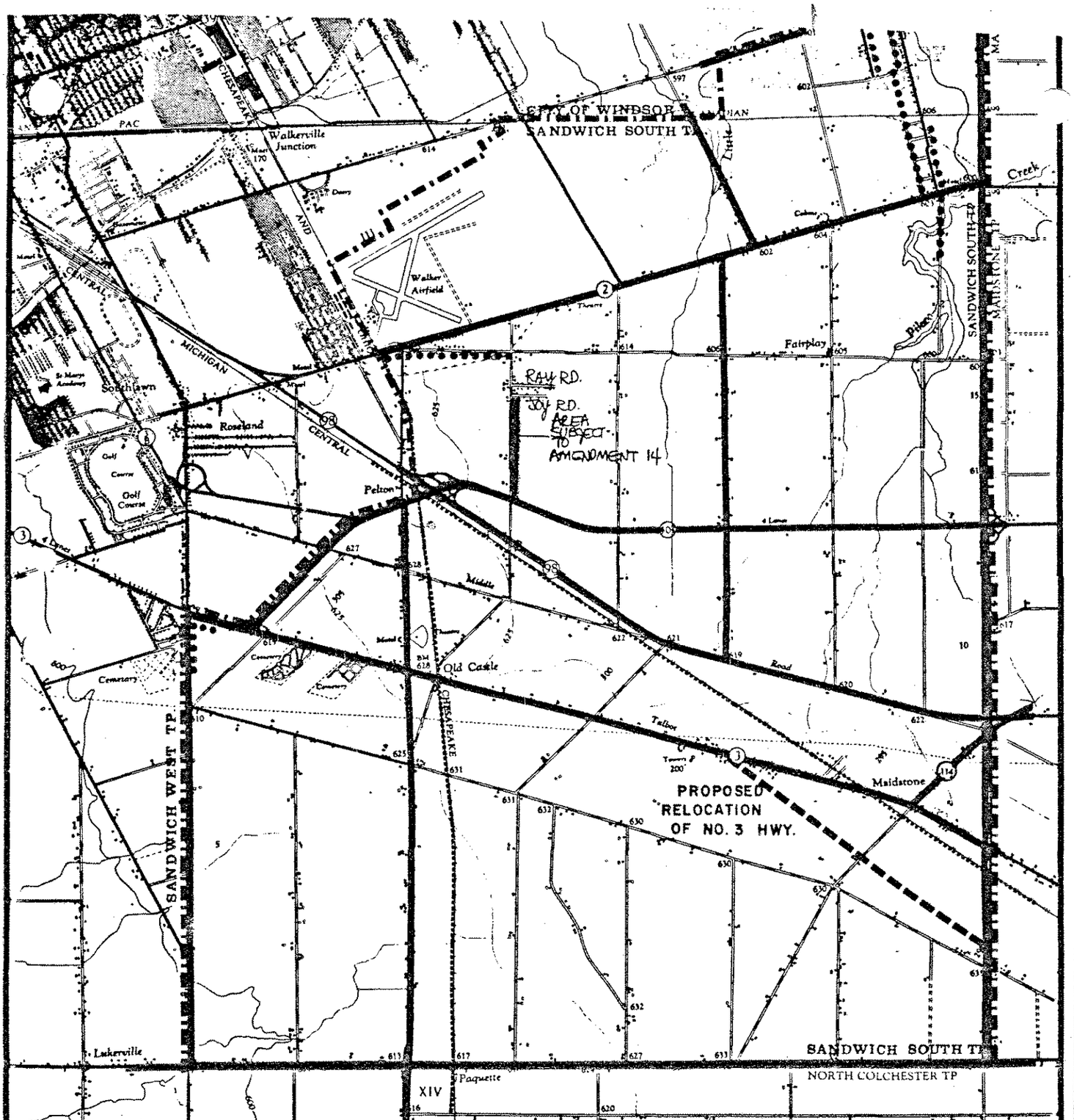
(a) Schedule "C" - The Public Works Plan shall be amended by the addition of a proposed water line as shown on Schedule attached hereto as "Water line Stage Five"

(b) The water mains in question shall not be further extended without an amendment to the Official Plan.

INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.


OFFICIAL PLAN
AMENDMENT No. 14
SCHEDULE "A"
SANDWICH SOUTH PLANNING AREA
0 1 Mile 2 Miles
LAFONTAINE, COWIE, BURATTO & ASSOCIATES LIMITED
consulting engineers windsor, ont.
N
TECUMSEH
ST. CLAIR BEACH
CANADIAN
By-Pass
Hwy. No 39
CANADIAN PACIFIC RAILWAY
Creek
No 2
MAIDSTONE
WINDSOR
CITY OF
W.S.R.C. Rd. No. 42
County Road
Pike
WATER LINE
STAGE 5
RAY RD
JOY RD
SANDWICH SOUTH
The King's Highway No. 401
W.S.R.C. RD
Walker
No. 46
The King's Highway No. 3
Penn Central Railway
The King's Highway
TWP OF SANDWICH EST
Howard Avenue
Road
Townline Road
THIS IS SCHEDULE "A" TO BY-LAW #79-20
PASSED ON THE 9th DAY OF April 1979
REEVE
CLERK



LEGEND

WATERLINE EXTENSION-STAGE 5

MAJOR ROADS

RAILWAYS

WATER LINE

REVERSED FRONTAGE REQUIRED

0 1 MILE Approx.

AMENDMENT NO. 14 TO THE OFFICIAL PLAN OF THE SANDWICH SOUTH PLANNING AREA

SCHEDULE C

PUBLIC WORKS PLAN

PROCTOR, REDFERN, BOUSFIELD & BACON
TORONTO

66503-3

AMENDMENT NUMBER 15
TO THE
OFFICIAL PLAN
OF THE
SANDWICH SOUTH PLANNING AREA

JULY 1979

SANDWICH SOUTH PLANNING BOARD

OLDCASTLE, ONTARIO

I _____ certify that this is the Original/Duplicate Original/Certified Copy of Amendment Number 15 to the Official Plan of the Sandwich South Planning Area.

AMENDMENT NUMBER 15

TO THE

OFFICIAL PLAN OF THE

SANDWICH SOUTH PLANNING AREA

The attached map and explanatory text constitute Amendment Number 15 to the Official Plan of the Sandwich South Planning Area. The Amendment was prepared by the Sandwich South Planning Board and recommended to the Council of the Township of Sandwich South, under Sections 12 and 17 of The Planning Act, on the day of 19 .

_____ _____ Seal
Chairman Secretary

This Amendment was adopted by the Council of the Township of Sandwich South under By-law Number_____ in accordance with Sections 13 and 17 of The Planning Act, on the day of 19 .

_____ _____ Seal
Clerk Reeve

This Amendment Number 15 to the Official Plan of the Sandwich South Planning Area, which has been recommended by the Sandwich South Planning Board and adopted by the Municipal Council of the Township of Sandwich South, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, as Amendment Number 15 to the Official Plan of the Sandwich South Planning Area.

_____
Minister of Housing

COPY OF BY-LAW NUMBER.....

Whereas this Amendment Number 15 to the Official Plan of the Sandwich South Planning Area has been recommended by the Sandwich South Planning Board:

NOW THEREFORE the Council of the Township of Sandwich South pursuant to Section 13(2) of The Planning Act, enacts as follows:

1. The attached Schedule W and explanatory text, constituting Amendment Number 15 to the Official Plan of the Sandwich South Planning Area is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application of the Minister of Housing for approval of the aforementioned Amendment Number 15 to the Official Plan of the Sandwich South Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this day of 19 .

Signed_____ Signed_____
Clerk Reeve

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law Number_____ as enacted and passed by the Council of the Township of Sandwich South on_____ 19 .

Signed_____
Clerk

RESOLUTION OF THE SANDWICH SOUTH

PLANNING BOARD

Moved by:

Seconded by:

Resolved that the attached Amendment Number 15 to the Official Plan of the Sandwich South Planning Area, which has been prepared by the Sandwich South Planning Board, be recommended to the Council of the Township of Sandwich South for adoption.

Date_____19

Carried.

_____
Chairman

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to provide for the extension of a waterline along the Townline Road which divides the Township of Sandwich South and the Township of Colchester North.

2. LOCATION OF LANDS AFFECTED

This Amendment applies to lands along the Townline Road for a distance of approximately 1.75 miles, as indicated on Schedule "W" attached hereto.

3. BASIS FOR THE AMENDMENT

This Amendment is prepared in accordance with Section 4.3 of the Official Plan which disallows any extension of services in the Rural Area except by amendment to the Plan.

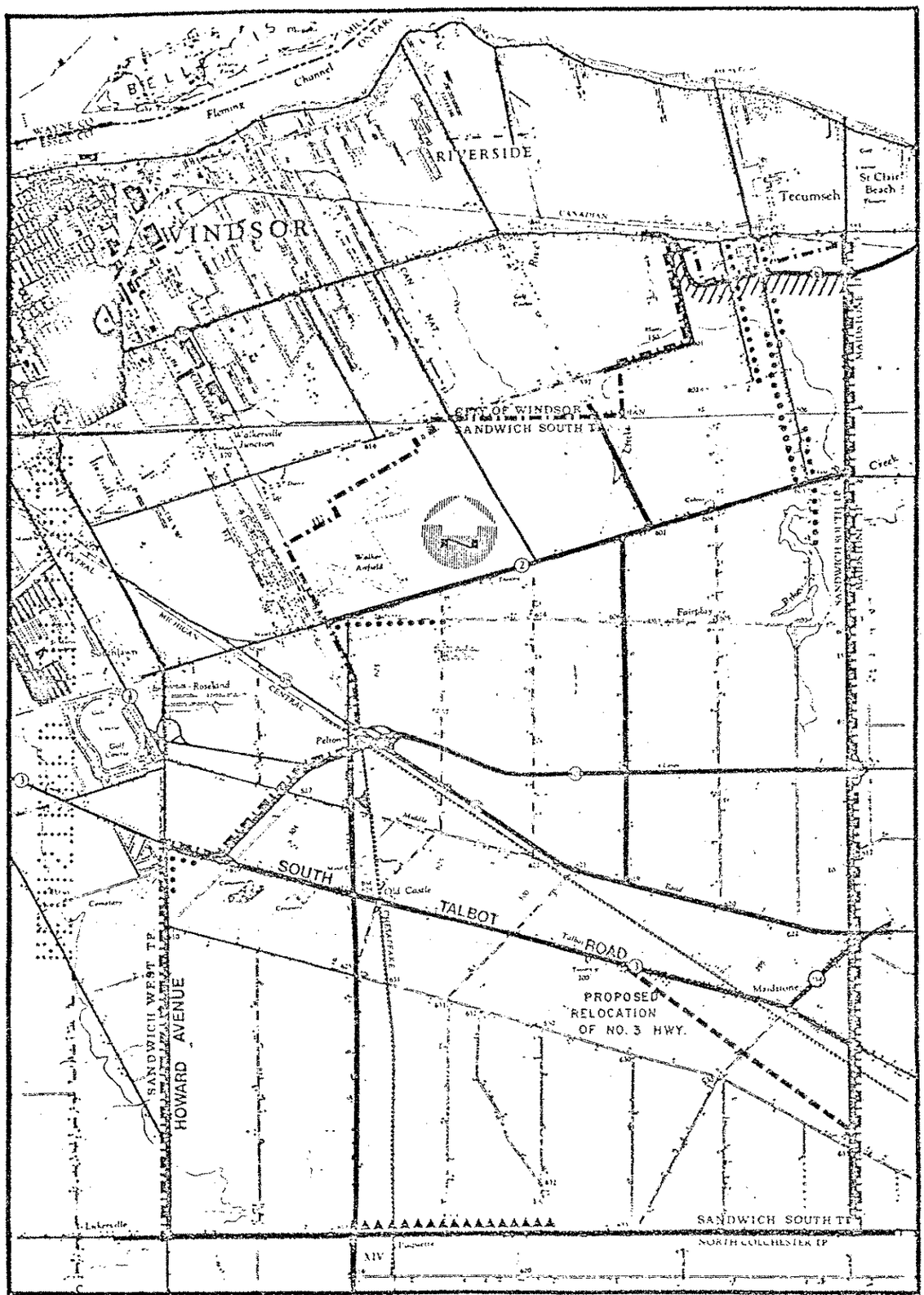
This Amendment will facilitate an extension of a six inch waterline from the Amherstburg filtration plant distribution system, which currently runs easterly along the Townline Road, then south into Colchester North Township along Walker Road. The extension will service existing development in both Sandwich South and Colchester North Townships.

4. DETAILS OF THE AMENDMENT

Schedule C - The Public Works Plan shall be amended by the addition of a proposed waterline as shown on Schedule "W" attached hereto as: "Waterline Extension".

5. INTERPRETATION

The provisions of the Official Plan as amended from time to time regarding the interpretation of that Plan shall apply in regard to this Amendment.



