



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 applications for consent and minor variance by:

1830011 Ontario Ltd., c/o Chad Mailloux, Agent

TAKE NOTICE THAT applications for **consent (severance) and minor variance** under the above-noted files 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, May 1, 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 applications. 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.

Those seeking to attend meetings in-person should follow all public health guidance to ensure the safety of themselves and others during the COVID-19 pandemic.

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 this application, 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, April 29, 2024) to the Planning Department, planning@amherstburg.ca. All public comments received prior to the meeting 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 applications. 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 person or public body that files an appeal of a decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed consent and minor variance does not make written submissions to the Town of Amherstburg Committee of Adjustment before it gives or refuses to give a provisional consent and 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 consent and minor variance, you must make a written request to Town of Amherstburg Committee of Adjustment.

Location of Property: 4760 Alma (Roll No. 3729-400-000-00400)

Purpose of Consent Application B/11/24: The applicant is proposing to sever an L-shaped parcel of land being 9.144 m (30 ft) ± frontage by 82.3 m (270 ft) ± depth with an area of 0.23 ha (0.57 ac) ± and contains part of an existing detached garage, the septic system servicing the house at 4610 Alma and grass and treed area. The remaining parcel being 504.46 m ± frontage by an irregular depth with an area of 32.95 ha ± is agricultural land which contains six (6) agricultural structures and several grain bins.

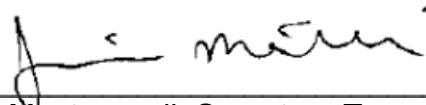
Purpose of Minor Variance Application A/14/24: The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to a severance of a 0.23 ha ± lot addition from an existing 33.18 ha hectare parcel the retained farm parcel will have an area of 32.95 hectares ±. Therefore, the amount of relief requested is 7.05 hectares.

The applicant is also requesting relief from Zoning By-law 1999-52, as amended, Section(3)(d)(ii) which requires a minimum interior side yard setback of 15 m for non-residential uses. Subsequent to a consent an existing agricultural structure will have an interior side yard setback of 12.2 m. The structure previously was a livestock facility but has since been decommissioned. Therefore, the amount of relief requested is 2.8 m in interior side yard setback.

The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.

Additional Information relating to the proposed applications 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: April 12, 2024



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



TOWN OF AMHERSTBURG
Application for
CONSENT/LAND SEVERANCE

OFFICE USE ONLY	
Application No.: B/11/24	Date Application Received: April 9, 2024
Date of Pre-consultation Meeting: March 2024	Staff Person Present: J. Mastronardi
Date Application Deemed Complete: April 10, 2024	Municipal Fee Received: ERCA Fee Received: PAID

1. CONTACT INFORMATION

Applicant/Owner Information
Municipal Freedom of Information and Protection of Privacy Act – Personal information on this form is collected under authority of the Planning Act and will be used to process this application.

Name of Registered Owner: 1830011 Ontario Ltd	Mailing Address and Postal Code: [REDACTED]	Telephone Number: [REDACTED]
		Email Address:
		Fax:
Name of Authorized Agent: Chad Mailloux	Mailing Address and Postal Code:	Telephone Number:
		Email Address:
		Fax:

To whom should correspondence be sent? Owner Agent Both

If known, if there are any holders of any mortgages, charges or other encumbrances on the subject land, please provide details as follows:
Name: _____
Address: _____

2. LOCATION AND DESCRIPTION OF SUBJECT LANDS	
Assessment Roll No.: 372940000000400	
Municipal Address: 4684 Alma Street N9V 2Y9	
Concession: 4	Lot: 1
Registered Plan No.:	Lot(s):
Reference Plan No.:	Part(s):

3. CURRENT OFFICIAL PLAN DESIGNATION AND ZONING OF SUBJECT LANDS:	
Official Plan Designation: Agriculture	Zoning: Agricultural (A)

4. CURRENT SIZE OF SUBJECT PARCEL:		
Frontage: 513.6m (1685')	Depth: 1980'	Area: 82 +/- acres

5. ARE THERE ANY EASEMENTS OR RESTRICTIVE COVENANTS AFFECTING THE SUBJECT LAND?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please provide a description of each easement or covenant and its effect.	

