



CORPORATION OF THE TOWN OF AMHERSTBURG
271 SANDWICH ST S, AMHERSTBURG, ONTARIO N9V 2A5

NOTICE OF PUBLIC HEARING

In the matter of the *Planning Act*, R.S.O. 1990, as amended, and, in the matter of application for minor variance by:

Richmond Praedium Inc., c/o Rosati Group, Agent

TAKE NOTICE THAT application for **minor variance** under the above-noted file will be heard by the TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT on the date, time and place shown below:

**Amherstburg Council Chambers, 271 Sandwich St. S., Amherstburg, ON
Wednesday, June 5, 2024 at 8:00 A.M. (morning)**

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.

If you wish to attend the meeting by electronic means, you must register on-line at the Town of Amherstburg website a minimum of 48 hours prior to the meeting time. Please go to the Committee of Adjustment page at:

<https://www.amherstburg.ca/en/town-hall/Committee-of-Adjustment.aspx>

Alternatively, you may visit the Town website, search "Committee of Adjustment" using the search feature provided and follow the Registration instructions located at the bottom of the Committee of Adjustment page.

Upon completion of the on-line registration form, you will receive an automated email response that will provide registration instructions that can be used to gain access to the electronic Committee of Adjustment meeting at the specified date and time indicated above.

Public Comment Submission:

If you have comments on these applications, they may be forwarded in writing to the Secretary-Treasurer either by mail or in person to:

Janine Mastronardi, Secretary-Treasurer
3295 Meloche Road
Amherstburg, ON
N9V 2Y8

Comments can also be submitted by email by 4:00 p.m. two nights before the hearing (Monday, June 3, 2024) to the Planning Department, planning@amherstburg.ca. All public comments received prior to the meeting by the above noted due date, will be read aloud at the beginning of the relevant application.

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer at the address shown above.

If you do not attend and are not represented at this hearing, the Committee may proceed in your absence (including possible amendments to the original request). Except as otherwise provided for in the *Planning Act*, you will not be entitled to any further notice of the proceedings.

If a specified person or any public body that files an appeal of a decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed minor variance does not make written submission to the Town of Amherstburg Committee of Adjustment before it gives or refuses to give a provisional minor variance, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed minor variance, you must make a written request to Town of Amherstburg Committee of Adjustment.

Location of Property: 207 Brock Street
(Roll No.: 3729-140-000-00203)

Purpose of Minor Variance Application A/17/24: The applicant has installed a sign indicating the name and address of the apartment building. Through a building permit review it was noted that a minor variance for relief from Sign By-law 2016-100 is required.

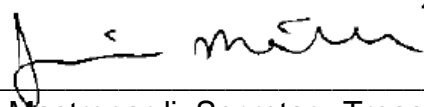
The applicant is requesting relief from Sign By-law 2016-100, Section 6(6.1)(4) which does not allow for residential sign to be illuminated within and visible outside of any building. Section 6(6.3)(1) permits a sign no larger than 0.55 sq m (6 sq ft) identifying a rooming or boarding house or multiple dwelling. The applicant has installed a sign which is illuminated with the face of the sign being 5.214 sq m (56.12 sq ft) in area.

Therefore, the applicant is requesting permission to illuminate the sign and the amount of relief requested is 4.664 sq m (50.12 sq ft) in sign area.

The subject property is designated Medium Density Residential in the Town's Official Plan and is zoned Special Provision Residential Multiple Second Density (RM2-9) in the Town's Zoning By-law 1999-52.

Additional Information relating to the proposed application is available by contacting the Town of Amherstburg Planning Offices by phone or email, during normal office hours, 8:30 a.m. to 4:30 p.m. or at the Town website www.amherstburg.ca.

