



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:

Greater Essex County District School Board, c/o Jeffrey R. Dow, 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, July 3, 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, July 1, 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: 330 Simcoe Street
(Roll No.: 3729-150-000-00102)**

Purpose of Minor Variance Application A/25/24: The applicant is proposing to install an illuminated pylon sign indicating the name and address of the school along with an LED message screen. A minor variance is required for permissions and relief from the Sign By-law 2016-100.

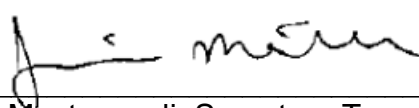
The applicant is requesting permission to erect a pylon sign in an Institutional Zone consistent with the Commercial Pylon Sign provisions found in Section 9.5 of Sign By-law 2016-100. The applicant is also requesting 2 m of relief from Section 4.7(1) which requires an illuminated sign maintain a 30.48 m setback from a Residential Zone to allow a pylon sign in an Institutional Zone which includes illumination with a setback to the closest adjacent residential property line being 28.5 m.

Therefore, the applicant is requesting permission to erect a pylon sign in an Institutional Zone in compliance with the Section 9.5 pylon sign provisions and the applicant is seeking relief of 2 m in setback for an illuminated sign from a Residential Zone to permit a 28.5 m setback.

The subject property is designated Open Space in the Town's Official Plan and is zoned Institutional (I) 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: June 20, 2024



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

Municipal Fee Received	PAID
ERCA Fee Received:	

Application No. A/25/24

PLANNING ACT
APPLICATION FOR MINOR VARIANCE
APPLICATION FOR PERMISSION
TOWN OF AMHERSTBURG

- Name of approval authority Town of Amherstburg
- Date application received by municipality June 14, 2024
- Date application deemed complete by municipality June 19, 2024
- Name of registered owner Greater Essex County District School Board
Telephone number _____
Address _____ Postal Code _____
Email _____
Name of registered owner's solicitor or authorized agent (if any) Jeffrey R. Dow
Telephone number _____
Address _____ Postal Code _____
Email _____

Please specify to whom all communications should be sent:

- registered owner
 solicitor
 agent

- Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

- Location and description of subject land:

Concession No. 1 Lot(s) No. P+L+2
Registered Plan No. _____ Lot(s) No. _____
Reference Plan No. 12227349 Part(s) No. P+L
Street Address 380 Simcoe Assessment Roll No. 150-00102

- Size of subject parcel:

Frontage 669.91 ft Depth _____ Area 15 acres

- Access to subject parcel:

- 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 Open Space

10. Current Zoning of subject land Institutional

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

Sign By-law 206-100 does not allow an illuminated
pylon sign in an Institutional Zone
- Permission is being sought to erect a illuminated
pylon sign with relief requested of 2m to permit a
setback of an illuminated sign being 28.5m.

12. Reasons why minor variance is necessary _____

- to permit the pylon sign in an institutional zone

13. Current use of subject land Institutional - secondary school

14. Length of time current use of subject land has continued Institutional - 100+ yrs
School - 2 yrs

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 institutional building - high school

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

Occupancy August 2022

17. Date subject land acquired by current registered owner April 30, 2018

18. Proposed use of subject land Institutional

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:

- Pylon sign - see sketch
- 14'6" in height w/ 8' clearance below
- a 48 sq ft in sign area on each side

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:

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.

N/A

25. The proposed project includes the addition of permanent above ground fuel storage:

- Yes
- No

26. Is the land within 600m of property that is designated as Extraction Industry?

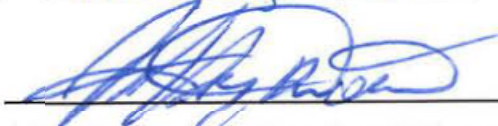
- Yes
- No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

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.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

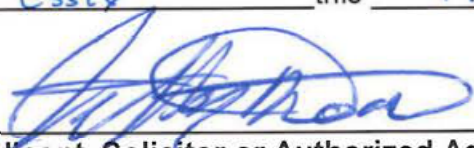
Dated at the Town of Amherstburg this 14th day of June, 2024.



(signature of applicant, solicitor or authorized agent)

I, Jeffrey Dow of the City of Windsor in the County/District/Regional Municipality of _____ 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 14th day of June, 2024.



