

AMHERSTBURG COMMITTEE OF ADJUSTMENT
Wednesday, June 7, 2023, 8:00 AM
MINUTES

Present: D. Cozens, Chair, D. Shaw, Vice Chair, T. Buchanan, A. Campigotto

Absent: J. Mailloux (with notice)

Also Present: Janine Mastronardi, Secretary-Treasurer, Kevin Fox, Clerk, Karly Kennedy, Policy and Committee Coordinator, Chris Aspila, Manager, Planning Services, Renee Guthrie, Planning Clerk

1. Call to Order

The Chair, David Cozens, called the meeting to order at 8:02 a.m. and performed introductions of the Committee members and administration.

2. Roll Call

The Chair completed the roll call for the meeting.

3. Land Acknowledgement

The Chair has read the following land acknowledgment;

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron- Wendat, and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

4. Disclosure of Interest

There were no disclosures of interest.

5. Adoption of Minutes

The Chair requested comments on the adoption of minutes of May 3, 2023 Committee of Adjustment meeting.

Moved by: Terris Buchanan

Seconded by: Anthony Campigotto

That the Minutes of the Committee of Adjustment Meeting of May 3, 2023 **BE ADOPTED** as presented.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	Absent
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

-Motion Carried-

6. Order of Business

6.1 Applications B/16/23 & B/17/23 – Stanley Thampi, c/o Timber Valley Homes Inc. (Ian Barr), Agent – 271 & 261 Crystal Bay Dr. (Roll No. 3729-640-000-19750 & 3729-640-000-19710)

Public in Attendance: Stanley Thampi, Applicant & Ian Barr, Agent

Purpose of Consent Application B/16/23: The applicant is proposing to sever a parcel of land being 1.22 m \pm frontage by an irregular depth with an area of 54.53 sq m \pm for the purpose of a lot addition to merge with 261 Crystal Bay Drive. The remaining parcel having 29.28 m \pm frontage by an irregular depth and an area of 1053.98 sq m \pm is vacant residential land. The subject property is zoned Resort Residential/Resort Commercial (RR/RC) in the Town's Zoning By-Law and designated Recreational Development in the Town's Official Plan.

Purpose of Consent Application B/17/23: The applicant is proposing to sever a parcel of land being 2.74 m \pm frontage by an irregular depth with an area of 179.49 sq m \pm for the purpose of a lot addition to merge with 257 Crystal Bay Drive. The remaining parcel having 21.99 m \pm frontage by an irregular depth with an area of 732.91 sq m \pm is vacant residential land. The subject property is zoned Resort Residential/Resort Commercial (RR/RC) in the Town's Zoning By-Law and designated Recreational Development in the Town's Official Plan.

The intent of the proposed lot additions is to even out the widths of the three parcels of land, 271, 261 and 257 Crystal Bay Drive, to build three semi-detached dwellings on the properties resulting in six semi-detached units. If the applicant chooses to sell each semi unit as freehold units further severances will be required.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated May 26, 2023, from Essex Region Conservation Authority
- ii) Email dated May 26, 2023 from Essex Powerlines
- iii) Email dated May 25, 2023 from Building Department
- iv) Planning Report dated June 2, 2023, from Janine Mastronardi, Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. J. Mastronardi read the purpose of the application. Stanley Thampi, Applicant, was present to represent the application and explained the concept of the application.

T. Buchanan confirmed with staff that Crystal Bay Drive was a municipal road. It was noted the applications should have checked yes to having above ground fuel storage for the propane tanks required. J. Mastronardi provided clarification regarding the existing servicing on the existing lots at 271 and 261 Crystal Bay Drive.

The conditions were read aloud. The S. Thampi acknowledged understanding of the conditions.

The following resolution as put forth:

Moved by: Terris Buchanan
Seconded by: Donald Shaw

That application B/16/23 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be

deposited in the Registry Office; an electronic and paper copy to be provided to That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.