LEGEND

Waterline Extension ▲▲▲▲

Existing Waterline •••••

DILLON

0 1 miles 2

OFFICIAL PLAN AMENDMENT No. 15

SCHEDULE W

SANDWICH SOUTH PLANNING AREA

1. LOCATION AND PROPOSED EXTENSION

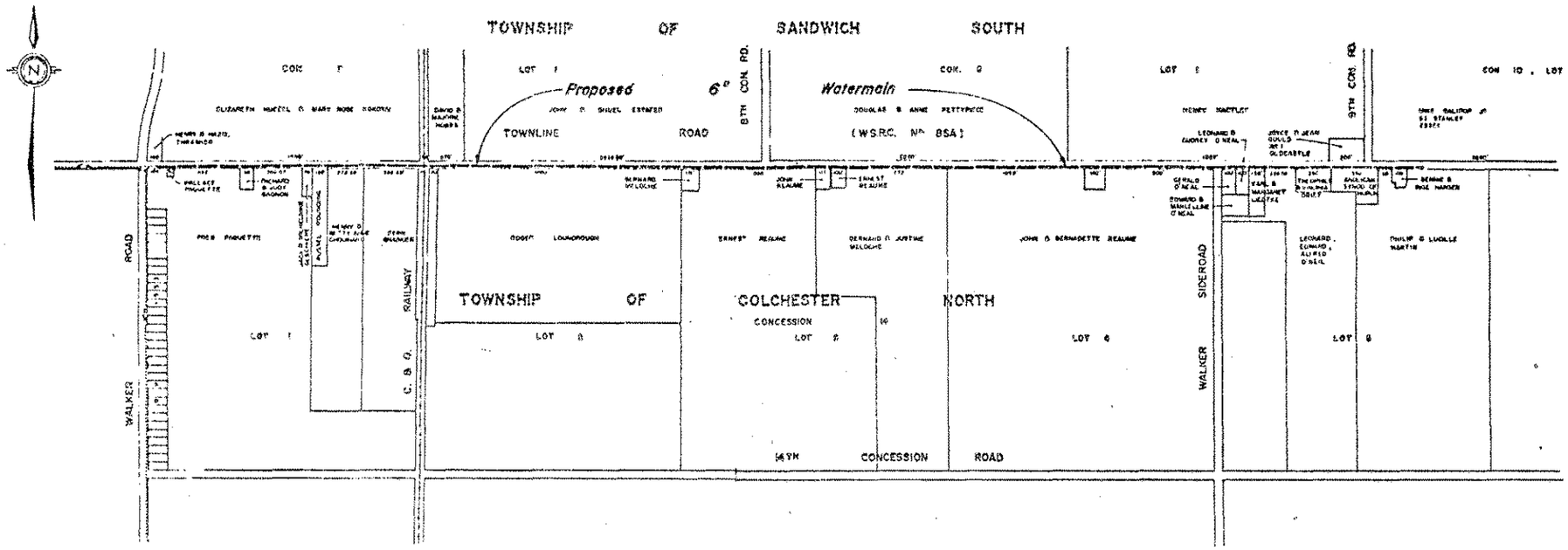
This Amendment applies to the area along the Townline Road separating the Townships of Colchester North and Sandwich South.

A six-inch waterline is proposed along this road for a distance of 1.78 miles, from the connection point at the intersection of Walker Road and the Townline Road. Presently a twelve-inch line extends to this point from the Amherstburg filtration plant, a facility owned and operated by the Ministry of the Environment, and then runs south to service the Township of Colchester North.

2. EXISTING DEVELOPMENT

Approximately twenty-three residences and one church exist along the proposed service area, eight being in Sandwich South, the balance in Colchester North. Agreement has been reached between the municipalities to undertake construction, and service connections of all fronting properties.

At present, local residents obtain their water supply from private wells. Water quality is poor due to high sulfur and mineral content. These ingredients contribute to an undesirable taste and accelerated corrosive action on plumbing pipes and fixtures. As this problem can be solved by connection to the adjacent treated supply, it was decided to undertake corrective measures and construction of the service extension.



SCALE IN FEET

400 0 400 800 1200 1600

TOWNSHIP OF COLCHESTER NORTH	LA FONTAINE, COWIE, BUSNITTO & ASSOCIATES LIMITED
PROJECT: PROPOSED WATERMAIN on the TOWNLINE ROAD (W.S.R.C. N° 8SA)	
SHEET TITLE: SITE PLAN	

3. LAND USE CONTROLS

By-law Number 1641 which has been approved by the Ontario Municipal Board in 1969 applies to the Township of Sandwich South and controls the use of land in the area of the waterline extension.

Further development along the waterline will be contingent on the granting of consents by the local Committee of Adjustment. At this time, the Official Plan is used as a guide in the consideration of applications for consent and it is felt that the Zoning By-law provides adequate controls for the development of such severed lots.

Official Plan Amendments

A guide to their preparation

Ministry of Housing
Ontario

October 1979

Prepared by
Operations & Development Control Branch
(Operations Review Section)

Hon. Claude F. Bennett, Minister
Richard Dillon, Deputy Minister

Additional copies available from:
Ontario Government Bookstore
880 Bay Street
Toronto, Ontario M7A 1Y7
Price: $2.00 payable in advance to
the Treasurer of Ontario

This publication was designed to assist municipal councils, planning boards and consultants in preparing official plan amendments. It outlines:

1. the information, or content, that should be included in an amendment; and

2. a suggested form for the amending document.

An example appears in the box opposite the text describing each sub-component of an amendment. Viewed in sequence, the examples illustrate a complete official plan amendment.

It is important to keep in mind that this publication is intended as a guide only. The Community Planning Advisory Branch (CPAB) of the Ministry of Housing has field offices throughout Ontario. Staff is available for advice or assistance in preparing amendments to your plan. The Official Plans Branch of the ministry can also be contacted for advice. Their addresses are listed at the back of this publication. Legal questions concerning amendments should be directed to your solicitor.

NOTE:

The White Paper on The Planning Act was released earlier this year, in response to the Report of the Planning Act Review Committee on improvements to the present planning process. The White Paper recommendations form the foundation of a proposed new Planning Act for Ontario. The new legislation could change the administrative procedures and legislative framework outlined in this publication.

OFFICIAL PLAN AMENDMENTS

a guide to their preparation

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OFFICIAL PLAN AMENDMENTS

a guide to their preparation

I. INTRODUCTION

the planning area

The creation of a planning area usually starts when a municipality wishes to undertake a formal planning programme, or a group of municipalities wishes to undertake a joint planning programme. Under The Planning Act, the Minister of Housing has the authority to define a planning area. Essentially, this defined area is the specific territory within which a planning board has the jurisdiction to operate the desired planning programme of the municipality, or municipalities involved.

the planning board

Once a planning area has been defined, the municipality shall appoint a planning board. Under section 12(1) of The Planning Act, each planning board must prepare an official plan for its planning area.

the official plan

An official plan is usually a comprehensive statement of long-range goals and objectives for the physical, social and economic development of a planning area. Sometimes, a simpler, or "basic" plan, tailored to the immediate needs and short term goals of a small community, is sufficient to guide development. Generally speaking, each plan will vary according to the nature, objectives and problems of the planning area that it covers.

Most plans are made up of maps and a text. One of the maps is usually a land use plan, showing where industrial, commercial and residential uses are expected to locate. The text outlines development policies pertaining to the land use designations on the map. For instance, within the residential use designation, the text might clarify at what density development could occur, and whether parks, schools, local stores, public utilities and home occupations are permitted. It might also specify under what circumstances such uses would be permitted.

Once an official plan has been prepared, planning board recommends it to council for adoption. Council, in turn, forwards the adopted document to the Minister of Housing, or delegated authority[1], for approval, according to the requirements of The Planning Act.

the amendment

No official plan can be expected to forecast precisely the nature of the changes that will take place in a growing community. For this reason, the legislation requires every planning board to review its official plan on a regular basis, to ensure that the plan's policies and projections are still relevant. Under section 17 of The Planning Act, a municipal council, through a formal amendment process, can change any portion of its official plan. In this way, reasonable development proposals can be considered, which would otherwise be discouraged because they do not conform with official plan policies established under different conditions.

All sections of The Planning Act pertaining to official plans also apply to official plan amendments. These include adoption, submission, lodging and appeal procedures.

The nature of official plan amendments varies from one municipality to the next, or even within a single municipality. For example, an amendment can propose:

(1) changes in land use;
(2) clarification of one of the maps; or
(3) refinement of an existing development policy.

It can also outline detailed policies for an entire village, or for a specific sector of a municipality.

---

1. Under section 44b(2) of The Planning Act, the Minister of Housing can delegate his authority to approve local official plans, to qualifying regional councils. For example, the Regional Municipality of Waterloo has been delegated this responsibility.

AMENDMENT NO. 1 TO THE OFFICIAL PLAN FOR
THE SMITHTOWN PLANNING AREA

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who prepares an amendment?

In many cases, amendments are prepared by planning board or the planning department, on behalf of council. But, depending upon the complexity of the amendment, a consulting firm may be retained to prepare the document.

When an individual initiates a section 17(3) amendment, he should provide a written presentation with his referral request, outlining:

(1) why the proposed change is desirable;
(2) what the proposal involves; and
(3) why the municipality refused to consider the amendment.

who approves an amendment?

Under existing legislation the Minister of Housing is responsible for approving official plans and amendments. The actual review of an amendment is carried out by the Official Plans Branch of the ministry. Where the minister has delegated his responsibility to approve local official plans and amendments, a similar review process would be carried out by the delegated authority.

This Amendment No. 1 to the Official Plan for the Smithtown Planning Area, which has been recommended by the Smithtown Planning Board and adopted by the Council of the Corporation of the Town of Smithtown, is hereby approved in accordance with section 17 of The Planning Act as Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Date: May 1, 1979

(Original Signature)

Approval Authority

III. CONTENT OF AN OFFICIAL PLAN AMENDMENT

Incorporating complete, accurate information into an amendment is extremely important. Extraneous information will only confuse the reader and complicate the approval of the amendment.

In this section, the content, or sub-components, of an amendment will be examined, in order of the suggested appearance in the amending document. This material represents the type of information we feel is essential in any proposal to change the established development policies of an area.

1. OFFICIAL DOCUMENTATION PAGES

There are three types of documentation pages:

(1) the certificate page;
(2) the adopting by-law; and
(3) the approval page.

Together, they attest the official status of the amendment[3].

---

3. A more detailed explanation of certificate pages, adopting by-laws, submission and lodging requirements for amendments, is outlined in the publication "Procedures for the Adoption, Submission and Lodging of Official Plans and Amendments Pursuant to the Requirements of The Planning Act" (revised November 1978). Copies can be obtained from the Operations and Development Control Branch (Administrative Support Section) or any Community Planning Advisory Branch field office, Ministry of Housing.

BY-LAW NO. 15-79

The Council of the Corporation of the Town of Smithtown in accordance with the provisions of sections 13 and 17 of The Planning Act, hereby enacts as follows:

1. Amendment No. 1 to the Official Plan for the Smithtown Planning Area, consisting of the attached map designated Schedule "A", and explanatory text, is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 10th day of January 1979.

Signed (TYPED IN)
Clerk

Signed (TYPED IN)
Reeve

CORPORATE SEAL OF MUNICIPALITY

Certified that the above is a true copy of By-law No. 15-79 as enacted and passed by the Council of the Town of Smithtown on January 10, 1979.

Signed (ORIGINAL SIGNATURE)
Clerk of the Municipality

OFFICIAL PLAN

FOR THE

SMITHTOWN PLANNING AREA

Amendment No. 1

The attached map designated "Schedule A" and explanatory text, constituting Amendment No. 1 to the Official Plan for the Smithtown Planning Area, was prepared by the Smithtown Planning Board and was recommended to the Council of the Town of Smithtown under the provisions of sections 12 and 17 of The Planning Act, on the 4th day of January 1979.

(Original signatures)

.....

Chairman Secretary

CORPORATE SEAL OF PLANNING BOARD

This amendment was adopted by the Corporation of the Town of Smithtown by By-law No. 15-79 in accordance with the provisions of sections 13 and 17 of The Planning Act, on the 10th day of January 1979.

(Original signatures)

.....

Mayor Clerk

CORPORATE SEAL OF MUNICIPALITY

OFFICIAL PLAN

FOR THE

SMITHTOWN PLANNING AREA

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AMENDMENT NO. 1 TO THE OFFICIAL PLAN FOR
THE SMITHTOWN PLANNING AREA

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Once an official plan has been prepared, planning board recommends it to council for adoption. Council, in turn, forwards the adopted document to the Minister of Housing, or delegated authority[1], for approval, according to the requirements of The Planning Act.

the amendment

No official plan can be expected to forecast precisely the nature of the changes that will take place in a growing community. For this reason, the legislation requires every planning board to review its official plan on a regular basis, to ensure that the plan's policies and projections are still relevant. Under section 17 of The Planning Act, a municipal council, through a formal amendment process, can change any portion of its official plan. In this way, reasonable development proposals can be considered, which would otherwise be discouraged because they do not conform with official plan policies established under different conditions.

All sections of The Planning Act pertaining to official plans also apply to official plan amendments. These include adoption, submission, lodging and appeal procedures.

The nature of official plan amendments varies from one municipality to the next, or even within a single municipality. For example, an amendment can propose:

(1) changes in land use;
(2) clarification of one of the maps; or
(3) refinement of an existing development policy.

It can also outline detailed policies for an entire village, or for a specific sector of a municipality.

---

1. Under section 44b(2) of The Planning Act, the Minister of Housing can delegate his authority to approve local official plans, to qualifying regional councils. For example, the Regional Municipality of Waterloo has been delegated this responsibility.

AMENDMENT NO. 1 TO THE OFFICIAL PLAN
FOR THE SMITHTOWN PLANNING AREA

The Constitutional Statement

Because an amending document consists of many parts, a simple statement should follow the title, indicating which parts constitute the actual amendment. An actual amendment usually proposes changes to part of the written text plus part of the map. Often the portions of the document which are not part of the actual amendment, are also clarified.

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

PART B - THE AMENDMENT, consisting of the following text and map (designated Schedule "A"), constitutes Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Also attached is PART C - THE APPENDICES which does not constitute part of this amendment. These appendices (I through V inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

3. PART A - THE PREAMBLE

The function of the preamble is to introduce the actual amendment. Since it is not part of the actual amendment, it is not incorporated as policy within the official plan.

The preamble should be broken down into three sub-components:

(1) the purpose;
(2) the location; and
(3) the basis.

The Purpose

The purpose describes what change is being contemplated by a proposed amendment. It should specifically describe the main reasons for the proposal. The most common reasons for a change are:

(1) redesignation from one type of land use to another; or
(2) imposition of site specific policies for the area affected by the amendment.

The first involves a change in one or more maps of the official plan. The latter involves changes to both the map(s) and to the written text.

PART A - THE PREAMBLE

PURPOSE

The purpose of this amendment is:

(1) to change the land use designation of certain lands, as shown on Schedule "A" attached, from "Residential" to "Commercial"; and

(2) to set forth additional policies governing the area affected by this amendment.

The Location

The location is a straightforward part of the amending document. Its purpose is to provide quick reference to those portions of the official plan being considered for changes. The location is especially useful when numerous amendments already exist or are being proposed.

If a proposed amendment is to add a new policy, or change a portion of the text, the exact spot where the addition or change is to be inserted in the official plan should be stated. If the change involves amending a map, the location of the part being changed should be mentioned. This location is often illustrated in colour, or by cross-hatching, on a copy of the pertinent map.

It is important to remember that the description or symbols used in an amendment should be consistent with those used in the official plan. In this way, reviewing and understanding an official plan will remain easy, regardless of the number of changes the plan undergoes.