6. TYPE AND PURPOSE OF TRANSACTION (please check all applicable)

Conveyance	Agricultural Area		
	<input type="checkbox"/>	farm split	<input checked="" type="checkbox"/> lot addition
	<input type="checkbox"/>	surplus dwelling	<input type="checkbox"/> technical severance
	Other Areas		
	<input type="checkbox"/>	creation of new lot	<input type="checkbox"/> lot addition
	<input type="checkbox"/> technical severance		
Other	<input type="checkbox"/>	mortgage or charge	<input type="checkbox"/> partial discharge of mortgage
	<input type="checkbox"/>	easement/right-of-way	<input type="checkbox"/> correction of title
	<input type="checkbox"/>	other (specify) _____	

Name of person(s) [Purchaser, lessee, mortgage, etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged

Leonard Mailloux

Relationship (if any) of person(s) named above to owner (specify nature of relationship)

Father, cousin

7. DESCRIPTION AND USE OF LAND INTENDED TO BE SEVERED: L-SHAPED		
Frontage: 9.144m (30')	Depth: (270') 82.3m	Area: 0.23ha (.57 +/- acres)
Existing Use: Grass and Trees		
Proposed Use: No change - Grass and Trees		
Number and use of buildings and structures on the land intended to be severed		
Existing: Septic system + part of existing detached garage		
Proposed: No change		
Is there an existing access bridge on this parcel?		
<input checked="" type="checkbox"/> Yes (locate on sketch)	<input type="checkbox"/> No	
Is there a water service connection on this parcel?		
<input checked="" type="checkbox"/> Yes (locate on sketch)	<input type="checkbox"/> No	
Is there a sanitary sewer connection on this parcel?		
<input type="checkbox"/> Yes (locate on sketch)	<input checked="" type="checkbox"/> No	
Access to proposed severed lot		
<input checked="" type="checkbox"/> Municipal Road	<input type="checkbox"/> County Road	<input type="checkbox"/> Provincial Highway
<input type="checkbox"/> Private	<input type="checkbox"/> Water	
If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.		

8. NUMBER OF NEW LOTS PROPOSED (NOT INCLUDING RETAINED LOT):	0
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9. DESCRIPTION AND USE OF LAND INTENDED TO BE RETAINED:			
Frontage: 504.46 m (1655')	Depth: 1980'	Area: 32.95 ha (81.43 +/- acres)	
Existing Use: agriculture			
Proposed Use: same			
Number and use of buildings and structures on the land intended to be retained			
Existing: 6 and grain bins			
Proposed: same no new builds			
Is there an existing access bridge on this parcel?			
<input checked="" type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
Is there a water service connection on this parcel?			
<input checked="" type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
Is there a sanitary sewer connection on this parcel?			
<input type="checkbox"/>	Yes (locate on sketch)	<input checked="" type="checkbox"/>	No
Access to proposed retained lot			
<input checked="" type="checkbox"/>	Municipal Road	<input type="checkbox"/>	County Road
<input type="checkbox"/>	Private	<input type="checkbox"/>	Water
If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.			

10. TYPE OF WATER SUPPLY AND SANITARY SEWAGE DISPOSAL (please check all applicable)			
Type		Severed	Retained
Water	Municipally owned and operated piped water supply	<i>-merged parcel</i> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary	Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
	Septic tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
When will water supply and sewage disposal services be available?			