Dated: May 17, 2024



Janine Mastronardi, Secretary-Treasurer
Town of Amherstburg Committee of Adjustment
3295 Meloche Road, Amherstburg, ON N9V2Y8

Municipal Fee Received	<i>PAID</i>
ERCA Fee Received:	

Application No. A/17/24

**FORM 1
PLANNING ACT
APPLICATION FOR MINOR VARIANCE -
APPLICATION FOR PERMISSION -
TOWN OF AMHERSTBURG**

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality May 15, 2024
3. Date application deemed complete by municipality May 16, 2024
4. Name of registered owner Richmond Praedium Inc.
Telephone number [REDACTED]
Address [REDACTED]
Email [REDACTED]
Name of registered owner's solicitor or authorized agent (if any) Rosati Group c/o David Mady
Telephone number [REDACTED]
Address [REDACTED]
Email [REDACTED]

Please specify to whom all communications should be sent:

registered owner solicitor agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:
Libro Credit Union
6. Location and description of subject land: (please see below)
Concession No. _____ Lot(s) No. _____
Registered Plan No. _____ Lot(s) No. _____
Reference Plan No. _____ Part(s) No. _____
Street Address 207 Brock Assessment Roll No. 140 00203
7. Size of subject parcel:
Frontage 275' Depth Irregular Area 2.648 acres
8. Access to subject parcel:
 Municipal Road County Road Provincial Highway
 Private Water

LOTS 9 AND 10 (E/S BROCK STREET), LOTS 11 AND 12 (W/S KEMPT STREET), PART LOTS 5 AND 6 (E/S. KEMPT STREET) AND PART OF KEMPT STREET CLOSED BY UNREGISTERED BYLAW AND PART OF MURRAY STREET (CLOSED BY BY-LAW R1003955), PLAN 1 AMHERSTBURG, DESIGNATED AS PART 4, PLAN 12R25406 TOWN OF AMHERSTBURG

If access to the subject land is by water only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

N/A

9. Current Official Plan Land Use designation of subject land Medium Density Residential

10. Current Zoning of subject land RM2-9

11. Nature and extent of relief from the Zoning By-law requested _____
Existing property sign is a reverse halo low wattage illuminated channel letter s
sign measuring 56.12 square feet.

12. Reasons why minor variance is necessary Sign by-law allows for only 6 square
feet of signage and cannot be illuminated,

13. Current use of subject land Residential apartments

14. Length of time current use of subject land has continued Construction completed
6 months ago

15. Number and type of buildings or structures **existing** on the subject land and their
distance from the front lot line, rear lot line and side lot lines, their height and their
dimensions/floor area:
One apartment building

16. Date of construction of existing buildings and structures on the subject land:
2022

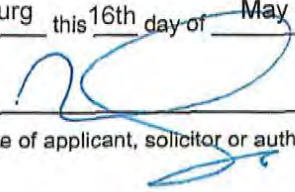
17. Date subject land acquired by current registered owner August 8, 2018

18. Proposed use of subject land Apartments (completed)

19. Number and type of buildings or structures **proposed** to be built on the subject land
and their distance from the front lot line, rear lot line and side lot lines, their height
and their dimensions/floor area:
N/A

20. Type of water supply:
- municipally owned and operated piped water supply
 - well
 - Other (specify) _____
21. Type of sanitary sewage disposal:
- municipally owned and operated sanitary sewers
 - septic system
 - Other (specify) _____
22. Type of storm drainage:
- sewers
 - ditches
 - swales
 - Other (specify) _____
23. If known, indicate whether the subject land is the subject of an application under the Planning Act for:
- consent to sever
 - approval of a plan of subdivision
- If known, indicate the file number and status of the foregoing application:
 N/A
24. If known, indicate if the subject land has ever been the subject of an application for minor variance under Section 45 of the Planning Act.
 Unknown
25. The proposed project includes the addition of permanent above ground fuel storage:
- Yes
 - No

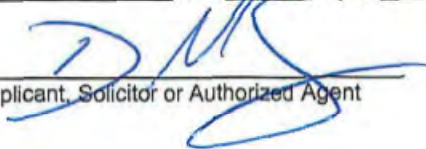
Dated at the Town of Amherstburg this 16th day of May, 2024.



 (signature of applicant, solicitor or authorized agent)

I, David Mady of the Town of Lasalle in the County/District/Regional Municipality of Essex solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Town of Lasalle in the County of Essex this 16th day of May, 2024.



 Applicant, Solicitor or Authorized Agent



 A Commissioner, etc.

Katie Rose Blais, a Commissioner, etc.,
 Province of Ontario, for Rosati Construction Inc.
 and its associated companies
 Expires January 16, 2027.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
- c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
- d) the current uses on land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

A minor variance application fee of \$1155.00, along with an ERCA development review fee of \$200.00 (total of \$1355.00 payable to the Town of Amherstburg), must accompany your completed application.