LOCATION

This amendment consists of two parts which shall be referred to as items (1) and (2).

Item (1): The lands affected by this redesignation are located on both sides of Main Street, bounded by Brown Street, Jane Street, and Green Street on the east side and by Brown Street, Molly Street, and Green Street on the west side, as shown on Schedule "A" attached.

Item (2): Special policies governing the lands affected by this amendment are to be added to Section 3 (Commercial Policies) of the Official Plan for the Smithtown Planning Area, as subsection 3.8.

The Basis

The basis is one of the most important parts of the amending document. It establishes the rationale behind the change being sought by the proposed amendment. The basis should include:

(a) a brief outline of the studies and analysis that were carried out; and

(b) the conclusions reached regarding the need for the amendment.

The basis is often supplemented by more detailed, explanatory material in appendices, background reports and studies.

BASIS

The lands affected by this amendment are presently designated "Residential" on Schedule "A" of the official plan. At the time the official plan was prepared, it was anticipated that the area designated "Commercial" on Main Street would be sufficient in size and level of services to serve the Town of Smithtown plus the surrounding area for some years to come.

At that time, it was desirable to restrict the size of the commercial area. Should expansion prove necessary it could be effected by an amendment to the official plan.

Recent urban expansion and an increase in the tourist trade beyond that anticipated when the official plan was prepared, have contributed to the need for additional commercial facilities. On several occasions local businessmen have approached council and planning board for an increase in shopping facilities along Main Street.

The blocks intended for redesignation lie adjacent to existing shops on both sides of Main Street.

Generally, the properties concerned are:

(a) quite old-in the 40 to 60 year age category; and
(b) in a poor state of repair.

Some conversion from single family dwellings to retail stores had already taken place prior to the approval of the official plan. These have been recognized as legal non-conforming uses in the official plan.

The parking situation on Main Street is unsatisfactory, especially during the summer months. To some extent this problem will be rectified by allowing for new commercial development supporting additional parking facilities.

BASIS (cont'd):

On the advice of planning board, council feels it is time to change the official plan to meet some of these demands.

(For greater detail see Appendices I - V).

4. PART B - THE AMENDMENT

Part B is the actual amendment. It describes in very specific terms the actual changes being made to an official plan by that particular amendment. When the amendment is approved, this section becomes an integral part of the official plan.

If the proposal is to change the land use designation of a specific property, this should be stated. In addition, the area affected by the redesignation should be outlined on a copy of the pertinent map contained in the official plan. If the proposal also intends to apply specific development policies to the site, this section should:

(1) state what these policies are; and

(2) indicate exactly where these policies will be inserted into the text of the official plan.

On the other hand, if the amendment only intends to incorporate new general development policies into the text, no map reference is made.

In most cases the actual amendment consists of two parts:

(1) the text; and
(2) the map(s).

They should always be read in conjunction with each other.

4.1 The Text

The text is a written description of the actual amendment. It outlines new policies or changes to existing policies to be incorporated into the official plan.

The text should be distinctly separated into smaller parts. These usually include:

(1) an introductory statement; and
(2) details of the amendment.

The Introductory Statement

The introductory statement is a simple statement confirming which part of the total document constitutes the actual amendment.

PART B - THE AMENDMENT

All of this part of the document entitled Part B - The Amendment, consisting of the following text and attached map designated Schedule "A" (Land Use Plan) constitutes Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Details of the Amendment

The details of the amendment describe the actual changes in detail. Great care should be exercised in writing this section because it becomes policy in the official plan once the amendment receives approval under The Planning Act. Consequently, it should exclude material not meant to be consolidated as policy into the official plan.

Here are a few examples:

(1) If a certain phrase or policy is to be substituted in the original text of the official plan, the actual substitution should be stated.

eg. "Subsection 3.13(b) 'Designation' of Section 3 'Land Use Policies' is hereby deleted, in its entirety, and replaced by the following: .... (outline the substituted policies)".

(2) If a map is to be amended, the exact change to the map should be stated.

eg. "The 'Land Use and Roads Plan' being Schedule 'C' to the Official Plan for the Smithtown Planning Area is hereby amended by redesignating the areas shown in blue on Schedule 'C' attached, from 'Open Space' to 'Hamlet'".

(3) If special policies applicable to the land use redesignation are also proposed, they should be stated, and their proposed location within the text of the official plan should be indicated.

(4) If a new policy is to be added, its relation to the existing policies should be described.

eg. "Section 3(10)(b) of the Official Plan for the Smithtown Planning Area is hereby amended by adding the following new clause: ..... (outline the clause)".

Implementation and Interpretation

An official plan already contains provisions for describing how the plan will be put into effect and for interpreting its land use policies. Only implementation or interpretation policies differing from those already contained in the plan should be included as part of the actual amendment.

DETAILS OF THE AMENDMENT

The Official Plan is amended as follows:

Item (1): The area indicated on the attached Schedule "A" of the Official Plan is redesignated from "Residential" to "Commercial".

Item (2): Section 3 (Commercial Policies) of the Official Plan for the Smithtown Planning Area is amended by adding the following new subsection after subsection 3.7:

"3.8 Prior to the approval of any application for commercial development of the area bounded by Jane, Green, Molly and Brown Streets, council and planning board shall be satisfied that:

(i) the proposed commercial use is harmonious with the visual character and scale of the existing commercial development south of Green Street;

(ii) all service access will be from Jane Street or Molly Street;

(iii) ingress and egress of parking facilities associated with the proposed commercial use will not cause danger to:

(a) vehicular movement on Main Street;

(b) general pedestrian movement in the area; or

(c) surrounding residential areas."

4.2 The Map(s)

Experience indicates that most amendments require a map, or maps. These are usually called "schedules". They offer a visual description of the proposed change. Once the amendment is approved, the map becomes an integral part of the official plan.

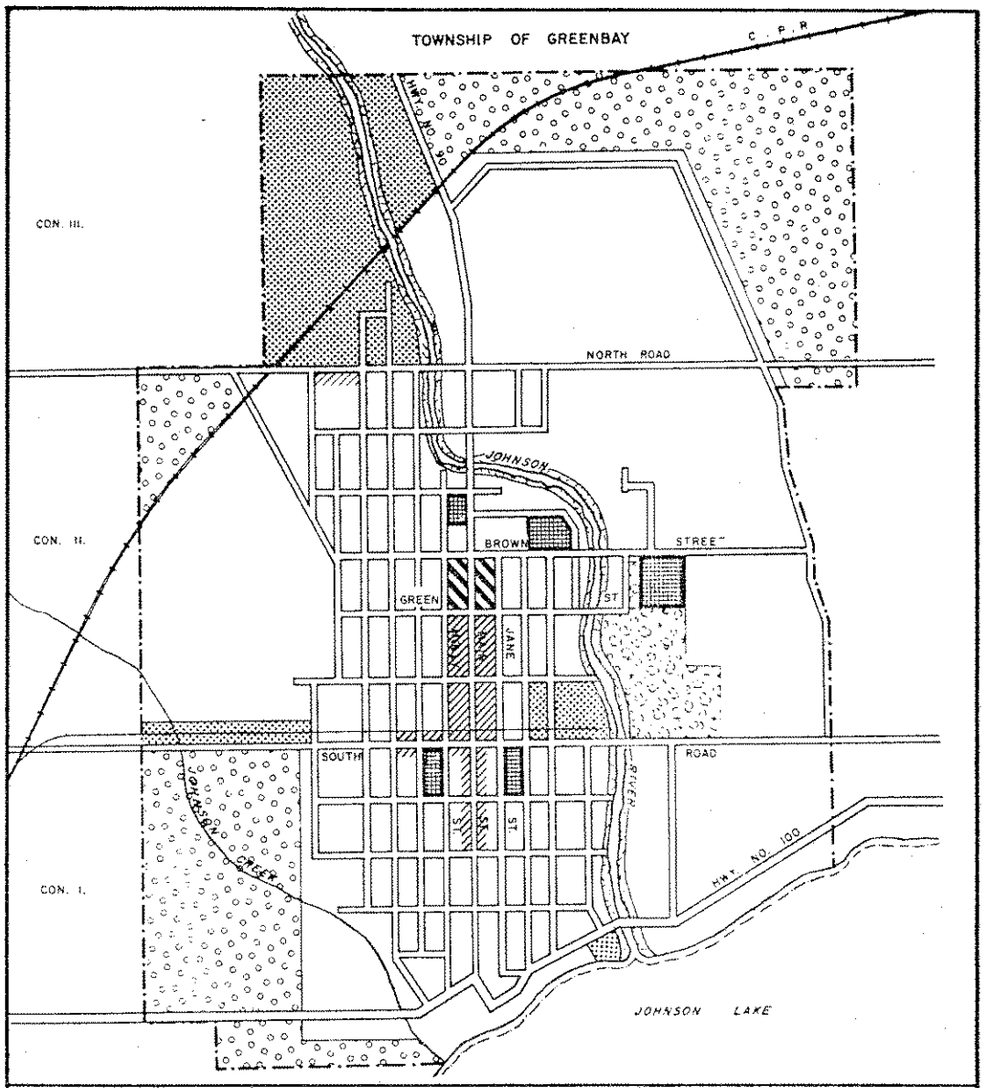
An official plan often contains several maps. These could illustrate the location of future land use, transportation corridors, sewers and water supply, or staging of development. Only those maps intended to be changed should be included in the actual amendment.

The map used for an amendment should be an exact copy, usually a print, of the one used in the official plan. This practice is advantageous because it relates the amendment back to the official plan. The map used should also reflect any changes made in previously approved amendments to the plan.

It is helpful to:

(1) outline in colour, or cross-hatch, the lands affected by an amendment on a copy of the pertinent map; and

(2) state the proposed redesignations directly on the map copy.



AMENDMENT No. 1 TO THE
OFFICIAL PLAN FOR THE SMITHTOWN PLANNING AREA

SCHEDULE "A"
LAND USE PLAN

NOTE THIS SCHEDULE FORMS PART OF AMENDMENT No. 1 TO THE OFFICIAL PLAN FOR THE SMITHTOWN PLANNING AREA AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT

L E G E N D

- HAZARD
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- RURAL
- OPEN SPACE
- INSTITUTIONAL
- PLANNING AREA BOUNDARY
- AREA AFFECTED BY THIS AMENDMENT— PROPOSED CHANGE FROM RESIDENTIAL TO COMMERCIAL

180 0 180 360
SCALE IN METRES

DATE: OCT/78

5. PART C - THE APPENDICES

The Summary Page

For easy reference it is useful to summarize the appendices on a separate page inserted immediately before the appendices.

PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No. 1, but are included as information supporting the amendment.

Appendix I	History of the Community
Appendix II	Topography and Soils
Appendix III	Population Growth
Appendix IV	Land Use Survey and Analysis
Appendix V	Public Participation

The Appendices

Appendices do not form part of the actual amendment. Nevertheless, they contain reference material or detailed information relevant to it. They are normally placed at the back of the document.

Appendices sometimes consist of:

(1) a chart or table (eg. land use survey, population analysis);

(2) additional maps (eg. soil capability, existing land use);

(3) minutes and resolutions of planning board/council meetings; or

(4) details of public meetings.

Any number of appendices can accompany the amending document. However, this data must be pertinent to the proposal under consideration.

Evidence of public meetings held to discuss the proposed amendment must be included with the document. Details of such meetings are usually outlined in the appendices.

APPENDIX I: HISTORY OF THE COMMUNITY

A brief but complete history of the community is outlined in Appendix "C" of the Official Plan for the Smithtown Planning Area, approved by the Minister of Housing in 1975. A comparison of this outline with statistics shown elsewhere in these appendices indicates that a rapid change has taken place to the community in the past three years concerning the item covered by this amendment.

APPENDIX II: TOPOGRAPHY AND SOILS

The topography and soils underlying and relative to the areas proposed for change under this amendment, will in no way affect the anticipated new use. The road grade on the relevant section of Main Street does not exceed 5%. However, certain side roads entering Main Street do exceed 5%. Vehicular access on to these streets should not be encouraged.

Maps designated Appendices "D" (Topography) and "E" (Soils) in the official plan should be examined for clarification of the situation.

APPENDIX III: POPULATION GROWTH

1931	1941	1951	1961	1969	1975	1978
2,592	2,700	3,801	4,500	4,890	4,982	5,442

The population of the town over the last three years has increased by over 140 persons per annum or about 36 families.

It is estimated that the summer population dependent on the Town of Smithtown for services will exceed 15,000 in 1979, a 30% increase since 1975.

APPENDIX IV: LAND USE SURVEY AND ANALYSIS

A. Existing Land Uses

Type of Store	Number of Retail Stores	June 1978
Supermarkets	1	(small - 225 sq. metres)
Drug Stores	2	including 1 with post office facilities
Small Grocers (non-self-serve)	2	
Hardware	1	
Restaurants	3	(one generally closed in winter)
Women's Clothes	1	(including girls' wear)
Men's Clothes	1	(including boys' wear)
Barbers	3	
Beauty Parlors	2	
Dry Cleaners	2	(including shoe repairs)
Gas Stations	3	
Dry Goods	1	
Miscellaneous	2	

In addition, there are two real estate offices, two banks and a general post office. There is also a small movie theatre with a seating capacity of 580 and two hotels with a total of 30 bedrooms.

Since the official plan was approved in 1975, four new stores have been opened within the area presently designated "Commercial". These include:

- one restaurant
- one small grocer
- one dry cleaners
- one women's clothing store

A total frontage amounting to only 56 metres remains undeveloped for commercial purposes within this designated area.

APPENDIX IV (cont'd):

Altogether it is expected that some 3,720 square metres of retail space is necessary within the planning area, if the facilities are to adequately serve the anticipated summer population over the forthcoming years. This means an increase of nearly double over the present square footage of retail space. (See Retail Market Study Analysis - Smithtown, June 1978, prepared by Commercial Consultants Limited.)

B. Planning Considerations

A survey was conducted of the areas most suitable for re-designation to provide for this increase in retail space. These factors were taken into account during the survey:

(1) Relationship to areas already established for retail purposes.

(2) Age and condition of properties in the areas for reclassification. In other words, was it likely that demolition could be effected at reasonable cost, or could the properties be converted conveniently and successfully, bearing in mind the regulations that should be imposed on such new development?

