

**PLANNING JUSTIFICATION
REPORT**

ADDENDUM No. 2

PREPARED FOR:

1000083282 Ontario Limited (Piroli)

RIVERS EDGE PHASE 3
PROPOSED RESIDENTIAL
INFILL DEVELOPMENT

BRUNNER AVENUE
TOWN OF AMHERSTBURG

PREPARED BY:

STOREY SAMWAYS PLANNING LTD.
CHATHAM, ONTARIO

July 23, 2025

ADDENDUM No. 2 to
PLANNING JUSTIFICATION REPORT

RIVERS EDGE PHASE 3

July 23, 2025

1.0 FOREWORD

This document is the second addendum to the original Planning Justification Report (PJR), dated December 19, 2024. The initial addendum was dated March 25, 2025, and dealt with drainage matters.

This second addendum deals with potential noise impacts and addresses conformity with the existing County of Essex Official Plan (COP14), as discussed further below. The need for both addendums arose from comments received from the County and Town of Amherstburg Planning Departments, as part of the complete application process.

The Official Plan Amendment (OPA), the Zoning By-law Amendment (ZBA) and the Draft Plan of Subdivision (POS) application have been filed under the Planning Act and are presently being considered by the approval authorities – the Town of Amherstburg, and the County of Essex.

2.0 BACKGROUND

In a letter dated April 11, 2025 to Piroli, Rebecca Belanger, Manager of Planning Services for the County, identified two matters which would require further review in her opinion:

- Provide an addendum to the existing Sound Study, or a fresh sound study that considers a Class III industry on neighbouring lands, to be prepared in accordance with D1 – D6 Series Guidelines (P.5)
- As the County has as yet not received approval for the new County of Essex Official Plan 2024 (COP24) which was reviewed in the PJR, the existing COP14, being the actual document in force at this time, the proposed development should be assessed with this document as well. (P.1).

These items are considered below.

3.0 ENGINEERING NOISE REPORTS

Akoustik Engineering Ltd. was retained by Piroli to address the Belanger concerns. Accordingly, two reports were prepared:

- D-6 Land Use Compatibility (Noise) Study for the Proposed Phase 3 Residential Development – Brunner Avenue: Amherstburg, ON, dated June 26, 2025
- Potential Brunner Avenue Traffic Noise from the Proposed Phase 3 residential Development, Amherstburg, Ontario, dated June 26, 2025

The conclusions of the first report state as follows:

A D6 land use compatibility study for noise impacts was completed for the proposed Phase 3 residential development located along the north side of Brunner Avenue in consideration of potential future uses at the adjacent heavy industrial zoned lands. The compatibility analysis considered the current setback distance restriction due to the present sensitive land uses. Assuming that future industrial uses comply with the present setback restrictions and are located at a minimum distance of 285 metres from the north property line of the proposed development, the noise levels produced by the future stationary source are predicted to meet the MECP noise guideline limits and intended purpose of the Ontario Ministry Guideline D-6: Compatibility between Industrial Facilities document. Given the above, it is recommended that the proposed residential development be given approval regarding land use compatibility for noise.

Comment: I agree with the recommendation, which mirrors my own finding in the original PJR.

The conclusion of the second report states as follows:

In conclusion, the above updated analysis of the road traffic noise impacts resulting from the construction of the three phases of the proposed residential development has demonstrated that there is no appreciable increase in noise at the existing homes along Brunner Avenue due to the changes in road traffic volume. I trust that you will find that the above information meets your requirements. Please do not hesitate to contact me if you require any additional information.

Comment: the potential issue of noise impact on the existing neighbouring dwellings arising the Phase 3 development was not considered in the PJR. However, as found in the second report, there should be “no appreciable increase in noise”.

These two reports will be submitted separately.

Based on the findings of these reports, it is my conclusion that it is in the public interest for these applications to proceed.

