

AMHERSTBURG COMMITTEE OF ADJUSTMENT
Wednesday, July 5, 2023, 8:00 AM
MINUTES

Present: D. Cozens, Chair, D. Shaw, Vice Chair, J. Mailloux, A. Campigotto

Absent: T. Buchanan

Also Present: Janine Mastronardi, Secretary-Treasurer, Kevin Fox, Clerk, Karly Kennedy, Policy and Committee Coordinator, Chris Aspila, Manager, Planning Services, Melissa Osborne, Director, Development Services, Sarah French, Planner

1. Call to Order

The Chair, David Cozens, called the meeting to order at 8:00 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

D. Cozens declared a conflict with item 6.2 due to being a member on the board of the Gibson Gallery.

5. Adoption of Minutes

The Chair requested comments on the adoption of minutes of June 7, 2023 Committee of Adjustment meeting.

Moved by: Anthony Campigotto
 Seconded by: Donald Shaw

That the Minutes of the Committee of Adjustment Meeting of June 7, 2023 **BE ADOPTED** as presented.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	Refrained from Vote due to Absence at Mtg	Refrained from Vote due to Absence at Mtg
Terris Buchanan	Absent	Absent
Donald Shaw (VC)	X	
David Cozens (CH)	X	

-Motion Carried-

6. Order of Business

6.1 Applications A/15/23 – Katelynn & Robert Booth – 152 Dalhousie St. (Roll No. 3729-240-000-09800)

Public in Attendance: Katelynn & Robert Booth

Purpose of Minor Variance Application A/15/23: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 5(3)(g) which permits a maximum lot coverage of 35% in a Special Provision Residential First Density (R1-8) Zone. The subject property is designated Low Density Residential in the Town’s Official Plan and Special Provision Residential First Density (R1-8) in the Town’s Zoning By-Law.

The applicant is currently renovating the existing house on the subject property. The land mass of the parcel is 10,600 sq ft. The permitted house renovation with addition has a footprint of 3552 sq ft or 34.15% lot coverage.

The applicant is proposing the construction of a covered porch at the rear of the house with second and third floor balconies which is 20.42 ft x 46.29 ft with an area of 945.24 sq ft and a lot coverage of 8.92%. The resulting proposed total lot coverage for the house and porch is 43.07%.

Therefore, the amount of relief requested is 8.07% in total lot coverage.

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

- i) Letter dated June 28, 2023, from Essex Region Conservation Authority
- ii) Email dated June 26, 2023 from Essex Powerlines
- iii) Email dated June 29, 2023 from Building Department
- iv) Email dated June 29, 2023 from Infrastructure Services
- v) Planning Report dated June 29, 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. Robert and Katelynn Booth, Applicants, were present to represent the application.

A. Campigotto noted that during a site visit prior to the meeting the notification sign was not posted. The Chair confirmed that the sign was not visible from the street due to

construction vehicles and work being done on the site. The applicants advised that the notice was posted in the front window but was removed prior to the meeting. The Chair noted the provincial requirement to post the sign was not complied with so the application could not be heard at this meeting.

The following resolution as put forth:

Moved by: Anthony Campigotto

Seconded by: Josh Mailloux

That application A15/23 be deferred.

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

-Motion Carried-

Reasons of Committee- The Committee determined that the Planning Act requirement from Ontario Regulation 197/96 Subsection 3(3)(b) stating, “Notice shall be given by posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property within the subject land, or, if posting on the property is impractical, at a nearby location chosen by the official described in subsection (7)” was not sufficiently satisfied to proceed with the consideration of application A/15/23.

6.2 Application A/18/23- Town of Amherstburg – 140 Richmond Street N. (Roll No. 3729-230-000-06600)

Public in Attendance:

Purpose of Minor Variance Application A/18/23: The applicant is requesting relief from Sign By-law 2006-26, Section 9.3(1) which permits in a Commercial Zone one ground sign per 25 metres of lot frontage between the building and the lot line provided the maximum height is not more than 1.5 m (5 ft) and the maximum area is not more than 2.79 square metres (30 square feet). The property is zoned Commercial General (CG) in the Town’s Zoning By-law.

The applicant is proposing the construction of a sign with a height of 2.54 m (8.3 ft) and a sign area of 3.25 sq m (35 sq ft).

Therefore, the amount of relief requested is 1.04 m in height and 0.46 sq m in sign area.

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

- i) Letter dated June 28, 2023, from Essex Region Conservation Authority
- ii) Email dated June 26, 2023 from Essex Powerlines
- iii) Email dated June 27, 2023 from Infrastructure Services
- iv) Email dated June 29, 2023 from Building Department
- v) Planning Report dated June 27, 2023, from Janine Mastronardi, Secretary-Treasurer

Committee Discussion: As per the disclosure of interest noted above, Member Dave

Cozens did not participate in the discussion or vote for this agenda item.

The Vice Chair introduced the application. Janine Mastronardi read the purpose of the application. Carole Deschaine, Gibson Gallery Board member was present to represent the application.

C. Deschaine explained the concept of the application. A thorough history of the consultation with the Town was provided.

The following resolutions were put forth:

Moved by: Anthony Campigotto
Seconded by: Josh Mailloux

That application A/18/23 be approved.

	Yes/Concur	No/Not Concur
Anthony Campigotto	X	
Josh Mailloux	X	
Terris Buchanan	Absent	Absent
Donald Shaw (VC)	X	
David Cozens (CH)	Refrained from Vote due to Conflict	Refrained from Vote due to Conflict

-Motion carried-

Reasons of Committee- The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

vi) **Next Meeting**

The next Committee of Adjustment meeting is scheduled on August 2, 2023 at 8:00 a.m.


vii) **Adjournment**

Moved by: Josh Mailloux
Seconded by: Anthony Campigotto

That the Committee of Adjustment **ADJOURN** at 8:18 a.m.

-Motion Carried-


Chairman- David Cozens


Secretary-Treasurer – Janine Mastronardi