(3) Would the surrounding street network be capable of handling the new traffic likely to be generated by such change?

(4) Would the existing underground services be capable of handling the increased demand likely to be made upon them by such development?

(5) What effect would this change have on neighbouring properties?

(6) Would the proposed change likely cause danger to pedestrians, school children or residents in the immediate vicinity, because of an increase in vehicular traffic?

Weighing these factors against the demand for new commercial retail floor space, planning board felt that the two blocks indicated in this amendment should be redesignated to commercial

APPENDIX IV (cont'd):

use, provided that the abutting neighbourhood residences are protected through the placement of appropriate site plan controls (buffer strips, service access, parking facilities, etc.) on the proposed commercial uses.

The changes under this amendment will create a more balanced commercial centre for the community as a whole. With the proper safeguards these will not be detrimental to properties in the immediate vicinity.

C. Existing Land Use - Comparative Figures (hectares)

Residential	Commercial	Industrial	Schools	Parks	Rural
385	14	51	4	12	119

The changes proposed by this amendment will decrease the residential area by .8 hectares and increase the commercial area by an equal amount.

APPENDIX V: PUBLIC PARTICIPATION

A public meeting was called by the planning board in the council chambers of the town hall on September 15, 1978.

The meeting was advertised in the twice weekly edition of the local paper on the previous week and all council and local board members were notified by mail under letter dated September 5, 1978.

The meeting began at 7:45 p.m. under the chairmanship of the chairman of the planning board. About 42 people were in attendance:

1. 27 members of the public;
2. the remainder, council or local board members.

The planning board displayed its entire complement of survey maps and a large scale map of Main Street.

The chairman of the planning board explained the reason for the meeting and the board's thinking on the two items concerned.

Several questions were asked from the floor, some of a specific nature regarding a particular piece of property. Some questions were asked by the local businessmen regarding the nature of retail uses to be permitted in the area proposed for redesignation.

The chairman, and in some instances, members of the planning board, answered the questions raised. In general, the two items covered under this amendment were well received in the meeting. Certain objections were raised about the location of commercial uses adjacent to "one of Smithtown's fine old houses" but the board assured the objector that every safeguard would be applied to ensure the minimum of interference with the appearance of property, or any other aspect that may depreciate its value.

APPENDIX V (cont'd):

At a subsequent meeting, planning board discussed all the questions raised at the public hearing of September 15th. The merits and demerits of items 1 and 2 in light of the objections raised were also discussed. The final format of this amendment is based on this discussion. The board feels these items may now be introduced into the plan.

The board also feels that in practice, these items will benefit the town and not be seriously detrimental to anyone.

IV. ADDITIONAL INFORMATION

OFFICIAL PLANS BRANCH

7th Floor
56 Wellesley Street West
Toronto
M7A 2K4 (416/965-6418)

OPERATIONS AND DEVELOPMENT CONTROL BRANCH

Administrative Support Section
8th Floor

or

Operations Review Section
7th Floor

56 Wellesley Street West
Toronto
M7A 2K4 (416/965-6418)

COMMUNITY PLANNING ADVISORY BRANCH

South West Region
7th Floor
495 Richmond Street
London N6A 5A9
(519/673-1611)

South East Region
3rd Floor
244 Rideau Street
Ottawa K1N 5Y3
(613/233-9301)

North West Region
435 James Street South
Thunder Bay P7C 5G6
(807/475/1651)

North East Region
1191 Lansing Avenue
Sudbury P3A 4C4
(705/560-0120)

Central Region
2nd Floor
47 Sheppard Avenue East
Willowdale (Toronto)
M2N 2Z8
(416/226-1855)

IMPLEMENTATION

Once the municipality has a zoning by-law in effect, the Council must appoint an enforcement officer to administer all aspects of the by-law. His responsibilities can be summarized as follows:

(1) Investigation of infractions of the by-law either on his own initiative or as a result of a ratepayer's complaint. He would then make a recommendation to Council as to a course of action.

(2) Issue of Permits:

A building permit can only be issued if the proposed use complies with the zoning by-law. This job requires that the Building Inspector must be aware of the by-law's contents, of amending by-laws and OMB orders.

The permit must comply with the by-law <u>in all respects</u>.

A minor deviation to the by-law can be permitted only through a Committee of Adjustment or a zoning amendment.

If in doubt the building inspector should seek a resolution of Council.

(3) A third function might be termed an educational one. The public should eventually become aware of how a by-law works especially since more lead time is required before building can start.

(4) The building inspector's task is helped immensely if the municipality has developed an application form which sets down all the information needed in assessing a request for a building permit.

THE PURPOSE OF ZONING

I. WHAT IS ZONING - THREE DEFINITIONS

1. Rogers Canadian Law of Planning and Zoning is quite thorough in its definition of zoning. That source defines Zoning as:

> "A form of regulation of property by local governments. It is the division of the municipality into the zones or areas and in each area, either prohibiting certain uses and allowing all others or permitting the use which may be carried on to the exclusion of all others".

Rogers goes on to explain that the zones are established on the basis of the nature and extent of land use as well as the construction, location and architectural requirements. Rather than being an element of the plan itself, zoning is a means of carrying out a plan.

2. Webster's Dictionary defines zoning as:

> "The division of a municipality by by-law into sections for different purposes such as residential, business or industrial".

3. Our third definition was obtained from a review of Section 35 of The Planning Act. Specifically, zoning can be defined as "the control of the use of land and control of the erection of and manner of use of buildings and other structures".

This third definition conveys the idea that zoning not only involves the control of land use but also involves the regulation of the manner of land use. In other words a zoning by-law may restrict land uses (i.e. it may permit and/or prohibit land uses) and a zoning by-law may also govern the manner of permitted uses (i.e. building size, lot size, building location, construction etc.).

II. *DUAL PURPOSE OF ZONING*

That covers the question of "What is Zoning". Having defined the term, we should consider the questions "Why adopt zoning" and "What does zoning achieve".

...2/

II. (continued)

Most authorities on municipal law, municipal planning and zoning administration refer to zoning as having a dual purpose. This dual purpose can be described as follows:

(a) Protection of Property

First, zoning was originally devised as a means of preserving property values, maintaining the established character of an area such as a residential neighbourhood or a downtown's commercial area.

This objective is accomplished by preventing the intrusion of uses into these areas, communities or neighbourhoods that conflict with or are incompatible with adjacent properties or the area as a whole.

Many regard this protective function as the principal purpose of zoning.

(b) Development Control

Secondly, zoning has, in recent years, evolved as a means of development control that is to say zoning has become a means of regulating development in areas not yet built upon. (In addition it can be used to regulate redevelopment of older areas).

An example of the use of zoning as a development control device might help in understanding this concept:

> One of the main roles of the Official Plan is to delineate the future pattern of land use for the Planning Area. If we just examine the residential designation in a given plan you might find large areas set aside for residential purposes that are undeveloped and are not needed for perhaps ten years. The Residential policies may permit a variety of dwelling types and densities as well as associated uses such as parks, or local commercial activities. In addition the Official Plan may require certain design features or development standards and may prescribe the timing and order of development in the Residential area.
>
> In such circumstances, there is considerable uncertainty over the exact pattern and nature that development will take in this area earmarked for future Residential development. Because of this uncertainty, land use zones cannot be established very far in advance of development with the kind of detail that will ensure development will occur as contemplated by the plan and yet

II. (continued)

(b) (continued)

general enough to allow the municipality to consider various alternatives that the Official Plan might allow. Therefore many municipalities use "holding zones" which hold growth until such lands are required for development. When the municipality is satisfied the Official Plan policies have been met, that servicing is adequate and that development conditions have been met, then the "holding" restriction would be removed and the appropriate zone and development standards would be introduced into the by-law.

The use of the by-law for development control is one way zoning can be used in the implementation of the Official Plan.

COMPONENTS OF A COMPREHENSIVE ZONING BY-LAW

One complaint we often hear from municipal clerks, building inspectors or politicians is that zoning by-laws are generally too long, too complicated and too difficult to understand and administer. In many cases, that is a valid complaint.

The reason that many by-laws, particularly older by-laws for smaller municipalities are too long and unnecessarily complex can be traced to the fact that the concept of zoning originated in and was developed for urban areas. As a result the format and many of the zoning provisions of a typical by-law were designed to address urban planning problems. Very often these provisions have little use or application to small towns, villages and townships.

Despite the need for some further improvements, many newer by-laws are shorter, simpler and more concise. A well-organized document that lacks many of the frills other by-laws have is often more effective since it is easier to administer.

Because it is a legal document and because it contains a large number of regulations, it would seem there are limits to how much a zoning by-law can be shortened. Consequently the councillor, clerk or building inspector upon reading his first comprehensive zoning by-law often becomes discouraged or frustrated. Before reading such a document however, it might be helpful to analyze and understand its basic components. We are confident that if you break the document down systematically and understand the purpose of each part, you will see how the by-law works and understand its administration better.

Central Element

The heart of the zoning by-law and the part you will consult most often is the section dealing with the zones themselves together with the zone maps. Everything else in the zoning by-law is built around the zone districts and their restrictions and regulations. This part of the by-law tells you what land uses are permitted in defined areas (or zones) and how those uses can occur in terms of building location, type, lot size, etc.

By remembering that the heart of the by-law is the zones and their provisions, we think it will be easier to understand what are often the lengthier and more complicated parts of the by-law.

A section by section description of the components of the zoning by-law follows:

....2/

1. *Notice of Application*

The notice, which is required by the Act, simply states that Council intends to apply to the OMB for approval of the by-law and that any affected or interested parties are invited to convey their support or register their objections to the by-law. Information on Board hearings into any objection and last date for objections are also provided

2. *Explanatory Note*

The O.M.B. Rules of Procedure require that an explanatory note be attached to each zoning by-law passed by the Council. It explains the purpose of the by-law and its relationship to the Official Plan where one is in effect.

Neither the explanatory note nor the notice of application are part of the by-law but both must accompany the document when it is circulated.

3. *The Title*

The first section of the actual document indicates that the by-law shall be known as "The Zoning By-law of the Corporation of the Town, Village or Township of ....."

4. *Interpretation and Administration*

This may be the first or second major section of the zoning by-law. In some documents, the definitions appear first. The exact order is unimportant.

As the title infers, this section concerns the manner in which the by-law is to be interpreted and administered.

Some of the clauses or subsections that are typically found in the "Interpretation and Administration" are as follows:

(a) A statement indicating the area to which the by-law applies. A comprehensive zoning by-law would, of course, apply to the entire municipality.

(b) Since it is a legal document, the by-law must state that the zone maps constitute part of the by-law.

(c) A statement that the document's definitions and stated interpretations apply would also be included .

(d) The by-law would indicate that all new uses, buildings and structures must comply with the provisions of the by-law.

..3/

(e) Violations carry a fine (usually $1,000).

(f) All previous zoning by-laws would be repealed (where a new comprehensive zoning by-law has been adopted.)

(g) The by-law becomes effective upon approval by the OMB.

(h) The rights of the zoning administration to inspect properties would be enunciated.

(i) Contents of the application for building permits could be outlined.

(j) A Certificate of Occupancy could be required for any change in use to ensure the change conforms with the zoning by-law.

5. *Definitions*

All the terms used in the By-law should be defined in the by-law for obvious legal reasons. To understand and enforce the provisions of a by-law, the Council, the public and the courts all must know the meaning of the various terms employed.

Generally speaking, the section on definitions consumes a large number of pages of a zoning by-law. While it is essential for the occasions when questions arise, the Zoning Administrator, the Council and the public will find it must be referred to only infrequently in administering or reading the by-law.

6. *Zones and Zone Maps*

Before any land use restrictions or development standards are set down, the by-law usually first establishes the zones in which all restrictions and regulations will be used. In addition, the zone maps are usually introduced or referred to at this point.

The following might be typical zone categories for a small urban municipality:

Rural	-	A
Residential	-	R1
Multiple Residential	-	RM
General Commercial	-	C1
Highway Commercial	-	C2
Industrial	-	M1
Plan Development	-	D
Open Space	-	OS
Hazard	-	H

...4/

The following might be typical zone categories for a township zoning by-law:

General Agricultural	-	A1
Restricted Agricultural	-	A2
Rural Residential	-	R1
Hamlet Commercial	-	C1
Rural Commercial	-	C2
Hamlet Residential	-	R2
General Industrial	-	M1
Extractive Industrial	-	M2
Parks and Open Space	-	OS
Hazard	-	H
Plan Development	-	D

7. *General Provisions*

As the title indicates, this component sets out the regulations and restrictions which apply to the entire municipality. Some by-laws also include those provisions which apply to two or more of the zones used in the by-law. The purpose of lumping such provisions is to avoid repetition and to simplify the document.

Some typical regulations are as follows:

(a) Uses Permitted in All Zones

This might include municipal buildings, public utilities, parks, public roads etc.

(b) A list of permitted temporary buildings or structures might also be included (i.e. structures and buildings needed for a construction project).

(c) Uses Prohibited in All Zones

Such activities as the storage of flammable material, pits and quarries and intensive livestock operations might be prohibited in an urban by-law. A township by-law might exclude wrecking yards or scrap yards.

(d) Nearly all by-laws require that a lot must have frontage on a public street in order to be built upon.

(e) Many by-laws restrict the number of main buildings to one per lot.

(f) The General Provisions usually establish the development standards for accessory uses. This is done so that the standards do not have to be repeated for each zone in which accessory uses are permitted.

...4/

(g) Some by-laws include regulations to govern the external material or construction of buildings within the municipality.

(h) For obvious aesthetic reasons, most by-laws prohibit storage of materials or vehicles in the front yard of a lot.

(i) The planting areas which many by-laws might require as a buffer between zones are usually set down in the General Provisions.

(j) Finally, the loading and parking requirements for commercial, industrial and sometimes high density residential development are found in this section.

8. *The Zone Provisions*

As was mentioned earlier, the zones and their provisions constitute the heart of the zoning by-law. Paradoxically, many municipal officials find this aspect of the by-law readily understandable. The reason for this might be that the zone restrictions and regulations usually follow the same format for each of the zones of the by-law. Moreover, the organization of this section is often simpler and the language is less stilted and legalistic.

The following are some typical provisions from two sample zones:

(a) Agricultural (A1) Zones - from a Township By-law

Permitted Uses

(i) Agricultural uses, forestry uses, commercial greenhouses

(ii) Detached single family dwelling on a farm.