AUTHORIZATION

(Please see note below)

To: Secretary-Treasurer
Committee of Adjustment
Town of Amherstburg

Description and Location of Subject Land:
207 Brock Street

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize
David Mady of the Rosati Group of Lasalle to:

- (1) make an application on my/our behalf to the Committee of Adjustment for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town's Committee of Adjustment relevant to the application.

Dated at the _____ Town _____ of Amherstburg _____ in
the _____ County _____ of Essex _____, this _____ day of May _____, 2024.


Signature of Witness

Signature of Witness

Signature of Witness


Signature of Owner

Signature of Owner

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

POSTING COMMITTEE OF ADJUSTMENT ADVISORY SIGN

This will confirm the requirements of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application(s). You are directed to post the sign in a prominent location that will enable the public to observe the sign.

The location of the sign will depend on the lot and location of structures on it. The sign should be placed so as to be legible from the roadway in order that the public see the sign and make note of the telephone number should they wish to make inquiries. The Zoning By-law prohibits the signs from being located in any corner lot sightlines. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

The sign must remain posted beginning 10 days prior to the Hearing, until the day following the decision of the Committee of Adjustment. Please complete the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign as required will result in deferral of the application.

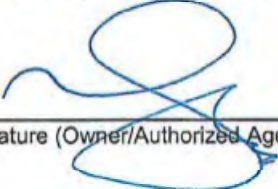
Chris Aspila, MCIP RPP
Manager of Planning Services

PROPERTY ADDRESS: 207 Brock

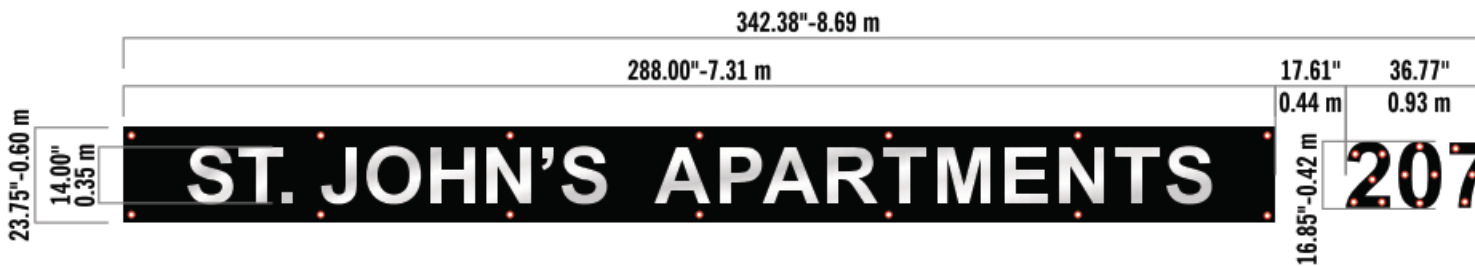
APPLICATION NUMBER(S): A / 17 / 24

I understand that each sign must be posted at least 10 days before the Hearing, and will remain posted and be replaced if necessary, until the day following the Decision.

I acknowledge that the Secretary-Treasurer has confirmed these requirements with me.


Signature (Owner/Authorized Agent)

May 15, 2024
Date



Front Elevation

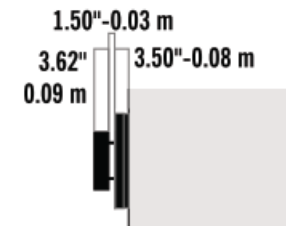
Scale: 1/4" = 1'-0"

Perspective

N.T.S.



Weight	Lbs.	Kg
	192.40	87.27
Sign Area	Square Feet	Square Meters
	56.20	5.22
Anchor Locations		○



Right Side View

Scale: 1/4" = 1'-0"

VIZABLE No.	24487
Quantity:	1 Pc(s)

REVERSE HALO ILLUMINATED CHANNEL LETTERS

Overall Size (L x H): 243.85" x 14.50"
 Face: .063" Routed Aluminum, Black
 Returns: 3.50" Deep x .040" Aluminum Coil, Black
 Back: 3/16" Routed Clear Polycarbonate
 Stand-Offs: 3/8" O.D. X 1.50" H x .063" Aluminum Round Tube