Applicant, Solicitor or Authorized Agent



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.

AUTHORIZATION
(Please see note below)

To: Secretary-Treasurer
Committee of Adjustment
Town of Amherstburg

Description and Location of Subject Land:

330 Simcoe

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

Jeffrey R. Dow of the City of Windsor 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 14th day of June, 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: 330 Simcoe

APPLICATION NUMBER(S): A/25/24

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)

June 14, 2024
Date

DM1
A/25/24- 330 Simcoe



R3

VICTORIA ST S

Proposed Sign

min. 2m

min. 0.6 m

COUNTY RD 18

min. 28.5 m

R1

R1-15

RM1

FRYER ST

300

300

366

295

309

315

319

327

331

335

339

343

347

302

306

367

301A

A/25/24- 330 Simcoe



Proposed Sign

min. 0.6 m

min. 2 m

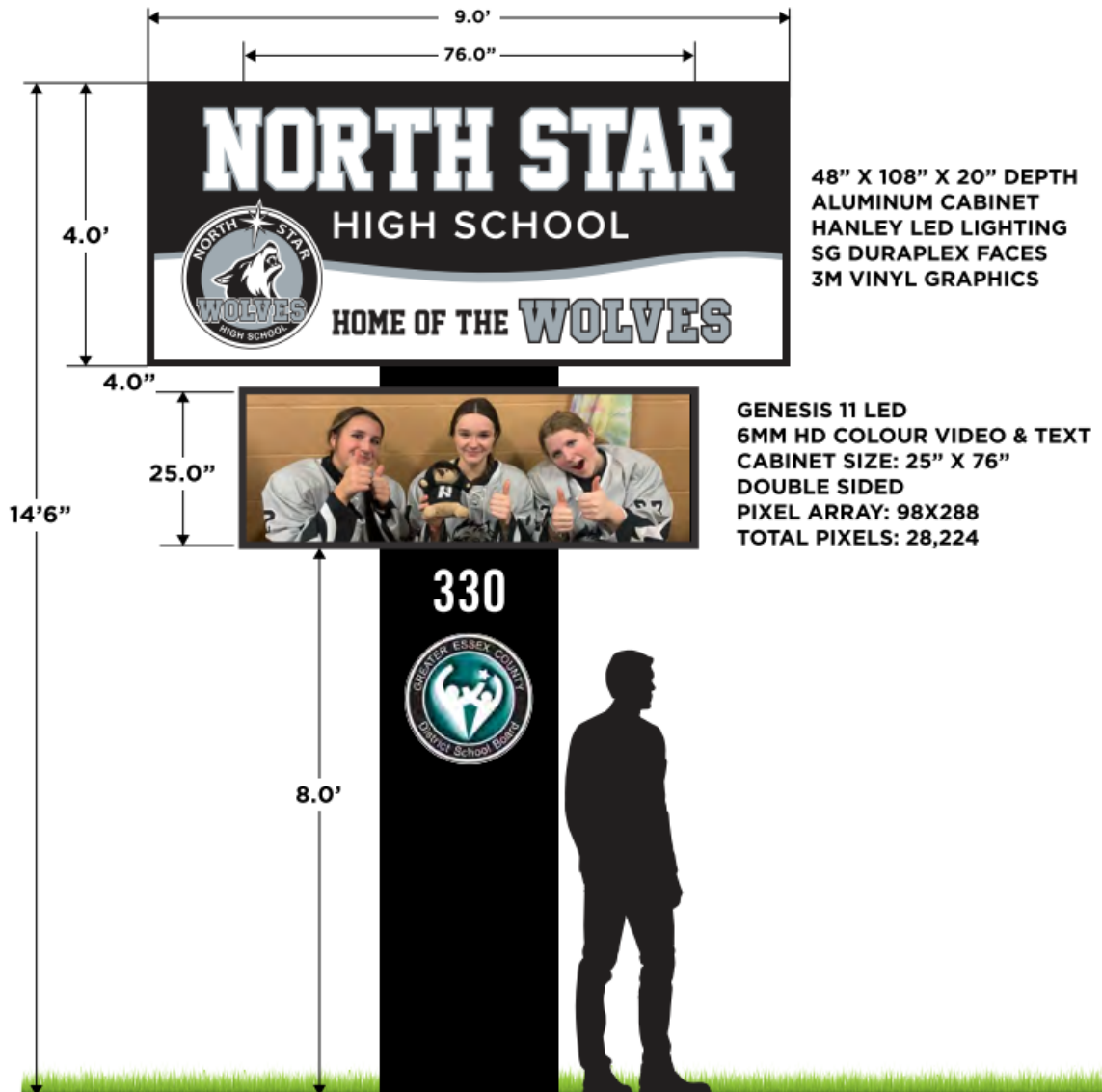
COUNTY RD 18

FRYER ST

min. 28.5 m



NORTH STAR HIGH SCHOOL
330 SIMCOE STREET | AMHERSTBURG
NEW DOUBLE SIDED GROUND SIGN
OPTION A

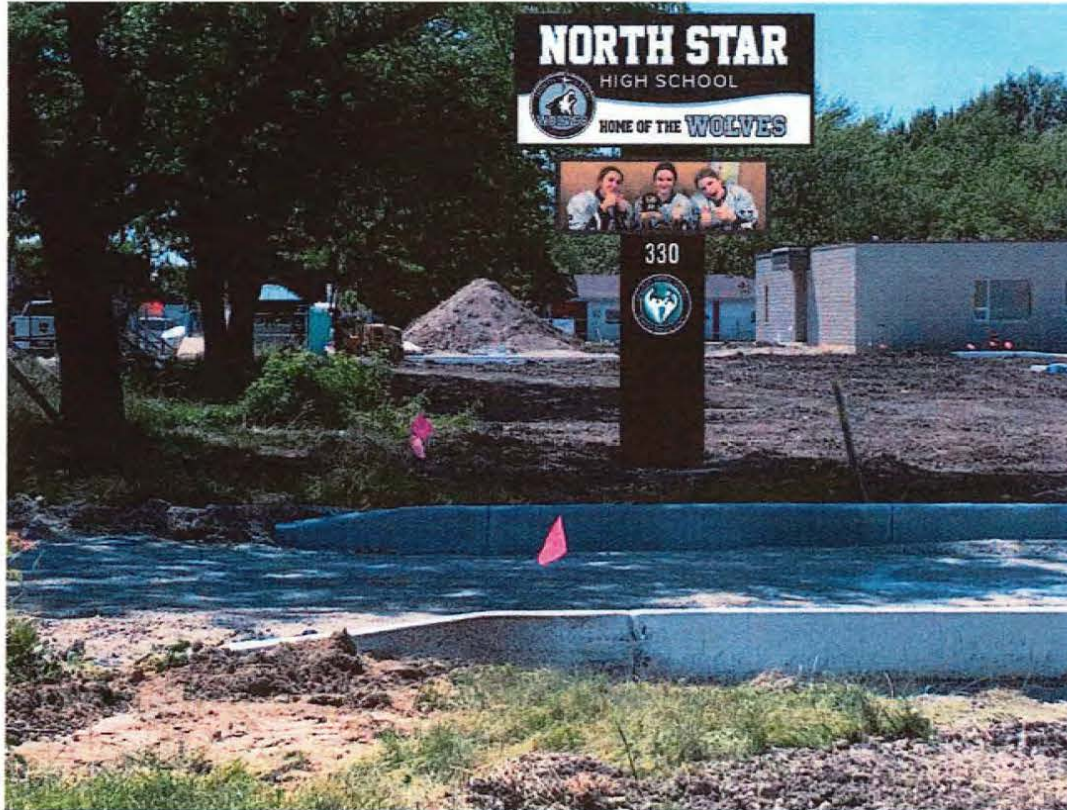


LED TECHNOLOGY SIGNAGE

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NORTH STAR HIGH SCHOOL
330 SIMCOE STREET | AMHERSTBURG
NEW DOUBLE SIDED GROUND SIGN

RENDERING



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CELL [REDACTED]
[REDACTED]
[REDACTED]



Summary of Correspondence Received on Proposed Minor Variance for A/25/24 – 330 Simcoe Street

Below is a summary of the comments received by the Planning Services Division for A/25/24 as of June 25, 2024.

Essex Region Conservation Authority:

No objections

Building Department:

No comments

Infrastructure Services:

No comments



Amherstburg Committee of Adjustment

July 03, 2024

A/25/24 – 330 Simcoe St.