(iii) Church, home occupation, buildings and structures accessoty to a permitted use.

Zone Provisions

(i) Lot Area - 50 acres

(ii) Lot Frontage - 600 feet minimum

(iii) Location of Buildings and Structures

Front Yard - 50 feet minimum
Rear Yard - 50 feet minimum
Side Yard - 20 feet minimum

(iv) Floor Area of Dwellings - 850 square feet minimum

(b) Residential (R1) Zone

- from a Village By-law or from a Township by-law applying to residential development in a hamlet

Permitted Uses

Residential

Single family detached dwelling

Non-Residential

Home occupations
Accessory uses
Public uses

Zone Provisions

Lot Frontage	- 60 feet minimum
Lot Area	- 8,500 square feet minimum
Building Coverage	- 30 per cent maximum
Dwelling Floor Area	- 850 square feet minimum

Location of Buildings and Structures

Front Yard	- 25 feet minimum
Rear Yard	- 25 feet minimum
Interior Side Yard	- 6 feet minimum
Exterior Side Yard	- 10 feet minimum

9. *Adoption of the Zoning By-law*

Following the Zone Provisions is the last section in which the Council adopts the by-law. The authority for the zoning by-law is cited and the dates on which the three readings were given are indicated. In addition, this section includes the signatures of the Head of Council and the Clerk as well as the Clerk's certification.

ZONING BY-LAW (35)

General 35(1)

The terms "zoning by-law", "restricted area by-law" and "land use by-law" essentially mean the same thing: a by-law restricting the use of land and the manner in which buildings or structures are located on a property. The restrictions on the use of land are designed to keep incompatible uses separate. For instance, factories will be prohibited from residential areas and houses will not be allowed in industrial areas. The by-law may be quite specific in differentiating between permitted and prohibited uses. A dry cleaning pick-up station, for example, may be permitted in a commercial zone whereas the actual dry cleaning operation may be prohibited. Further restrictions may specify the types of dwellings permitted in each "zone", the parking and loading requirements, the maximum height, the minimum set-back from the street, the minimum "side-yard", which is the distance between the building and the side lot line, the minimum or maximum floor area, etc..

"Density" is typically one of the features regulated in a zoning by-law. When applied to residential development, it means the number of dwellings per acre (or per hectare if it is expressed in metric units). Alternatively, a density may be expressed as a number of square feet of floor area per unit of land area. The number expressing that ratio is called the "floor space index". "High density" means a large number of dwelling units in relation to the land area; this usually means high-rise apartments, but the two terms are not synonymous: a "high density" may be achieved if small houses or low-rise apartments are built close together.

Development may also be regulated on the basis of the availability of municipal services such as water supply and sewerage facilities.

The Difference Between a Zoning By-Law and an Official Plan

An official plan deals with general policies of the municipality concerning future growth. Thus, the plan shows such things as the areas that will be covered by buildings and roads in the future and the general separation of different land uses. It also likely will show in what order different vacant areas will be allowed to develop and where new major roads will have to be built to handle traffic generated by more development.

A zoning by-law on the other hand, implements that intent by stating quite specifically what may or may not be done on individual parcels of private property. Whereas an official plan may show general outlines of different land use areas, the zoning by-law map shows these boundaries very precisely and all its regulations should be stated very exactly. If a proposed development does not comply with all the provisions of the zoning by-law, an amendment to the by-law may be required before the development may proceed. Some zoning by-law amendments require no amendment to the official plan, because they are not in conflict with the municipality's general policies. In other cases, a zoning amendment may involve a policy change and an amendment to the official plan would need to be initiated before the by-law could be amended.

Legal Non-Conforming Uses 35(7)

A zoning by-law only applies to development occurring after the passage of the by-law. Existing uses may continue in existence as long as they remain unchanged. However, any change in use or modification to an existing building or structure must conform to the zoning by-law, or must be sanctioned by the committee of adjustment. (See page 36).

If a building permit has been obtained prior to the passage of a zoning by-law, the by-law may not prevent development in accordance with the permit, provided construction is started within 2 years after the passing of the by-law and completed within a reasonable time.

Ontario Municipal Board Approval

Legal Requirement for O.M.B. Approval 35(9), (10)

All zoning by-laws and amendments must be submitted to the Ontario Municipal Board for approval and do not come into force until approval has been granted. However, in the interim period between the passing of a by-law by council and its approval by the O.M.B. it is normal practice for a municipality to withhold a building permit for development that is in conflict with a zoning by-law, as soon as the by-law has been passed by council. As long as the municipality proceeds to seek approval of the by-law without undue delay, a court is not likely to force it to issue a permit. When an amendment to the zoning by-law is passed, permitting a use which was not permitted prior to the passing of the amendment, no building permit should be issued until the by-law is approved by the O.M.B.

Notice of Application for O.M.B. Approval 35(11), (13) and (17)

When a by-law is passed by council, notice of the application for Ontario Municipal Board approval must be circulated in accordance with the Board's Rules of Procedure. For a new by-law covering the whole municipality, this usually involves sending a copy to all of the ratepayers in the municipality. For an amendment, notification is normally sent to persons living within 400 feet of the property affected by the by-law. Anyone objecting to the by-law may do so by writing to the municipal clerk within a stated time limit which is usually 14 days. Every application to the Board for approval of a zoning by-law must state whether or not the affected land is covered by an official plan.

O.M.B. Hearing 35(12), (14), (24) and (25)

If one or more objections are received, the Ontario Municipal Board almost always holds a public hearing, although it may dispense with a hearing if the written objections are considered insufficient. (The legislation appears to provide for automatic approval if no objection is lodged with the municipal clerk within the prescribed time limit. This provision is misleading, however, because it only comes into force when a cabinet regulation is introduced prescribing the manner and form of notice; to date no such regulation has been issued and therefore all zoning by-laws must still be approved by the O.M.B.)

Amendment of By-Law Pending Approval 35(18)

A hearing on a zoning application may be adjourned and an amendment may be passed by council and circulated or not circulated, depending on the Ontario Municipal Board's direction. The Board may then approve the amended by-law application. This sometimes allows compromise solutions to be found to satisfy objectors, at least in part, without turning down the entire application.

The Board's Approval 35(19), (20), (23)

The Ontario Municipal Board's approval may apply to the whole or any part of a zoning by-law. The Board has the option of approving a by-law for a limited period of time and of extending the temporary approval upon application. The approval of the Ontario Municipal Board only becomes effective upon the issuance by the Board of its formal order.

A copy of the Board's decision must be supplied to the applicant and to each person who appeared at the hearing and who filed a written request with the Board for a notice of the decision. The applicant is usually the municipality, but may also be a person who appealed to the Board, as described below.

Approved By-Law is Deemed to Conform 35(28)

Any zoning by-law approved by the O.M.B. is deemed conclusively to be in conformity with the official plan then in effect in the municipality. This provision is included in the Act to prevent any arguments developing after the by-law has been approved by the Board as to whether there is conflict with the official plan.

Appeal by Citizen for Amendment 35(22)

If a municipal council refuses to pass an amendment to the zoning by-law or takes no action within a month of receiving an application, a citizen seeking an amendment may appeal to the Ontario Municipal Board. The Board will hold a hearing and either dismiss the appeal, or issue an order directing the council to pass an amendment.

Certificate of Occupancy 35(4)

A zoning by-law may provide for a certificate of occupancy, without which no change may be made in the type of use of any land or building. If the proposed use is permitted by the by-law a certificate of occupancy may not be refused. This subsection allows a municipality to keep track of proposed changes in use of land and buildings so that new uses not permitted by the by-law can be prevented from establishing.

Acquisition and Disposition of Non-Conforming Lands 35(6)

A municipal council may acquire land, buildings or structures that do not conform to the zoning by-law provisions and it may dispose of or exchange these properties. Because of the expense, this is not often done, but an example would be the acquisition by the municipality of an industrial plant located in a residential area.

Restrictions on Boundary Highways 35(8)

A municipality having zoned land on one side of a highway along its border may apply to the Ontario Municipal Board to have lands on the other side of that highway made subject to similar zoning restrictions if the adjoining municipality refuses or neglects to pass a corresponding by-law applicable to those lands.

Extension or Enlargement of a Non-Conforming Use 35(21)

A zoning by-law may be amended, with O.M.B. approval, to permit the extension or enlargement of a legal non-conforming use, i.e., a prohibited use which existed legally prior to the passing of the zoning by-law, and which therefore has a right to continue in existence. Such extension may be permitted even on land which was not under the same ownership as the non-conforming use at the time the by-law was passed.

Use of Vacant Land for Parking 35(29) - (32)

A municipal council may pass by-laws to permit the temporary use of vacant land for the parking of vehicles, although such use may otherwise be prohibited by the zoning by-law. The parking use does not thereby acquire the rights of a legal non-conforming use (see section 35(7)) when the temporary by-law runs out. The parking provided on this temporary basis does not count as part of the parking that may be required by the zoning by-law for an adjacent use. This provision is to enable a municipality to permit land which is now vacant, but which eventually is intended to be built on, to be used temporarily as a commercial parking lot.

SITE PLAN CONTROL

- General 21

- Appeal by the Applicant 21

SITE PLAN CONTROL 35a

General 35a(2)-(5)

Where there is an official plan in effect in a municipality, the council may pass a by-law whereby any prospective developer may be required to submit a site plan with his application and to enter into an agreement with the municipality regarding certain on-site features of the development. The by-law may apply to the entire municipality or to a portion of it and may relate to such things as:

road widening
access ramps and curbing
parking areas, including their surfacing
pedestrian walkways
grading of the lot for storm drainage
easements
floodlighting
landscaping
garbage storage and collection areas
snow removal

The by-law may require not only the provision of facilities but also their future maintenance. Any agreement between the municipality and the developer may be registered against the land so that it will bind subsequent owners. A site plan control by-law must be approved by the Ontario Municipal Board in the same manner as the zoning by-law, but the agreements are not subject to such approval.

Appeal by the Applicant (35a(6))

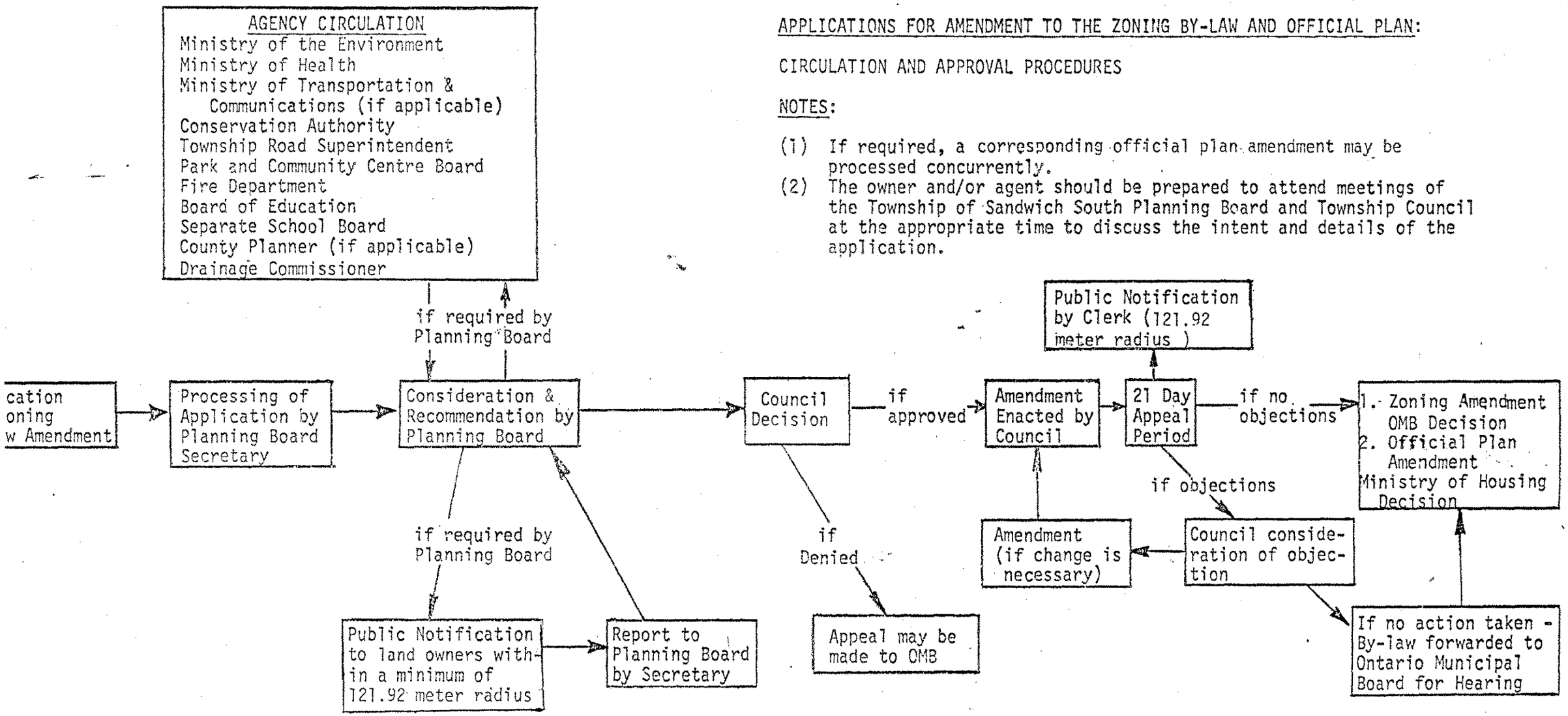
If a prospective developer is not satisfied with the agreement which the municipality wishes to impose on him as a condition of development, or if the municipality fails to approve his site plans within thirty days, or refuses to enter into an agreement, he may appeal to the Ontario Municipal Board by giving written notice to the secretary of the Board and the clerk of the municipality. The Board must then decide the matter and may require the municipality to enter into an agreement. The Board's decision is final.