2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcels of land being the subject of the consent (severed and retained parcels).
5. That prior to the stamping of deeds the owner is to provide satisfactory evidence that the adjacent parcel is under consolidation relative to the parcels which are the subject of the consent.
6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way, if required. All permitting costs will be borne entirely by the applicant.
7. That the applicant installs separate water service and sanitary sewer connection to the retained lot in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds, if required.
8. That the applicant be required to undertake a lot grading plan for the retained and consolidated parcels to the satisfaction of the municipality.
9. That the applicant consult with the Ministry of Environment Conservation and Parks to determine if clearance or permits are required.
10. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	Absent
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

-Motion Carried-

Reasons of Committee- The request is in conformity with Sections 6.1.2 and 6.1.2(6) of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

Moved by: Anthony Campigotto
Seconded by: Donald Shaw

That application B/17/23 be approved subject to the following conditions:

1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.
2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
3. That all property taxes be paid in full.
4. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcels of land being the subject

of the consent (severed and retained parcels).

- 5. That prior to the stamping of deeds the applicant is to provide satisfactory evidence that the adjacent parcel is under consolidation relative to the parcels which are the subject of the consent.
- 6. That the applicant relocate any water connection and/or sanitary connection in accordance with and to the satisfaction of the municipality at the applicant's expense for the retained parcel, if required.
- 7. That the applicant be required to undertake a lot grading plan for the retained and the consolidated parcels to the satisfaction of the municipality.
- 8. That the applicant consult with the Ministry of Environment Conservation and Parks to determine if clearance or permits are required.
- 9. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	Absent
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

-Motion Carried-

Reasons of Committee- The request is in conformity with Sections 6.1.2 and 6.1.2(6) of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

6.2 Application B/20/23- 1603844 Ontario Inc. c/o Bryan Pearce, Baird AE, Agent – 255 Sandwich Street N. (Roll No. 3729-350-000-00302)

Public in Attendance: Bryan Pearce, Agent on the Application

Purpose of Consent Application B/20/23: The applicant has applied for consent for an easement to be granted to 255 Sandwich Street North from 225 Sandwich Street North and vacant land on the north side of Brunner Avenue. The size of the proposed easement is 4.5 m x 6.57 m on the north east corner of 225 Sandwich Street North (350-00300) and 5 m in width by 96.31 m in length along the west property line of vacant land on the north side of Brunner Avenue (350-00303) for the purpose of a storm sewer easement.

The following correspondence was received from the various agencies and residents circulated:

- i) Letter dated May 26, 2023, from Essex Region Conservation Authority
- ii) Email dated May 26, 2023 from Essex Powerlines
- iii) Email dated June 2, 2023 from Infrastructure Services
- iv) Planning Report dated June 2, 2023, from Janine Mastronardi, Secretary-Treasurer, Secretary-Treasurer

Committee Discussion: The Chair introduced the application and asked if there were any members of the public present for this application. There were none. Janine Mastronardi read the purpose of the application.

Bryan Pearce, agent on the application, explained the concept of the application. The

purpose of the application is to provide a legal stormwater outlet for Phase 2 of the Piroli apartment to the storm sewer on Brunner Avenue.

D. Cozens confirmed with the applicant that there is an underground chamber for stormwater retention to control the outlet of the stormwater from the site. It was confirmed that ERCA is circulated at the time of site plan control for comments.

The following resolutions were put forth:

Moved by: Terris Buchanan
Seconded by: Anthony Campigotto

That application B/20/23 be approved subject to the following conditions:

- 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.
- 2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
- 3. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of the consent.
- 4. That all property taxes be paid in full.
- 5. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Absent	Absent
Terris Buchanan	X	
Donald Shaw (VC)	X	
David Cozens (CH)	X	

-Motion carried-

Reasons of Committee- The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

v) **Next Meeting**

The next Committee of Adjustment meeting is scheduled on July 5, 2023 at 8:00 a.m.

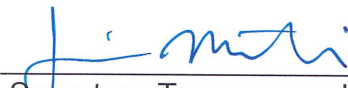
vi) **Adjournment**

Moved by: Anthony Campigotto
Seconded by: Terris Buchanan

That the Committee of Adjustment **ADJOURN** at 8:26 a.m.

-Motion Carried-


Chairman- David Cozens


Secretary-Treasurer – Janine Mastronardi