11. PROPERTY HISTORY			
Have there been any previous severances of land from this holding?			
<input checked="" type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:			
Grantee's name <i>Stephanie Crawford</i>			
Relationship (if any) to the owner: <i>Sister, cousin</i>			
Use of parcel: <i>Grass</i>			
Date parcel created: <i>Sept 2022</i>			

Has the parcel ever been the subject of an application for approval of a plan of subdivision under Section 51 or a consent under Section 53 of the Act, as amended, or its predecessors?	
<input type="checkbox"/> Yes (locate on sketch)	<input checked="" type="checkbox"/> No
If yes, please indicate the file number and the decision:	

12. CURRENT APPLICATIONS	
Please indicate whether the property is the subject of an application for one of the following:	
<input type="checkbox"/>	Official plan or official plan amendment approval
<input type="checkbox"/>	Zoning by-law amendment
<input type="checkbox"/>	Minister's zoning order amendment
<input checked="" type="checkbox"/>	Minor variance
<input type="checkbox"/>	Consent or approval of a plan of subdivision
If known, indicate the file number and status of the foregoing application(s)	
A/14/24	
Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?	
<input type="checkbox"/> Yes (locate on sketch)	<input checked="" type="checkbox"/> No
Is the owner, solicitor or agent applying for any minor variance or permission to extend or enlarge under Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land that is the subject of this application?	
<input type="checkbox"/> Yes (locate on sketch)	<input checked="" type="checkbox"/> No

12. CURRENT APPLICATIONS CONTINUED			
Is the requested application consistent with policy statements issued under subsection 3(1) of the Planning Act? (ie. 2020 Provincial Policy Statement)			
<input checked="" type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
Comments: _____			
Is the subject land within an area of land designated under any provincial plan or plans?			
<input type="checkbox"/>	Yes (locate on sketch)	<input checked="" type="checkbox"/>	No
If yes, does the requested application conform to or does not conflict with the provincial plan or plans? _____			
Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?			
<input type="checkbox"/>	Yes (locate on sketch)	<input checked="" type="checkbox"/>	No
If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.			
Does the proposed project include the addition of permanent above ground fuel storage?			
<input type="checkbox"/>	Yes (locate on sketch)	<input checked="" type="checkbox"/>	No

13. CONSENT OF OWNER

The owner must also complete the following or a similar authorization attached to the application.

**Consent of Owner(s) to the Use and Disclosure of Personal Information
and to Allow Site Visits to be Conducted**

In accordance with the provisions of the Planning Act, it is the policy of the Town of Amherstburg Planning Services Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I/we Josh Mailloux the owner(s)/authorized applicant, hereby acknowledge the above-noted policy and provide my/out consent, in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

April 7 / 2024
Date

Josh Mailloux
Signature

Date

Signature

14. AFFIDAVIT (This affidavit must be signed in the presence of a Commissioner)

I/We, Josh Mailloux of the
Town of Amherstburg in the
County of Essex solemnly declare
that all of the information and the statements contained in this application are true, and
I/we, 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 Amherstburg
in the county of Essex this 7
day of April, 2024.

April 7 2024
Date

Josh Mailloux
Signature of Owner or Authorized Agent

April 7. 2024
Date

J. Quintina
Signature of Commissioner
Janine Quintina Masironardi, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 30, 2024

15. AUTHORIZATION

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization attached to the consent application.

To: Town of Amherstburg

Description and Location of Subject Lands: 4760 Alma

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize Chad Mailoux of Town

of Amherstburg to :

- (1) make an application on my/our behalf to the Committee of Adjustment of the Town of Amherstburg;
- (2) appear on my behalf at any hearings(s) of the application; and
- (3) provide any information or material required by the Committee relevant to the application.
- (4) submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the process of the application

DATED at the Town of Amherstburg

in the County of Essex this 10th

day of April, 20 24.

[Signature]
Witness

[Signature]
Signature of Owner

Witness

Signature of Owner

Witness

Signature of Owner

16. 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.

Each sign must remain posted beginning 14 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: 4760 Alma St

Application Number(s): B/11/24

I understand that each sign must be posted at least 14 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.