4.0 2014 COUNTY OF ESSEX OFFICIAL PLAN (COP14)

4.1 Overview

There are several distinct differences, relevant in the consideration of the Phase 3 development, between the COP14 and COP24 as follows:

- i) COP14 implemented the Provincial Policy Statement of 2005 (PPS 2005), while COP24 implements the Provincial Planning Statement 2024 (PPS 24). The PJR included a comprehensive review of COP 24, concluding the proposed development was consistent with this document.
- ii) While the definitions provided for “intensification” are identical, only COP24 includes a definition for infilling, which was addressed in the PJR.
- iii) In COP14, the required intensification target for new residential units was 15% of all new development. In COP24, the target is 30%.
- iv) COP24 includes a new process called Local Settlement Area Review (LSAR) which had policies relevant to Phase 3. COP14 does not contain similar policies.
- v) COP24 contains a separate section with robust employment land use policies. COP14 does not.

4.2 Relevant COP14 Policies

- i) 2.12 NOISE, VIBRATION AND SAFETY

Prior to permitting development that may be affected by noise, vibration and/or safety, a study may be required to assess the impact of the noise, vibration and safety on proposed residential or other sensitive land uses.

Comment: as noted above, the requisite studies have been provided, noting there is no need for any mitigation measures.

ii) 3.2 SETTLEMENT AREAS (3.2.2 GOALS)

The following goals are established for those lands designated as "Settlement Areas" on Schedule "A1":

- a) *Support and promote public and private re-investment in the Primary Settlement Areas.*

Comment: the Phase 3 project represents "private investment" in a Primary Settlement Area.

- i) *Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.*

Comment: the Phase 3 project is an excellent example of intensification.

iii) 3.2.4 PRIMARY SETTLEMENT AREAS (3.2.4.1 POLICIES)

The following policies apply to Primary Settlement Areas:

- g) *The County encourages the redevelopment of brownfield properties.*

Comment: Phase 3 is an example of a redevelopment on a brownfield property.

- i) *Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.*

Comment: the Phase 3 project can be considered cost-effective in that it can access a local road, services and utilities without costly upgrades, or extension of existing infrastructure. No issues regarding "environmental, heritage preservation or public health and safety concerns" have been identified.

iv) 3.2.6 GENERAL SETTLEMENT AREA POLICIES

The following policies apply to all "Settlement Areas" identified on Schedule "A1" of this Plan:

- b) *The County supports residential intensification within Primary Settlement Areas.*

Comment: as discussed in the PJR, the Phase 3 project is an excellent example of residential intensification.

v) 3.2.7 INTENSIFICATION AND REDEVELOPMENT

The County encourages well-planned intensification development projects in the "Settlement Areas" to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community.

The County also specifically encourages residential intensification and redevelopment within Primary Settlement Areas in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities.

The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment.

Implementation and annual reporting to the County on meeting this target will be the responsibility of the local municipalities.

Comment: Phase 3 proposes 48 units qualifying as infilling, which should assist the Town in meeting its intensification target, whether the 15% required in COP14, or the 30% in COP24.

4.3 Conformity with COP14

In my opinion, the Phase 3 project clearly implements the various relevant policies reviewed, and can be said to be in conformity with COP14.

5.0 CONCLUSION

As noted in the Background, the items required for further review were an updated sound study, and conformity of the project with COP14, the Official Plan actually in force at the time of writing. As noted, the Akoustik studies submitted both concluded that the Phase 3 development could proceed without any mitigation requirements.

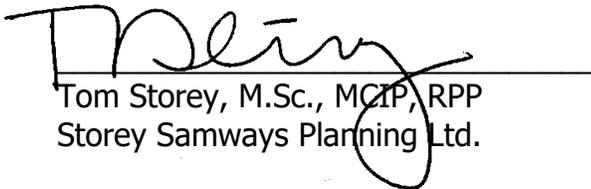
Also, review of the relevant COP14 policies revealed Phase 3 is an excellent example of cost-effective development and residential intensification, important goals of this Official Plan.

Thus, these two particular items raised by Ms. Belanger in her April 15, 2025 letter have been addressed.

Therefore, Item 6, in my original conclusion, Section 2.0 of the PJR, remains unchanged:

- 6. In my opinion, based on the foregoing, the proposed Rivers Edge Phase 3 development is the best planning outcome, and in the public interest, for the subject lands on Brunner Avenue.*

Prepared by:



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