APPLICATIONS FOR AMENDMENT TO THE ZONING BY-LAW AND OFFICIAL PLAN:

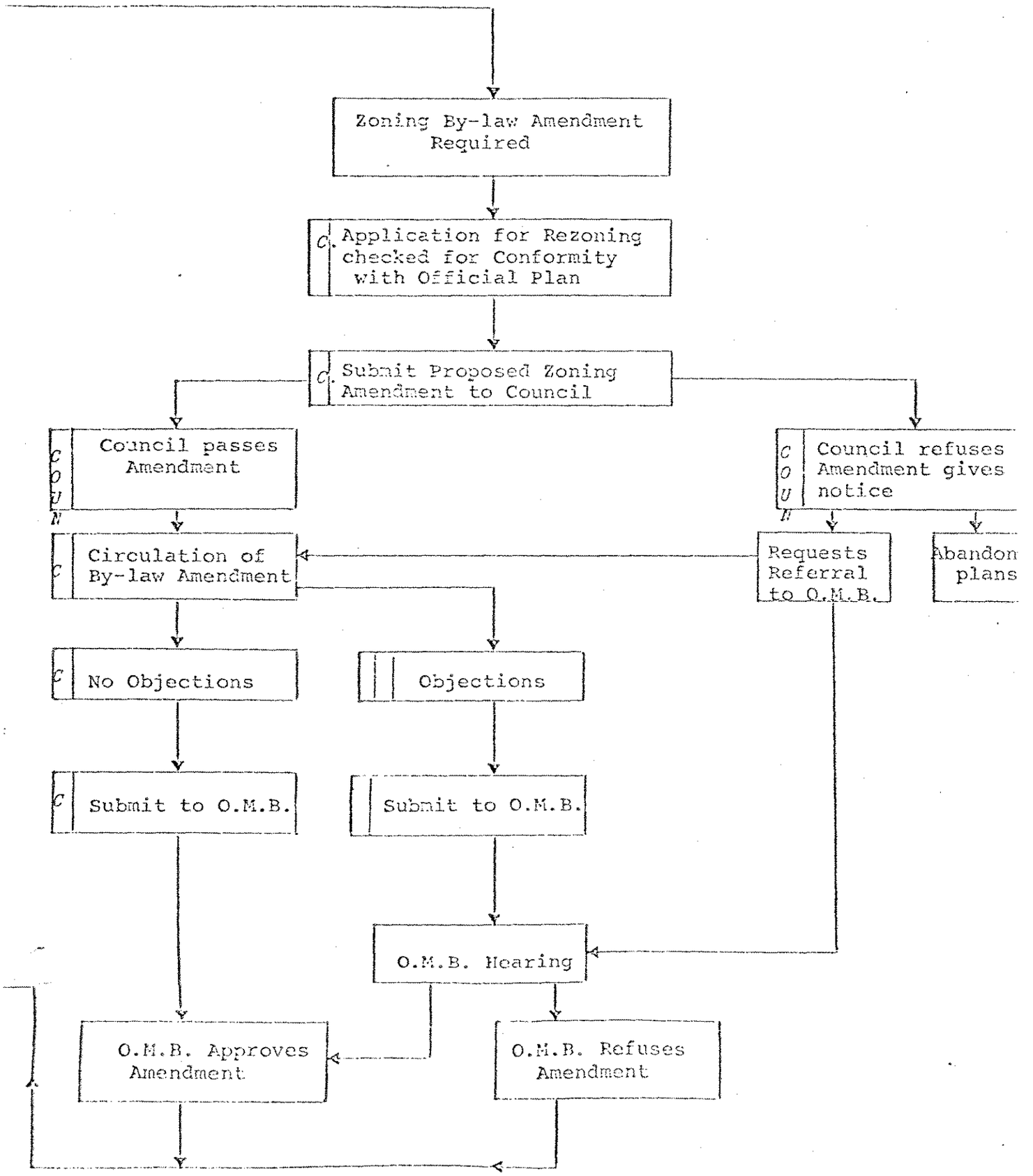
CIRCULATION AND APPROVAL PROCEDURES

NOTES:

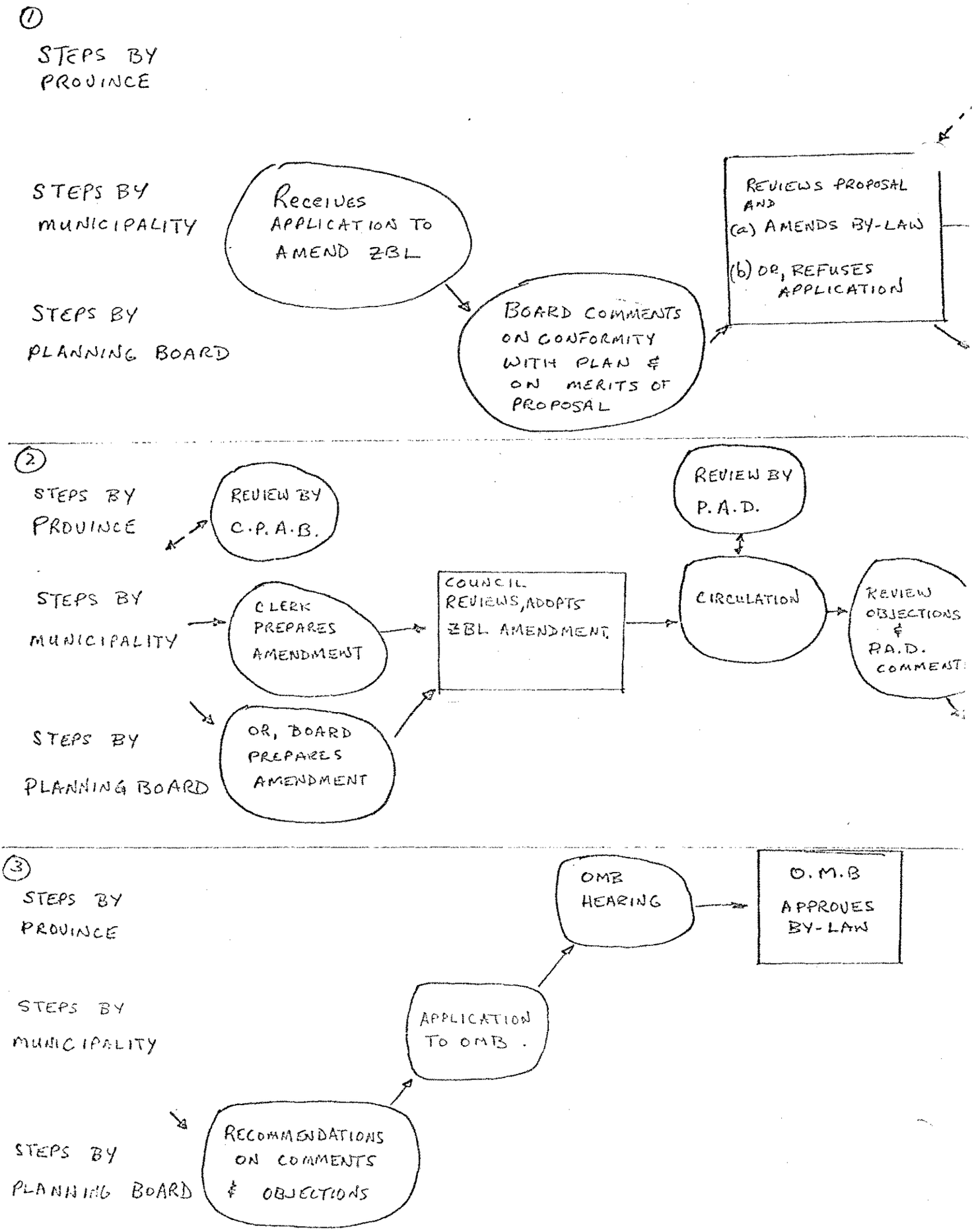
(1) If required, a corresponding official plan amendment may be processed concurrently.
(2) The owner and/or agent should be prepared to attend meetings of the Township of Sandwich South Planning Board and Township Council at the appropriate time to discuss the intent and details of the application.



ZONING CHANGE



ZONING AMENDMENT PROCESS



THE TOWNSHIP OF SANDWICH SOUTH

BY-LAW NO. 1641

A ZONING BY-LAW

being a By-law to regulate the use of land, and the character, location and use of buildings and structures in the Township of Sandwich South.

WHEREAS authority is granted under Section 30 of the Planning Act, R.S.O. 1960, subject to the approval of the Ontario Municipal Board, to pass this By-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SANDWICH SOUTH ENACTS AS FOLLOWS:

SECTION 1 - INTERPRETATION AND ADMINISTRATION

SHORT TITLE	1.1	This By-law shall be known as "The Township of Sandwich South Zoning By-law".
APPLICATION	1.2	In interpreting and applying the provisions of this By-law they shall be held to be the minimum requirements for the promotion of the health, safety, comfort, convenience and general welfare of the inhabitants of the Township of Sandwich South.
ADMINISTRATION & ENFORCEMENT	1.3	This By-law shall be administered by the Building Inspector and no permit for the use of land or for the erection or use of any building or structure or approval of any application for any municipal license within the jurisdiction of the Council shall be issued or given, where the proposed building, structure or use would be in violation of any provisions of this By-law.
VIOLATION & PENALTY	1.4	Every person who uses any land or erects or uses any building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provision of this By-law or causes or permits a violation, is guilty of an offence and upon conviction therefore shall be liable to a fine not exceeding THREE HUNDRED DOLLARS ($300.00) (exclusive of costs) which shall be recoverable under the Summary Convictions Act.
RESTRAINT OF BY-LAW CONTRAVENTION	1.5	Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, or the provisions of this By-law are (or will be by some act) contravened for any other reason the same may be restrained by action at the instance of any ratepayer, or of the Township of Sandwich South pursuant to the provisions of the Planning Act or any other applicable statute.
LITIGATION	1.6	This By-law shall not affect the rights of any party and shall not effect any land concerned in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceeding.
USE OF LAND ETC. RESTRICTED	1.7	No building, structure or land shall be used, and no building or structure shall be hereafter erected within the limits of the Township of Sandwich South as now or hereafter legally constituted except in conformity with the provisions of this By-law.

MEANING OF USE

1.8 Unless the context otherwise requires, the expression "use" or "to use" in this By-law shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.

IDEM

1.9 Unless the contrary intention appears in this By-law words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse.

SHALL TO BE MANDATORY

1.10 The word "shall" shall always be construed as mandatory in this By-law.

SEVERABILITY

1.11 If any provision of this By-law, including any part of the zoning as shown on the zoning maps, is for any reason held to be invalid, it is hereby declared to be the intention, that all the remaining provisions shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared.

BLDG'S. TO BE MOVED

1.12 No building, residential or otherwise, shall be moved within the limits of the Township of Sandwich South, or shall be moved into the Township from outside, without a permit from the building inspector.

CERTIFICATES OF OCCUPANCY

1.13 No person shall use any land, building, or structure within the Township of Sandwich South without first having obtained a certificate of occupancy.

SIGN PERMITS

1.14 A sign permit shall be required for the erection of any sign upon private or public property which shall only be issued if such sign is in conformity with the regulations hereunder applicable to such property.

BLDG. INSPECTION

1.15 The building inspector or any employee of the Township of Sandwich South acting under the direction of the building inspector or any peace officer having jurisdiction in the Township of Sandwich South is hereby authorized to enter between the hours of 8:00 o'clock a.m. (8:00 hours) and 6:00 o'clock p.m. (18:00 hours) on any day but Sunday upon any property or premises or structure for the purpose of discharging his duties and obligations under this by-law, or if there is reason to believe that the provisions of the By-law are not being complied with in whole or in part.

REPEALS

1.16 From and after the coming into force of this By-law all other zoning By-laws in force in the Township of Sandwich South, including that portion of the former Township of Sandwich East which is now incorporated in the Township of Sandwich South, be and the same are hereby repealed.

EFFECTIVE DATE

1.17 This By-law takes effect from the date of passage by Council and comes into force upon approval by the Ontario Municipal Board.

Read a FIRST AND SECOND TIME THIS 23rd day of December, 1968.

Robert Pulleyblank
Reeve

Bert R. Bedford
Clerk

Read a THIRD TIME and FINALLY PASSED this 23rd day of December, 1968.

OMB
APPROVAL
30/09/71

Robert Pulleyblank
Reeve

Bert R. Bedford
Clerk

SECTION 2 - DEFINITIONS

For the purpose of this By-law the definitions and interpretation given in this section shall govern:

Words used in the present tense include the future tense; words in the singular number include the plural; words in the plural include the singular number; and, the word 'used' includes 'arranged, designed or intended to be used'.

DEFINITIONS

2.1 Accessory
When used to describe a use, building or structure, means a use, building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

2.2 Agricultural Use shall mean general farming and without limiting the generality of the foregoing shall include the raising and harvesting of field, bush, tree or vine crops, truck gardening, nurseries, green houses, dairying, animal husbandry, raising of poultry, and the sale of produce grown on the farm from which the sale is made.

2.3 Automobile Service Station shall mean a building or place where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and bateries for motor vehicles or some one or more of such products are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed but shall not include an automobile washing establishment.

2.4 Automobile Washing Establishment shall mean a building or part thereof used for the operation of automobile washing equipment with a capacity to wash more than fifteen (15) cars per hour.

2.5 Building shall include any structure whether temporary or permanent, used or built for any purpose other than a lawful boundary, wall or fen any tent, awning, bin, bunk or platform, vessel or vehicle used upon any land or in conjunction with or connected to any structure for any purpose shall be deemed a building.

2.6 Building Inspector shall mean the officer or employees of the Township of Sandwich South for the time being charged with the duty of enforcing the provisions of the Building By-law which shall mean any by-law of the of the Township from time to time in force regulating the erection, alteration or repair of buildings.

2.7 Business Office means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business brokerage, labour or fraternal organization, and shall exclude such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

2.8 Carport shall mean a parking space that is enclosed or partially enclosed and has a roof, and is for the purpose of storing one or more private vehicles.

2.9 Coverage shall mean in relation to all buildings or structures on a lot, the sum of the areas of that storey in each building or structure having the greatest area. In measuring such area all air-wells and all other open spaces within a building shall be included.

2.10 Dangerous Trades means a use which is likely to create danger to health or danger from fire or explosion.

2.11 Dwelling shall mean a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, but shall not include mobile trailers and mobile homes, hotels or boarding or rooming houses, motels, institutions or living quarters for a cartaker, watchman or other persons or persons using living quarters which are accessory to a non-residential building or structure.