Josh Mullowny
Signature (Owner/Authorized Agent)

April 7 2024
Date

Municipal Fee Received	PAID
ERCA Fee Received:	

Application No. A/14/24

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 April 9, 2024
3. Date application deemed complete by municipality April 10, 2024
4. Name of registered owner 1830011 Ontario Ltd.
Telephone number [REDACTED]
Address [REDACTED]
Email [REDACTED]
Name of registered owner's solicitor or authorized agent (if any) Chad Mailloux
Telephone number _____
Address _____
Email _____

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:
none

6. Location and description of subject land:
Concession No. 4 Lot(s) No. 1
Registered Plan No. _____ Lot(s) No. _____
Reference Plan No. _____ Part(s) No. _____
Street Address 4686 Alma Assessment Roll No. _____
3729400 00000400

7. Size of subject parcel:
Frontage (1655'±) Depth 1980' Area 32.95 ha (81.43 ac)

8. Access to subject parcel:
604.46m
 Municipal Road County Road Provincial Highway
 Private Water

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

9. Current Official Plan Land Use designation of subject land Agricultural

10. Current Zoning of subject land Agriculture

11. Nature and extent of relief from the Zoning By-law requested _____

- The parcel is under 40 HA

- The distance from rear barn is under 15M

12. Reasons why minor variance is necessary see 11

condition of consent for proposed lot addition

13. Current use of subject land Agricultural

14. Length of time current use of subject land has continued 100+

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:

* decommissioned poultry barn now used for storage will be 40 feet from the new north property line

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

1956

17. Date subject land acquired by current registered owner 1990

18. Proposed use of subject land agricultural

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:

None

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:
B / 11 / 24

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.
Yes @ 41760 Alma in 2022 lot addition

25. The proposed project includes the addition of permanent above ground fuel storage:
 Yes No

Dated at the Town of Amherstburg this 7 day of April, 2024

Josh Mailleux
(signature of applicant, solicitor or authorized agent)

I, Josh Mailleux of the Town of Amherstburg 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 Amherstburg in the County of essex this 7 day of April, 2024.

Josh Mailleux
Applicant, Solicitor or Authorized Agent

J. Mastronardi
A Commissioner, etc.

Janine Quintina Mastronardi, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 30, 2024

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 \$1191.00, along with an ERCA development review fee of \$200.00 (total of \$1391.00 payable to the Town of Amherstburg), must accompany your completed application.

Engineering review fees per Amherstburg's User fee by-law may be applicable.

AUTHORIZATION

(Please see note below)

To: Secretary-Treasurer
Committee of Adjustment
Town of Amherstburg

Description and Location of Subject Land:

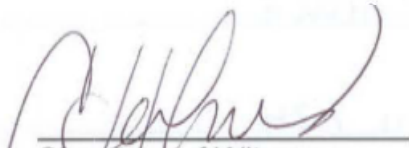
4684 Alma Street

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

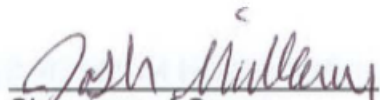
Chad Mailloux of the Town of Amherstburg to:

- (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 7 day of April, 2024



Signature of Witness



Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

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: 4686 Alma

APPLICATION NUMBER(S): B/11/24

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.

Josh Mailloux
Signature (Owner/Authorized Agent)

April 7 2024
Date



Town of Amherstburg
B/11/24 & A/14/24- 4686 Alma Street



Retained Parcel
32.95 ha (81.43 ac)

12.2 m (40 ft)

Severed Parcel to merge with
4610 Alma Street
0.23 ha (0.57 ac)

CONCESSION 5 N

ALMA ST





Town of Amherstburg
B/11/24 & A/14/24- 4686 Alma Street



12.2 m (40 ft)

230 ft

Severed Parcel to merge with
4610 Alma Street
0.23 ha (0.57 ac)

SPETIC

100 ft

Retained Parcel
32.95 ha (81.43 ac)