ALUMINUM BACKER

Face Material: 1/8" Aluminum, Paint to match wall TBD.
 Frame: Ex 7 Alum. Welded behind Face w/ Piano Hinge
 Mounting Frame: 2" x 2" x 1/8" Aluminum Angle Welded

ACRYLIC NUMBERS

Material: 1/2" th. Cast Opaque Acrylic, Black
 Install: Pin Mount 3/16" Dia. x 4" L, Silicone Adhesive
 Pattern: Yes

Electrical Specification(s):

Lighting: White Hanley LED Modules
 Power Supply(s): Hanley 120VAC / 12VDC
 Electrical Inspection: QPS



PROPOSED NEW SIGN @ ENTRANCE CANOPY

NOT TO SCALE

Drawing No.
24487

Revision: **B** Sheet No. **4**

Customer/Project:
 Rosati Group / Reverse Halo
 Illuminated Channel Letters
 on Back Plate - Acrylic Numbers

Contact: Ammr Odeh
Drawn By: Vaughn Bénéteau
Date: December 11, 2023

- SITE CHECK REQUIRED
- COLOUR REQUIRED
- VECTOR ART REQUIRED
- Electrical Requirements**
- 120v 277v 247v OTHER

- PERMIT DRAWING
- APPROVAL/BUILD

Customer Approval:
 Signed and dated drawing required to proceed with production. PLEASE check this proof carefully for errors or omissions.
 Your signature constitutes acceptance of full responsibility for all errors, omissions and legal/ethical compliance in this document.

Vizable Corporation will not accept any liability for errors overlooked at this stage of proofing. Any changes from this approved copy will be charged extra according to both time and materials.

Please Sign & Print name
 Approved AS IS Approved As Noted

Signature _____

Print Name _____

Purchase Order (if Applicable) _____

Date _____

All sizes and dimensions are shown for clients conception of a current project and are not to be understood as being exact size or exact scale.

Vizable Corporation is not responsible for differences in colour(s) between this print and final product, we will attempt to match colour(s) as closely as possible, final choices will be made by using vinyl/paint samples when possible. We cannot guarantee colour match(es) due to differing surfaces, materials and paint(s).

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Customer/Project:
Rosati Group / Reverse Halo
Illuminated Channel Letters
on Back Plate - Acrylic Numbers

Contact: Ammr Odeh
Drawn By: Vaughn Bénéteau
Date: December 11, 2023

SITE CHECK REQUIRED

COLOUR REQUIRED

VECTOR ART REQUIRED

Electrical Requirements

120v 277v 247v OTHER

PERMIT DRAWING
 APPROVAL/BUILD

Customer Approval:
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Please Sign & Print name
 Approved AS IS Approved As Noted