2.11.1 Dwelling Unit shall mean one or more habitable rooms designed, intended, occupied, used or capable of being occupied or used by an individual or family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or family, with a private entrance from outside the building or from a common hallway or stairway inside the building.

2.11.2 Dwelling, Single Family Detached shall mean a completely detached dwelling unit to which entrance is gained only by a private entrance outside the building.

2.12 Erect shall include build, construct, or re-construct, alter, enlarge and relocate and without limiting the generality of the foregoing shall be taken to include any associated physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

2.13 Existing shall mean existing as of the date of the final passing of this By-law.

2.14 Family shall mean an individual, or two or more persons who are related by consanguinity or marriage or legal adoption and for the purposes of this By-law a maximum of six (6) foster children shall be considered to be so related, or a group of not more than five (5) unrelated persons exclusive of servants occupying a dwelling unit, and not more than two (2) persons who receive their lodging and/or board for compensation.

2.15 Floor Area means the sum of the areas of all floors of a building measured between the external faces of exterior walls but excluding basements, cellars, attics, garages, verandahs, porches, or other similar appurtenant structures and excluding any floor area with a ceiling height less than 2.13 metres (7'0").

2.16 Frontage means the width of a lot measured along the streetline.

2.17 Garage, Private shall mean an accessory building or portion of a main building which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles.

2.18 Garage, Public shall mean a building other than a private garage which is used for the care, repair or equipping of motor vehicles, or where such vehicles are parked or stored for remuneration, hire or sale.

2.19 Height of Building shall mean the vertical height from the finished grade around the exterior of the building to the highest point of the roof joists in the case of a flat roof, or to a point halfway up the roof in the case of a pitched roof.

2.20 Hotel shall mean a hotel, tavern, inn or public house in separate buildings or two or more connected buildings designed and used for the purpose of catering to the needs of the travelling public by the supply of food and/or other refreshments, or for the furnishing of sleeping accommodation consisting of not less than six (6) bedrooms with or without private cooking facilities but not including any building or connected buildings used mainly for the purpose of supplying food and lodging and commonly known as apartment hotels.

2.21 Institution shall mean land, building, structure or part thereof used by any organization, group or association for the promotion of some charitable, educational or benevolent object and not for profit or gain.

2.22 Landscaping shall mean a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

2.23 Lane shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

2.24 Lot shall mean a parcel of land whether or not occupied by a building or structure that is:

(1) Not less than a whole lot on a registered plan of subdivision, or

(2) Not less than a parcel of land that complies with the provisions of the Planning Act, where such land is subject to subdivision control and is not within a registered plan of subdivision, or where such land is subject to part lot control and is within a registered plan of subdivision.

2.24.1 Lot Area shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot usually covered by water or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of the embankment having a slope of thirty (30) degrees or more from the horizontal.

2.24.2 Lot. Corner shall mean a lot situated at the intersection of, or abutting upon, two or more streets, each of which has a road allowance of at least 15.25 metres (50') provided that the angle of intersection of such streets is not more than one hundred thirty-five (135) degrees.

2.24.3 Lot. Interior shall mean a lot other than a corner lot.

2.24.4 Lot Line shall mean any boundary of a lot.

2.24.5 The shortest lot line (abutting any street of a corner lot shall be deemed the front lot line and the longest lot line (abutting any street) the side lot line. For other lots the front lot line means that lot line which divides any lot from the street.

2.24.6 A rear lot line is the lot line farthest front and opposite to a front lot line and a side lot line is any lot line other than a rear or front lot line.

2.25 Main Building shall mean the building designed or used for the main use on the lot.

2.26 Motel shall mean a separate building or two or more connected or detached buildings designed and used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments and without limiting the generality of the foregoing shall include a motor court, auto court and tourist home, within the meaning of the Tourist Establishment Act.

2.27 Obnoxious Use means a use with which is associated the emission of odour, smoke, dust, noise, gas, fumes, cinders, refuse matter or water-borne wasteor which is associated with fly ash and foundry sand, or which is declared to be a noxious trade under The Public Health Act.

2.28 Outside Storage shall mean the storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.

2.29 Parking Area shall mean an open area, other than a street, used for the temporary parking of two or more motor vehicles and available for public use whether free, for compensation or as an accommodation for visitors, clients or customers or residents.

2.30 Parking Space shall mean an area enclosed in a main building or in an accessory building or unenclosed, set aside for the purpose of parking a vehicle, having access to a street or lane and having a minimum area and dimensions exclusive of aisles or driveways as follows:

Minimum Area	18.58 square metres (200 sq. ft.)
Minimum Width	3.05 metres (10 ft.)
Minimum Aisle Width	6.71 metres (22 ft.)

2.31 Person shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

2.32 Professional Office means any office where professionally qualified persons, technical assistantsand clerical staff are employed and where clients or patients go for advice, consultation or treatment.

2.33 Renovation shall mean the repair and restoration of a building to good condition but shall not include its replacement.

2.34 Road or Highway (Public) shall mean a road which has been assumed by the Department of Highways of Ontario, The County of Essex, or the Township of Sandwich South. Street shall mean such public highway or road as affords the main means of access to any lots abutting thereon.

2.35 Scrap Yard shall include a lot and/or premises for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage.

2.36 Setback shall mean the distance between the centreline of the original road allowance and the nearest main wall of any building or structure and extending the full width or length of the lot.

2.37 Street Line shall mean the dividing line between a lot and a street.

2.38 Structure shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by or incorporated within the soil and/or any other structure, and without limiting the generality of the foregoing a swimming pool either above or below ground is a structure.

2.39 Trailer shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the said motor vehicle and capable of being used for living, sleeping or eating accommodation, notwithstanding that such vehicle is jacked up or that its running gear is removed.

2.40 Yard shall mean an open area of land, other than a court, on the same lot with a main building or structure, unoccupied and unobstructed except as otherwise provided or required, by this By-law located between the main building and one of the lot lines of the said lot.

2.40.1 Yard. Front shall mean a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or structure on the lot.

2.40.2 Yard. Side shall mean a yard between the main wall of the main building or structure and the side lot line extending from the front yard (or front lot line if no front yard is required) to the rear yard (or rear lot line if no rear yard is required).

2.40.3 Yard. Rear shall mean a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on such lot.

2.40.4 Yard. Exterior Side means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the side lot line abutting upon a street and the nearest main wall of any building or structure.

SECTION 3 - GENERAL PROVISIONS

APPLICATION

3.1 The provisions of this section shall apply to all zones except as may otherwise be indicated.

LOTS TO FRONT ON PUBLIC ROAD

3.2 All lots created after the date of passing of this By-law shall front on and have access to a public road or highway.

EXISTING BUILDINGS HAVING LESS THAN MINIMUM LOT OR YARD REQUIREMENTS

3.3 Where a building has been erected prior to the date of the passing of this By-law, on a lot having less than the minimum frontage and/or area, or, having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated.

PERMITTED ENCROACHMENTS IN YARDS

3.3.1 The enlargement, reconstruction, repair or renovation does not further reduce such front yard and/or side yard and/or rear yard having less than the minimum required by the By-law, and

3.3.2 All other applicable provisions of this By-law are complied with.

3.4 Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided, however, that fences and hedges in accordance with the provisions of Sub-section 3.14 of this By-law shall be permitted and that those structures listed in the following table shall be permitted to project into the minimum yards indicated for the distances specified.

3.5

Structure	Yards in which projection is permitted.	Maximum projection from main wall permitted.
Sills, belt courses, cornices, eaves, gutters, chimneys or pilasters.	Any yard.	76.2 centimetres (30")
Fire escapes and exterior staircases.	Rear yard only	91.44 centimetres (3') over a maximum width of 304.8 centimetres (10').
Window bays.	Front, rear and exterior side yards only.	91.44 centimetres (3') over a maximum width of 304.8 centimetres (10').
Balconies	Front, rear and exterior side yards only for single family detached dwellings.	1.52 metres (5').
Open, roofed porches not exceeding one (1) storey in height, uncovered terraces.	Front and rear yards only.	2.43 metres (8'), including eaves and cornices.

EXCEPTIONS TO HEIGHT LIMITATIONS

3.6 The height limitation of this By-law shall not apply to Church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators or sky-lights.

ACCESSORY BUILDINGS

3.7 In Residential and Commercial Zones private garages or other accessory buildings shall not:

3.7.1 Be used for human habitation except where a dwelling is a permitted accessory use.

3.7.2 Be built in a front yard. Where an accessory building is built on a corner lot, it shall be located in the side yard which is not adjacent to the flanking street or in the rear yard and not closer to a street than the setback required for the main building.

3.7.3 Exceed 4.57 metres (15') in height in a Residential Zone.

3.7.4 Exceed eight per cent (8%) coverage of the total lot area.

* 3.7.5 Be built closer than 1.82 metres (6') to a lot line except for common semi-detached garages which may be centres on a mutual side lot line.

* 3.7.6 Be considered an accessory building if attached to the main building in any way.

3.7.7 Notwithstanding the parking regulations under Paragraph 3.8 where an accessory building is a detached garage it shall be located in the rear yard not closer than 3.05 metres (10') behind the rear wall of the house.

AUTOMOBILE PARKING SPACES

3.8 There shall be provided for every building, or part thereof, erected after the date of enactment of this By-law, in any zone, an area for automobile parking. Adequate provisions for access to a street or public lane from each individual parking space, unobstructed by any other parking space shall be provided and unless otherwise stated, the parking shall be provided within 91.44 metres (300') of the building. Such parking space shall be provided as follows:

3.8.1	Type of Building	Minimum Parking Required
	For each dwelling unit	One (1) space in a private garage or carport; in either the side yard behind the front yard setback line or in the rear yard between the main wall of the mail building and the rear yard setback line for the zone in which the dwelling is situated in the case of a single family detached dwelling; or in the rear yard in the case of a dwelling unit in the same building as a store.

(*See By-Law 71-25 amending Sub-sections 3.7.5 and 3.7.6)

3.8.1 (continued)

Type of Building	Minimum Parking Required
Any commercial use in a Rural Commercial Zone except those uses specifically listed elsewhere in this Section.	One (1) parking space for each 55.74 square metres (600 sq. ft.) or fraction thereof of commercial floor space within the building.
Any commercial use in a General Commercial Zone except those uses specifically listed elsewhere in this Section.	One (1) parking space for each 37.16 square metres (400 sq.ft.) or fraction thereof of commercial floor space within the building.
A business office	One (1) parking space for each 37.16 square metres (400 sq.ft.) or fraction thereof of rentable floor space in the building.
Auditorium, arena, church, hall, restaurant, tavern, theatre, club and other place of assembly.	Where there are fixed seats one (1) parking space for every five (5) seats or 3.05 metres (10') of bench space of its maximum seating capacity. Where there are no fixed seats one (1) parking space for each 9.29 square metres (100 sq.ft.) or fraction thereof of floor area devoted to public use.
Hospital, Sanatorium, Nursing Home	One (1) parking space for each two (2) beds.
Schools	One (1) parking space for each staff member or school employee.
Libraries	Minimum ten (10) parking spaces.
Government Buildings	One (1) parking space for each four (4) employees plus a parking area for visitors with a minimum capacity of ten (10) parking spaces.
Hotels, Motels and Taverns	One (1) parking space for each guest room or suite of a motel; one (1) parking space for every three (3) guest rooms of a hotel, plus one (1) parking space for each 9.29 square metres (100 sq.ft.) or fraction thereof of floor space area within the hotel, motel or tavern devoted to public uses.
Funeral Homes	One (1) parking space for each five (5) seats capacity of the Funeral Home with a minimum of ten (10) parking spaces.
Bowling Alleys and Curling Rinks	One (1) parking space for each two (2) persons in the designed capacity of the establishment, (Designed capacity shall mean six (6) persons per bowling lane and eight (8) persons per curling sheet), in addition to the requirements for the rest of the building.
Industrial Establishments	One (1) parking space for each 92.9 square metres (1,000 sq.ft.) or fraction thereof building on the lot.

PARKING AREA REQUIREMENTS

3.9 Parking areas required by this By-law shall conform to the following requirements,

3.9.1 The parking areas and approaches shall be maintained with a stable surface that is treated to prevent the raising of dust or the creation of mud.

3.9.2 Provision for drainage facilities shall be made in conformance with the requirements of the Municipality.

3.9.3 The lights used for the illumination of the parking area shall be so arranged as to divert the light away from adjacent properties.

3.9.4 In a Rural Commerial (RC) and General Commercial (GC) Zone, no parking area shall be located closer than 1.52 metres (5') to any street line nor 3.05 metres (10') to any other side lot line or rear lot line and the boundaries of such parking area shall be defined by a permanent curb of concrete or rolled asphalt or other suitable obstruction designed to provide a neat appearance.

3.9.5 Where a parking area is designed to accommodate more than four (4) automobiles, a strip of land not less than 3.05 metres (10') wide lying within the lot in which the parking area is situated, and along the boundaries of the parking area, shall be adequately landscaped.

3.9.6 A structure, not more than 3.05 metres (10') in height and not more than 4.64 square metres (50 sq.ft.) in area may be erected in the parking area for the use of attendants in the area.

3.9.7 No sign other than directional signs and the name of the owner, not exceeding .83 square metre (9 sq.ft.) in size, shall be erected on any parking area or parking lot.

LOADING SPACES

3.10 No person shall, in any Zone, erect or use any building or structure for manufacturing, storage, warehouse, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary or other uses similary involving the frequent shipping, loading or unloading of persons, animals or goods unless there is maintained on the same premises with every such building, structure or use, one (1) off-street space for standing, loading and unloading, and such space shall be at least 3.65 metres (12') by 9.14 metres (30') in area ((with a minimum height of 4.26 metres (14') clearance)) for every 1858.06 square metres (20,000 sq. ft.) or fraction thereof of building floor area used for any purpose in excess of 278.7 square metres (3,000 sq.ft.) of such area.

LOADING AREA REQUIREMENTS

3.11 Loading areas required by this By-law shall conform to the following requirements,

3.11.1 The loading areas and approaches shall be maintained with a stable surface that is treated to prevent the raising of dust or the creation of mud.

3.11.2 Provision for drainage facilities shall be made in conformance with the requirements of the Municipality.

3.11.3 The lights used for the illumination of loading areas shall be so arranged as to divert the light away from adjacent properties.