270 ft

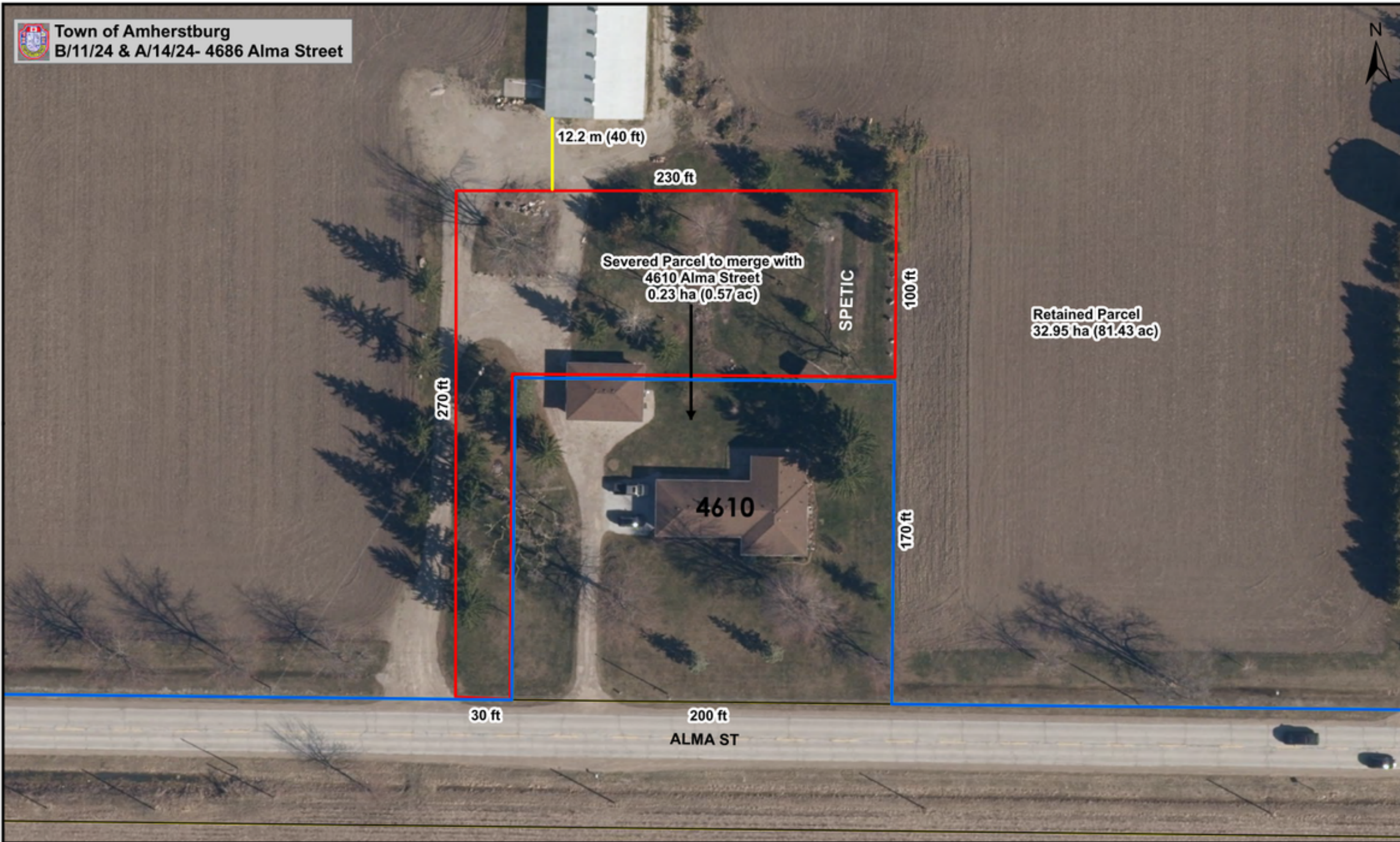
4610

170 ft

30 ft

200 ft

ALMA ST



B/11/24 & A/14/24- 4686 Alma Street- Site Photo





Summary of Correspondence Received on Proposed ZBA for 6387-6391 Concession 6 N

Below is a summary of the comments received by the Planning Services Division on B/11/24 & A14/24 as of April 25, 2024.

Essex Region Conservation Authority:

See attached letter.