Purpose of Application A/25/24

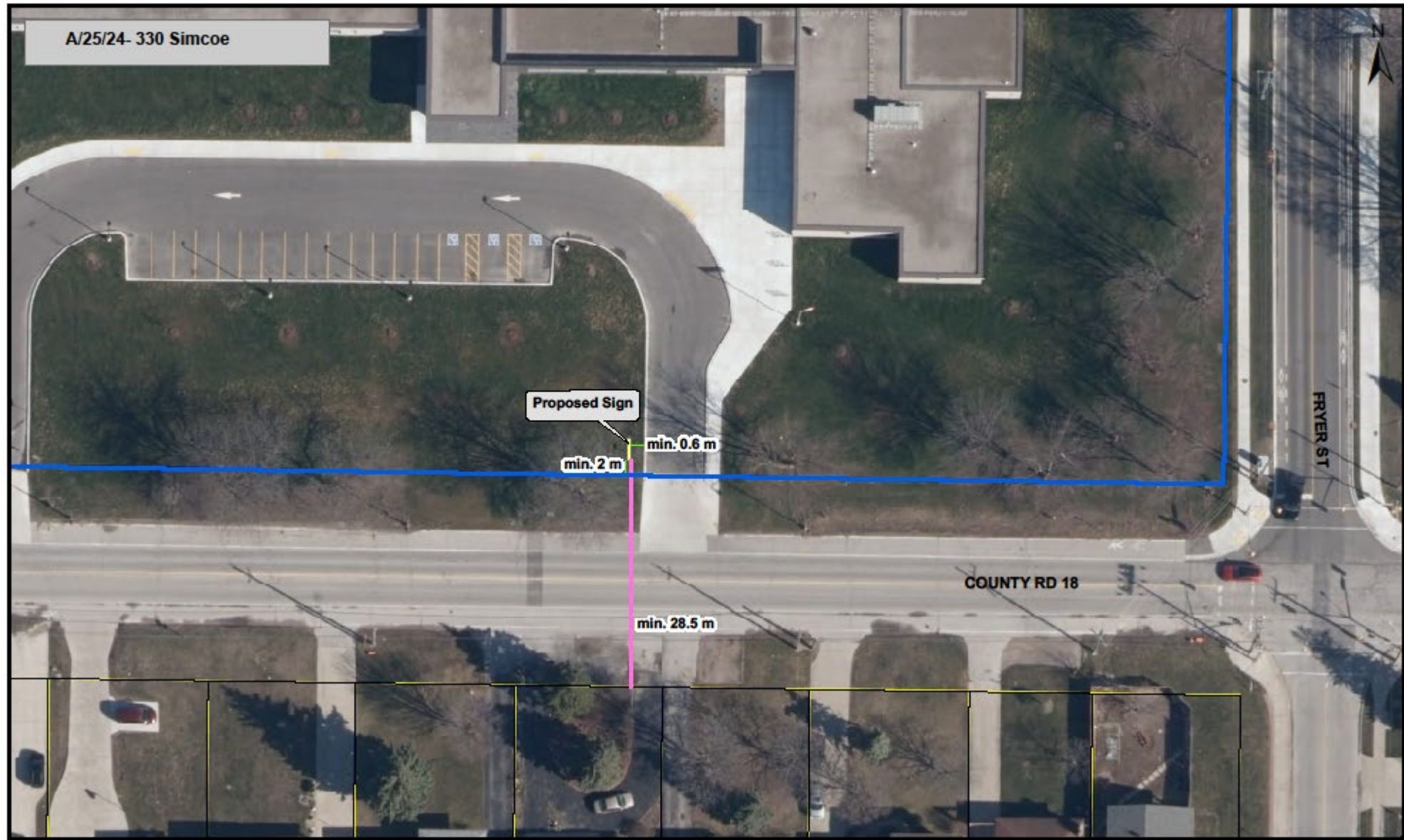
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Sketch

Policy Review

The subject property is designated Open Space in the Town's Official Plan and is zoned Institutional (I) 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
- Sign By-law 2016-100



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/25/24 be approved to grant permission to erect a pylon sign in an Institutional (I) Zone in compliance with Section 9.5 provisions in Sign By-law 2016-100 and to grant relief of 2 m in setback for an illuminated sign from a Residential Zone to permit a 28.5 m setback.