Signature: _____

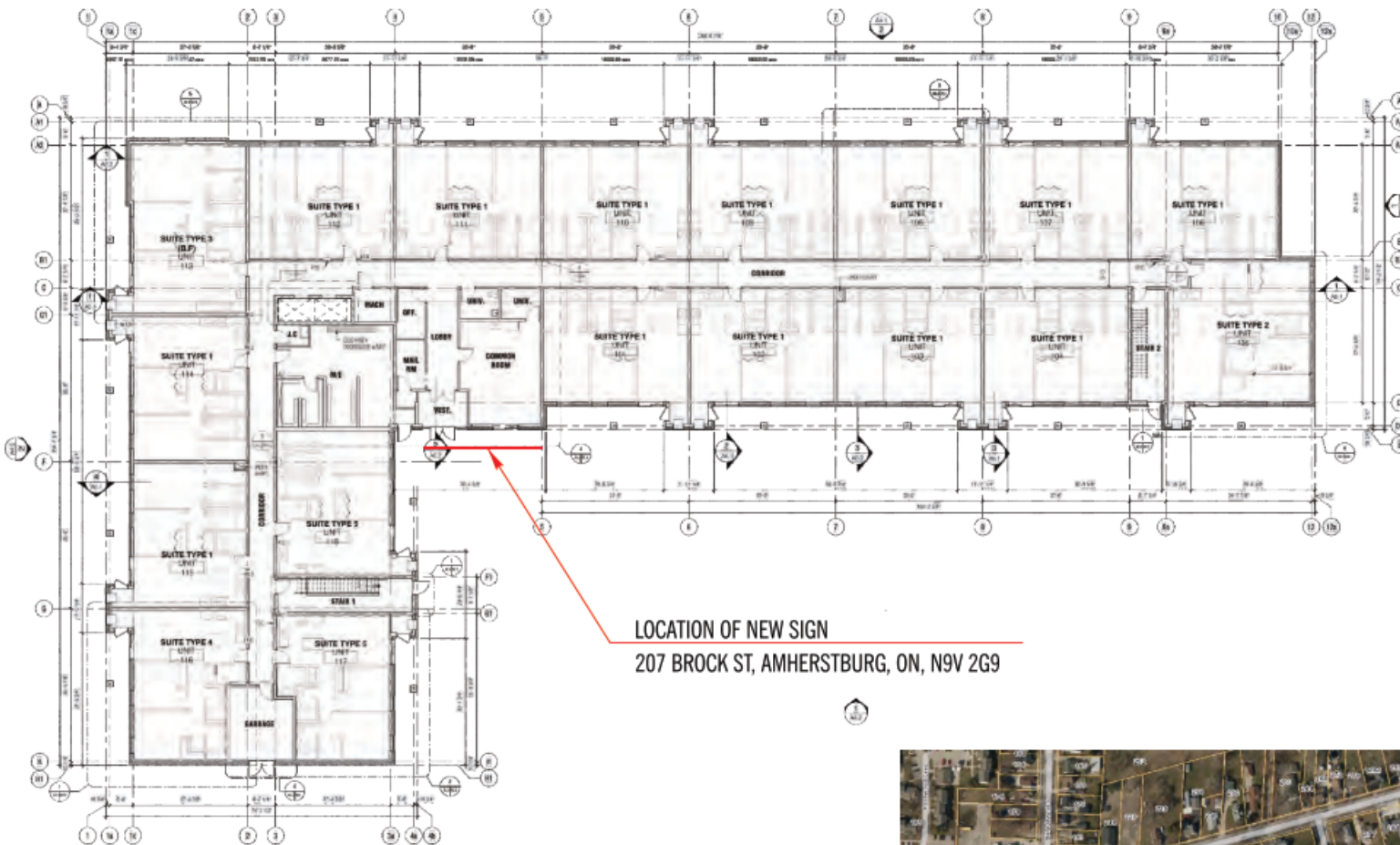
Print Name: _____

Purchase Order (if Applicable): _____

Date: _____
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LOCATION OF NEW SIGN
207 BROCK ST, AMHERSTBURG, ON, N9V 2G9



KEY SITE PLAN

SITE PLAN

SCALE: 1:500 (INCHES)

A/17/24- Site Photos





Summary of Correspondence Received on Proposed Minor Variance for A/17/24 – 207 Brock St.

Below is a summary of the comments received by the Planning Services Division for A/17/24 as of May 28, 2024.

Essex Region Conservation Authority:

Regarding A/17/24 for 207 Brock Street, our office can confirm that this property is not within our regulated area and we have no objections.

Likewise, regarding A/18/24 for 247 Brock Street, our office can confirm that this property is not within our regulated area and we have no objections.

Building Department:

No Comments

Infrastructure Services:

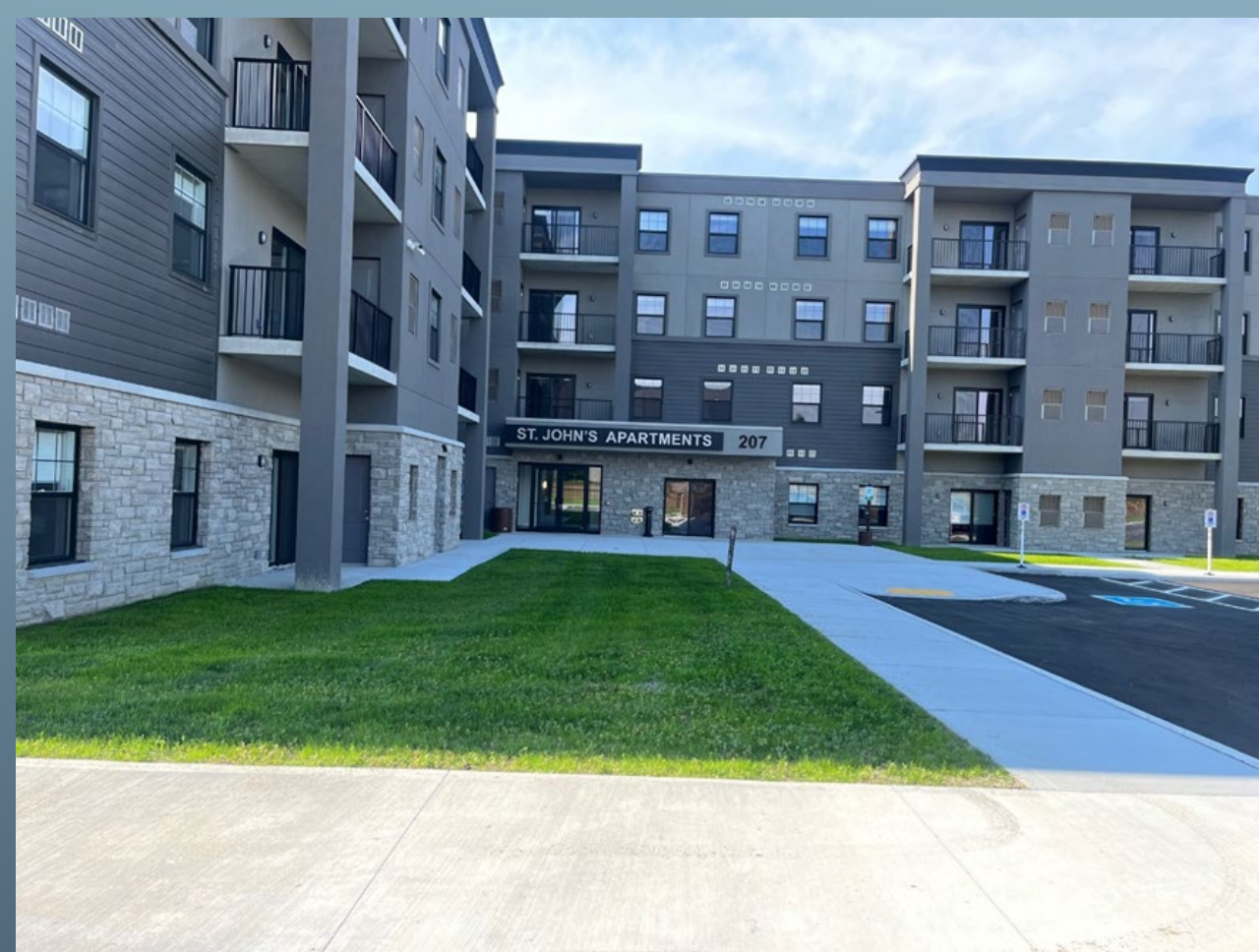
No comments

Fire Department:

Fire Department has no issues.

Amherstburg Committee of Adjustment

June 05, 2024



A/17/24 – 207 Brock St.