Building Department:

- Grade design demonstrating that property will maintain own rain water
- Septic evaluation of the existing septic system

Infrastructure Services:

- Surface water and subsurface drainage tiles and water shall be redirected around the severed parcel to the satisfaction of the Chief Building Official or Infrastructure Services.
- The applicant shall submit a tiling plan of the entire parcel to Amherstburg's Drainage Superintendent.
- The applicant/owners enter into the reapportionment of the drainage assessment for the subject lands in accordance with Section 65(2) of the Ontario Drainage Act, R.S.O. 1990 as amended and provide the Town of Amherstburg, a signed agreement and that any associated cost of same be borne solely by the applicant. The reapportionment for any affected Municipal Drains be required and are to be assessed against the affected lands in accordance with any past, current or future drainage bylaws, until such time as otherwise determined under the provisions of the Drainage Act. (Cook Drain)

Fire Department:

Fire Department has no issues with these three items.



planning@erca.org

P.519.776.5209

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April 18, 2024

Ms. Janine Mastronardi

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

Dear Ms. Janine Mastronardi:

RE: Application for Consent B-11-24, and Minor Variance A-14-24 ALMA ST
ARN 372940000000400; PIN: 015430185
Applicant: 1830011 ONTARIO LIMITED

The Town of Amherstburg has received Application for Consent B-11-24 and Application for Minor Variance A-14-24, for the above noted subject lands.

Application for Consent B-11-24 proposes to sever an L-shaped parcel of land with an area of approximately 0.23 ha, and which contains part of an existing detached garage, and the septic system servicing the house at 4610 Alma. The remaining parcel of approximately 32.95 ha in area is agricultural land with six agricultural structures, and grain bins.

Minor Variance A-14-24 seeks relief for minimum lot area requirements of 40 hectares in an Agricultural (A) Zone. The applicant also seeks relief for minimum interior sideyard setbacks.

The following is provided as a result of our review of Application for Consent B-11-24, and Minor Variance A-14-24.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of Faucher Drain and Deslippe Drain.

Ms. Janine Mastronardi
April 18, 2024

FINAL RECOMMENDATION

Our office has **no objection** to B-11-24 and A-14-24.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Alicia Good
Watershed Planner
/ag



Amherstburg Committee of Adjustment

May 01, 2024

B/11/24 & A/14/24-4686 Alma St

Purpose of Application B/11/24

The applicant is proposing to sever an L-shaped parcel of land being 9.144 m (30 ft) \pm frontage by 82.3 m (270 ft) \pm depth with an area of 0.23 ha (0.57 ac) \pm and contains part of an existing detached garage, the septic system servicing the house at 4610 Alma and grass and treed area. The remaining parcel being 504.46 m \pm frontage by an irregular depth with an area of 32.95 ha \pm is agricultural land which contains six (6) agricultural structures and several grain bins.