LANDSCAPING

3.12 For all off-street spaces for loading and unloading, a strip of land not less than 3.05 metres (10') wide lying within the lot in which the space is situated, and along the boundaries of the space, shall be adequately landscaped.

SETBACK AND SIDEYARD SETBACK ON ARTERIAL ROADS

3.13 Notwithstanding the setback and sideyard setback requirements prescribed in subsequent sections of this By-Law all structures adjacent to the King's highways or to roads under the authority of the Corporation of the County of Essex shall be set back in the case of the King's Highway at least 32.0 metres (105') from the centreline thereof and in the case of the County roads, at least 25.9 metres (85') from the centreline thereof or in both instances such greater setbacks as shall be required by the Department of Highways of Ontario or the Corporation of the County of Essex as the case may be.

DAYLIGHT CORNERS

3.14 Notwithstanding any other provisions of this By-law, no building, shrub, foliage, or fence above the grade of the road with a height exceeding 60.96 centimetres (2') shall be erected or planted within the triangular space.

3.14.1 including between the street lines for a distance of 9.14 metres (30') from their point of intersection, and

3.14.2 included between a street line and a railway right-of-way for a distance of 30.48 metres (100') from their point of intersection.

SIGNS ETC.

3.15 No sign, billboard or poster shall be erected in a Residential Zone or an Agricultural Zone other than the following:

3.15.1 A name plate not larger than 1393.55 square centimetres or .13 square metres (1-1/2 sq.ft.) indicating the name of the occupant.

3.15.2 A sign not larger than 1858.06 square centimetres or .19 square metres (2 sq.ft.) indicating caution, safety or no trespassing.

3.15.3 A sign not larger than 3716.1 square centimetres or .37 square metres (4 sq.ft.) advertising land or premises for sale, lease or rent.

3.15.4 A sign not larger than 5574.18 square centimetres or .56 square metres (6 sq.ft.) advertising a nursing home, rooming or board-

3.15.4 (continued)
ing house or apartment.

3.15.5 A sign or bulletin board for a church, school, community hall, or fraternal organization, not exceeding 1.49 square metres (16 sq.ft.) in area.

3.15.6 Signs in connection with a construction project during the course of work on that project.

3.15.7 Any traffic or direction sign erected by a public authority, a voters' list or other public proclamation.

3.15.8 One sign for the purpose of advertising the location of premises or the sale of produce, which sign shall be not larger than 3.72 square metres (40 sq.ft.) in area and 6.1 metres (20') in height above the adjoining ground.

3.15.9 Nothing in this subsection shall prohibit free standing or incised lettering indicating the name of a building or structure which forms part of the architecture of the said building or structure.

3.15.10 Any sign permitted under this Clause shall be located on the same lot as the premises advertised or identified.

3.15.11 Not more than one (1) sign may be erected on any one(1) lot for any purpose permitted in this Clause.

PERMITTED PUBLIC USES

3.16 The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Township or by any local Board defined by the Planning Act, R.S.O. 1960 Chapter 296, The County of Essex, any department of the Government of Ontario or Canada, including the Hydro Electric Power Commission of Ontario provided that:

3.16.1 The lot coverage, setback and yard requirements prescribed for the Zone in which such land, building or structure is located shall be complied with.

3.16.2 No goods, material, or equipment shall be stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone.

3.16.3 Any building erected in a Residential or Agricultural Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the Zone.

3.16.4 Where a lot is used under the provisions of this sub-section in a Residential or Agricultural Zone, the land not used for buildings shall be treated in a manner that is in general harmony with the surrounding properties.

USE AS PITS, QUARRIES, GARBAGE DUMPS, PROHIBITED

3.17 As from the date of passing of this By-law, no land within the Township of Sandwich South shall be used for pits, quarries or garbage dumps except that land may be used for a garbage dump with the approval of the Township Council.

OBNOXIOUS USES PROHIBITED

3.18 No obnoxious use shall be permitted anywhere within the Township.

DANGEROUS USES

3.19 No land, building or structure except automobile service stations or duly licensed motor vehicle race tracks shall be used in the Township for commercial or industrial purposes which are likely to create danger to health, or danger from fire or explosion which without limiting the generality of the foregoing shall include storage or manufacture of coal oil, water oil, rock oil, fuel oil, burning fluid, gas, naptha, benzene, gasoline, dynamite, dualine, nitro-glycerine, gunpowder, petroleum and petroleum products.

LANDS SUBJECT TO FLOODING

3.20 In all Zones the erection of buildings or structures for Agricultural, Residential, Commercial or Industrial purposes shall be prohibited on land that is subject to flooding or on land where by reason of its rocky, low-lying, marshy or unstable character, the cost of construction of satisfactory waterworks, sewage or drainage facilities is prohibitive.

TRUCK, BUS, COACH, STREET-CAR BODY

3.21 No truck, bus, coach, or streetcar body shall be used for human habitation within the Township, whether or not the same is mounted on wheels.

TEMPORARY ACCOMMODATION FOR WORKMEN

3.22 Where a shack, shanty, bunk-house or other temporary structure is used for the accommodation of workmen engaged in work of a temporary or seasonal nature, such building or structure,

3.22.1 shall be so used only for the duration of the work, and

3.22.2 shall be locked or boarded up and not be used as accommodation when the work in connection with which they were constructed is terminated.

OCCUPANCY OF INCOMPLETE BUILDING

3.23 No new building shall be occupied without a certificate of occupancy which shall not be issued before the main side walls and roof have been erected and the external siding and roofing have been completed and, where applicable, kitchen, heating and sanitary conveniences have been installed and are in satisfactory working order.

DERELICT AUTOMOBILES

3.24 No land shall be used for keeping of derelict motor vehicles that are in a wrecked, discarded, dismantled, inoperative or abandoned condition except the Industrial (I) Zone.

FLY ASH AND FOUNDARY SAND STOCK PILING

3.25 The stock piling of fly ash and foundary sand is not permitted in any zones. These materials may be used for filling construction pits, quarries and other excavations in Agricultural (A) and Industrial (I) Zones but the fill material shall be covered with a minimum of 1.82 metres (6') of stable earth up to but not above grade.

SECTION 4 - REQUIREMENTS FOR THE ZONES

ZONES

4.1 For the purpose of this By-law the Township of Sandwich South is hereby divided into the following five (5) use Zones.

Zone	Symbol
Agricultural	A
Residential	R
General Commercial	GC
Rural Commercial	RC
Industrial	I

ZONING MAP

4.2 The Zones set out in 4.1 and the boundaries of such zones are shown upon the maps attached hereto, marked Schedules A to E, designated as the Zoning Maps, which zones, boundaries and maps are hereby declared to form part of this By-law.

BOUNDARIES OF ZONES

4.3 Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following rules shall apply.

4.3.1 The Zone boundaries are either roads or lanes unless otherwise shown, and where the indicated boundaries on the Zoning Maps are approximately roads or lanes, such roads or lanes shall be construed to be the zone boundaries.

LOT LINES

4.3.2 Where the Zone boundaries are not shown to be roads or lanes, and where indicated boundaries on the Zoning Maps are approximately lot lines, the said lot lines shall be construed to be the zone boundaries unless the said boundaries are otherwise indicated on the map.

SYMBOL OF ZONE

4.3.3 Where one (1) symbol is used on the Zoning Maps to indicate the zone classification of an area divided by a road or lane, the said symbol shall establish the classification of the whole of such area.

ROAD OR RIGHT-OF-WAY

4.3.4 A road, lane, railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse included on the Zoning Maps shall, unless otherwise indicated, be included within the zone of the adjoining property on either side thereof; and where such roads, lane, right-of-way or watercourse serves as a boundary between two or more different zones a line midway in such road, land, right-of-way or watercourse and extending in the general direction of the line division thereof shall be considered the boundary between the zones unless specifically indicated.

CLOSED ROAD OR LANE

4.3.5 In the event a dedicated road, lane, or railway, shown on the maps is closed, the property formerly in said road, lane or railway shall be included within the zone of the adjoining property on either side of the said closed road, lane or railway. In the event the said road, lane or railway was a zone boundary between two or more different zones, the new zone boundary shall be the former centreline of the said closed road, lane or railway.

BOUNDARIES OTHER THAN ROADS OR LOT LINES

4.3.6 Where a zone boundary is not a road or lane, nor a lot line, and a specific measurement indicating the position of the said boundary is not shown on the zone map, the position thereof shall be determined by scaling from the zone map.

ZONE PROVISIONS

4.4 No person shall within any of the said zones created by this By-law erect or use any building or structure or display any sign or use any land in whole or in part except in such manner and for the permitted uses applicable to such zones as provided herein.

SECTION 5 - AGRICULTURAL (A) ZONE

USES PERMITTED

5.1 No person shall use land, or erect or use a building or structure in the Agricultural (A) Zone except for one or more of the following permitted uses:

- agricultural uses together with residential accommodation for the owner and resident staff
- a single family detached dwelling, on a lot created prior to the passing of this Zoning By-law or on a lot created by the Committee of Adjustment hereafter
- parks, playgrounds, golf courses, conservation and reforestation areas, recreation or sports fields
- churches, schools and institutions
- cemetaries
- air strips and air fields
- establishments for the breeding of birds, fish or animals
- establishments for the storage or processing of agricultural produce, and
- hunting preserves.

REQUIREMENTS FOR BUILDINGS

5.2 No person shall use land,or erect or use a building or structure in the Agricultural (A) Zone unless the following regulations are complied with:

5.2.1	Minimum Lot Area	4046.86 sq. metres or .5 hectare (1 acre)
5.2.2	Minimum Lot Frontage	30.48 metres (100')
5.2.3	Minimum Building Floor Area	92.9 sq. metres (1000 sq.ft.)
5.2.4	Minimum Building Setback	25.9 metres (85') from the centreline of the highway or road
5.2.5	Minimum Side Yard	6.1 metres (20')

REQUIREMENTS FOR CHURCHES AND OTHER INSTITUTIONS

5.3 Churches, community or fraternal halls institutions or similar places of assembly shall conform to the following requirements:

5.3.1	Minimum Lot Area	8093.7 sq.metres or 1 hectare (2 acres)
5.3.2	Minimum Lot Frontage	60.96 metres (200')
5.3.3	Minimum Side Yard Width	4.57 metres (15')
5.3.4	Minimum Rear Yard Depth	7.62 metres (25')

5.3.5 No parking areas for visitors shall be permitted in a yard adjacent to a Residential (R) Zone.

5.3.6 All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

SECTION 6 - RESIDENTIAL (R) ZONE

USES PERMITTED

6.1 No person shall use land, or erect or use a building or structure in the Residential (R) Zone except for one or more of the following permitted uses:

- Single Family Detached Dwellings
- Churches and Schools
- Parks and Playgrounds.

REQUIREMENTS FOR DWELLINGS

6.2 No person shall use land, or erect or use a building or structure in the Residential (R) Zone unless the following regulations are complied with:

6.2.1	Minimum Lot Area	No municipal services	.25 hectare (½ acre)
		Municipal water supply	929.03 sq. metres (10,000 sq.ft.)
6.2.2	Minimum Lot Frontage	No municipal services	30.48 metres (100')
		Municipal water supply	22.86 metres (75')
6.2.3	Maximum Lot Coverage	No municipal services	15% of the lot area
		Municipal water supply	25% pf the lot area
6.2.4	Minimum Setback	20.73 metres (68') from the centreline of the road	
6.2.5	Minimum Sideyard Set-back on Corner Lots	15.24 metres (50') from the centreline of the road or 5.18 metres (17') from the side lot line whichever is the greater	
6.2.6	Minimum Side Yard	1.82 metres (6') on one (1) side and 3.05 metres (10') on the other side where there is no carport or garage or 1.82 metres (6') on both sides where a carport or garage is attached	
6.2.7	Minimum Rear Yard	9.14 metres (30')	
6.2.8	Minimum Building Floor Area	92.9 square metres (1000 sq.ft.)	
6.2.9	Maximum Building Height	10.66 metres (35')	

PROFESSIONAL HOUSEHOLD OCCUPATIONS AND BUILDING TRADES AND SERVICES IN DWELLINGS

6.3 Provided that no more than a maximum of one (1) assistant is employed and not more than twenty-five percent (25%) of the total floor area of the main building is so used nothing in this By-law shall prevent the use, wholly within a dwelling or accessory building for,

6.3.1 professional offices by medical practitioners, insurance agents, realtors, barristers, solicitors, and notaries, or surveyors;

6.3.2 household occupations including hairdressing, or the making, weaving, spinning or otherwise fabrication of clothes, toys, garden or household ornaments together with the sale of the same;

6.3.3 building trades establishments, or electrical plumbing, radio or T.V. service establishments, provided that there is no outside storage of materials and provided that any workshops shall not exceed 37.16 square metres (400 sq.ft.).

TRUCK P[illegible]ING PROHIBITED

6.4 The parking of trucks and other commercial vehicles not associated with a permitted use is prohibited in residential zones.

SECTION 7 - GENERAL COMMERCIAL (GC) & RURAL COMMERCIAL (RC) ZONES

GENERAL COMMERCIAL ZONE USES PERMITTED

7.1 No person shall use land, or erect or use a building or structure in a General Commercial (GC) Zone except for one or more of the following permitted uses:

- Ambulance Service
- Animal Hospitals
- Automobile service stations, garages, used and new automobile lots and equipment dealers
- Automobile washing establishments
- Banks
- Barber Shops and Beauty Salons
- Hotels, motels and taverns
- L.C.B.O. and Brewers' Retail outlets
- Laundry or dry cleaning establishments
- Nurseries, greenhouses and open air markets
- Professional and business offices
- Public and private parking areas
- Public halls
- Restaurants
- Retail stores
- Tourist Homes
- Undertaking establishments
- and any use similar to or accessory to the foregoing uses provided that it will conform to the policies expressed in the Official Plan of the Sandwich South Planning Area.

RURAL COMMERCIAL ZONE USES PERMITTED

7.2 No person shall use land or erect or use a building or structure in a Rural Commercial (RC) Zone except for one or more of the following permitted uses:

- Automobile service stations but not public garages
- Banks
- Barber shops and beauty salons
- Business and professional offices
- Farm implement dealers
- Grain and feed merchants
- Motels, hotels and cabins
- Public and private parking areas
- Restaurants
- Retail stores
- Studios, agencies and salons
- and buildings accessory thereto,
- and Tourist Homes