Purpose of Application A/17/24

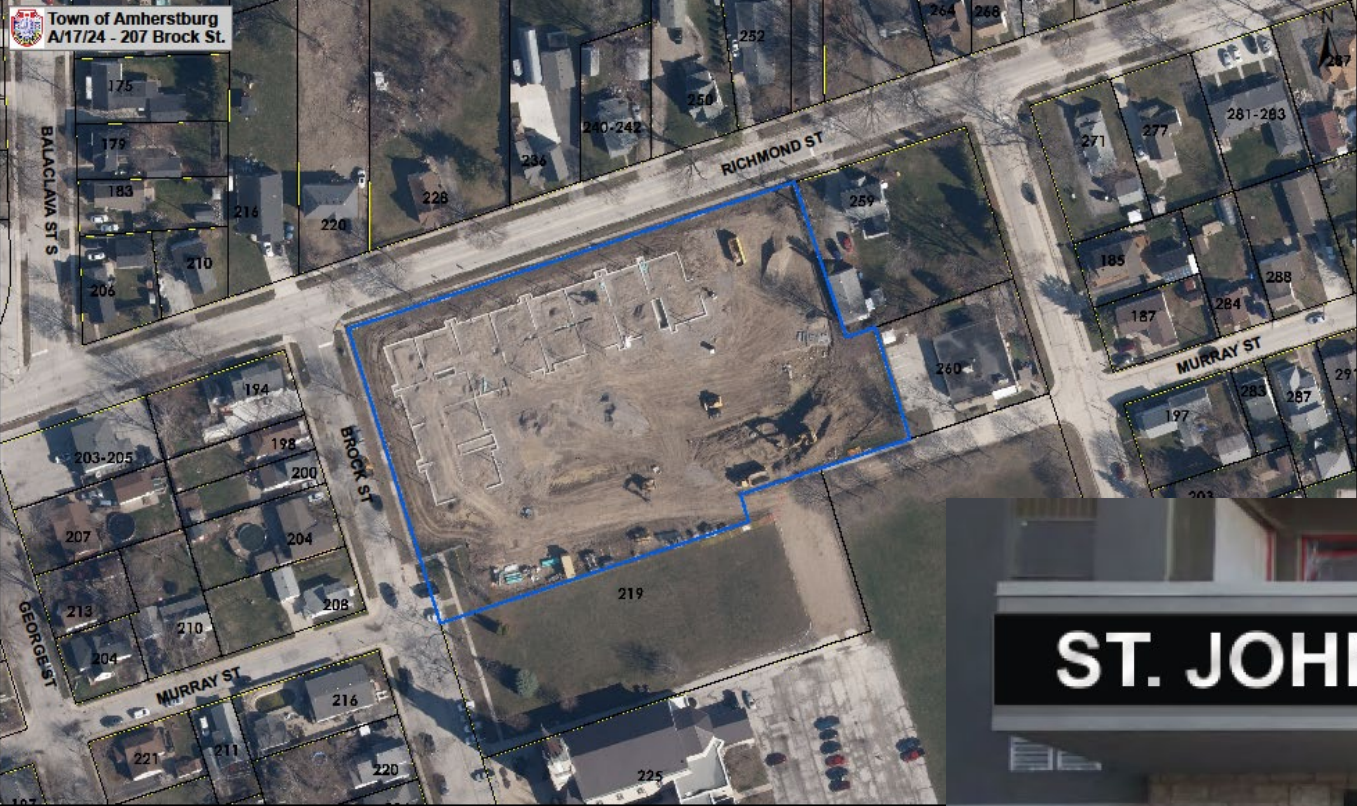
The applicant has installed a sign indicating the name and address of the apartment building. Through a building permit review it was noted that a minor variance for relief from Sign By-law 2016-100 is required.

The applicant is requesting relief from Sign By-law 2016-100, Section 6(6.1)(4) which does not allow for a residential sign to be illuminated within and visible outside of any building. Section 6(6.3)(1) permits a sign no larger than 0.55 sq m (6 sq ft) identifying a rooming or boarding house or multiple dwelling. The applicant has installed a sign which is illuminated with the face of the sign being 5.214 sq m (56.12 sq ft) in area.

Therefore, the applicant is requesting permission to illuminate the sign and the amount of relief requested is 4.664 sq m (50.12 sq ft) in sign area.

The subject property is designated Medium Density Residential in the Town's Official Plan and is zoned Special Provision Residential Multiple Second Density (RM2-9) in the Town's Zoning By-law 1999-52.





Policy Review

The subject property is designated Medium Density Residential in the Town's Official Plan and is zoned Special Provision Residential Multiple Second Density (RM2-9) in the Town's Zoning By-law 1999-52.

A policy review of the application has been completed by the Planning department considering the following;

- Planning Act, R.S.O. 1990
- Town Official Plan
- Town Zoning By-law 1999-52, as amended



Four Tests

From a planning perspective the Committee must determine if:

- 1) The requested variance conforms with the intent of the relevant Official Plan policies;
- 2) The proposed variance maintains the intent of Comprehensive Zoning By-law 1999-52, as amended;
- 3) The proposed variance is desirable or the appropriate development or use of the land, building or structures; and
- 4) The requested variance would appear to be minor in nature.



Recommendation

That subject to Committee consideration of written and oral comments received at the meeting, it is recommended that Application A/17/24 be approved to grant permission to illuminate a sign and to grant relief in sign area of 4.664 sq m (50.12 sq ft) to permit an illuminated sign with the face of the sign being 5.214 sq m (56.12 sq ft) in area.