Purpose of Application A/14/24

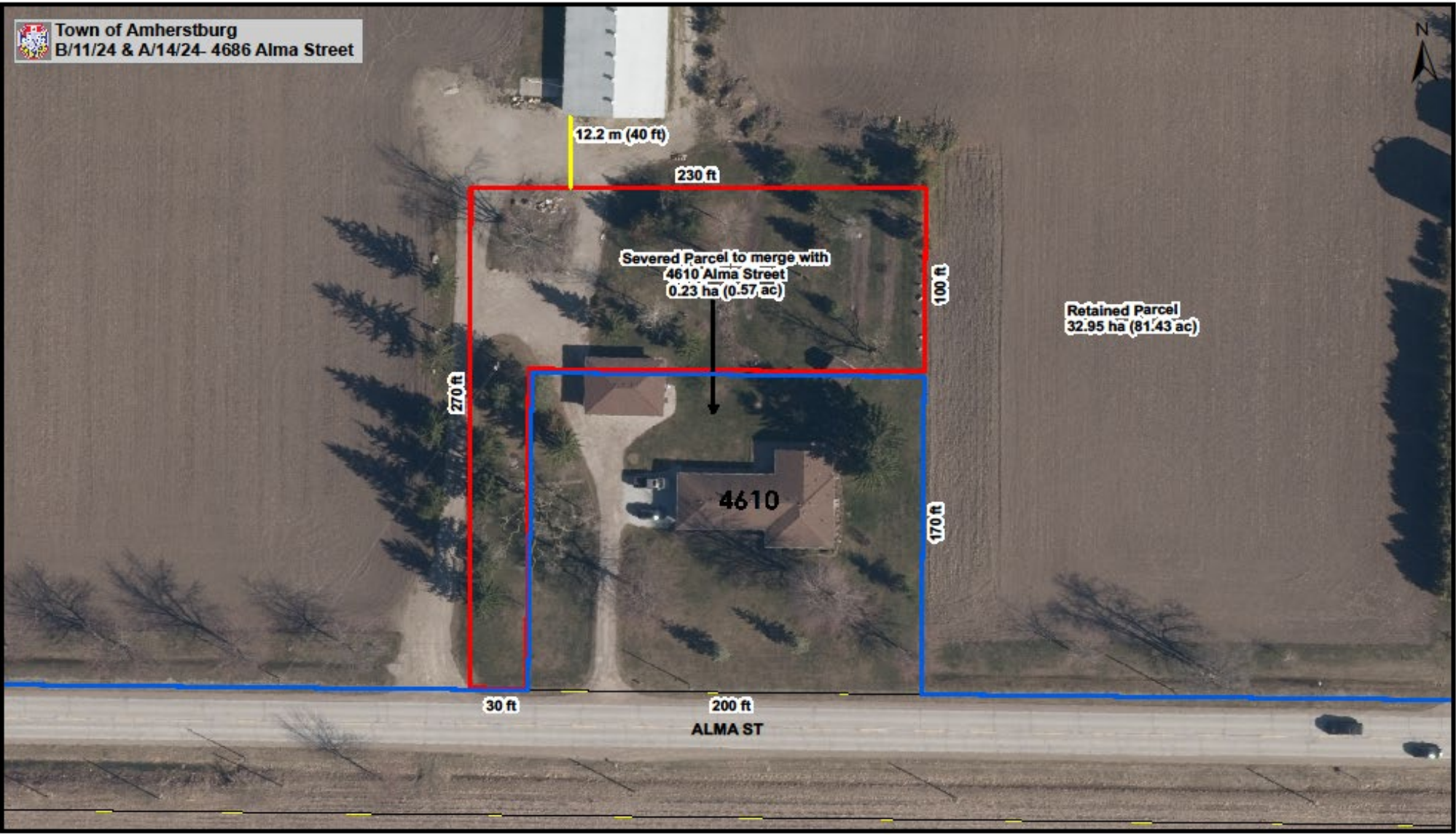
The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to a severance of a 0.23 ha \pm lot addition from an existing 33.18 ha hectare parcel the retained farm parcel will have an area of 32.95 hectares \pm . Therefore, the amount of relief requested is 7.05 hectares.

The applicant is also requesting relief from Zoning By-law 1999-52, as amended, Section(3)(d)(ii) which requires a minimum interior side yard setback of 15 m for non-residential uses. Subsequent to a consent an existing agricultural structure will have an interior side yard setback of 12.2 m. The structure previously was a livestock facility but has since been decommissioned. Therefore, the amount of relief requested is 2.8 m in interior side yard setback.





Town of Amherstburg
B/11/24 & A/14/24- 4686 Alma Street



Sketch

Policy Review

The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.

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

- Planning Act, R.S.O. 1990
- Provincial Policy Statement 2020
- County of Essex Official Plan
- 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 variances conform with the intent of the relevant Official Plan policies;
- 2) The proposed variances maintain the intent of Comprehensive Zoning By-law 1999-52, as amended;
- 3) The proposed variances are desirable or the appropriate development or use of the land, building or structures; and
- 4) The requested variances would appear to be minor in nature.



Recommendation – Consent B/11/24

Based on the foregoing and subject to the Committee's consideration of written and oral submissions at the public meeting it is recommended that application B/11/24 be approved subject to the recommended conditions.

Recommendation – Minor Variance A/14/24

Based on the foregoing and subject to the Committee's consideration of written and oral submissions at the public meeting it is recommended that application A/14/24 be approved.

