



**TOWN OF AMHERSTBURG  
COMMITTEE OF ADJUSTMENT MEETING  
MINUTES**

**Wednesday, June 5, 2024  
8:00 AM  
Council Chambers  
271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

**PRESENT**                      Anthony Campigotto – Chair  
                                      Terris Buchanan – Vice Chair  
                                      Debbie Rollier  
                                      Josh Mailloux

**STAFF PRESENT**         Janine Mastronardi – Secretary - Treasurer  
                                      Sarah French - Planner  
                                      Karly Kennedy – Policy and Committee Coordinator

**ABSENT**                      Donald Shaw (*Regrets*)

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**1. CALL TO ORDER**

The Chair called the meeting to order at 8:00 a.m.

**2. ROLL CALL**

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*(Public Meeting Agenda Items)*

Josh Mailloux declared a conflict on item 6.2 of the public agenda due to being an owner of the property.

#### **4. LAND ACKNOWLEDGEMENT**

The following land acknowledgement was read: 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.

#### **5. MINUTES OF PREVIOUS MEETING**

**Moved By** J. Mailloux

**Seconded By** T. Buchanan

That the following minutes of the Committee of Adjustment **BE APPROVED**:

##### **5.1 May 1, 2024 Committee of Adjustment Meeting Minutes**

The Chair put the motion.

**Motion Carried**

#### **6. ORDER OF BUSINESS**

##### **6.1 A/16/24, 156 Dalhousie Street, Ryan Deslippe**

**Moved By** T. Buchanan

**Seconded By** J. Mailloux

That the revised application A/16/24 requesting relief of 0.624 m in front yard fence height for the vertical pickets and relief of 0.7764 m in front yard fence height for the brick piers to allow a fence in the front yard with a height of 1.524 m with brick piers with a height of 1.6764 m and grant relief of 0.13 m in gate height to allow a motorized vehicle gate with a height of 2.13 m with coach lights on top be approved subject to the following condition;

1. That the fence and motorized gate be consistent with style provided within the drawings submitted as part of the minor variance application.

The Chair put the motion.

**Motion Carried**

**6.2 B/11/24 & A/14/24, 4686 Alma Street, 1830011 Ontario Ltd., c/o Chad Mailloux, Agent**

**Moved By** D. Rollier

**Seconded By** T. Buchanan

**That application B-11-24 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 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 a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
7. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(d)(ii) which requires a minimum interior side yard setback of 15 metres for non-residential uses in an Agricultural (A) Zone regarding the existing agricultural building 12.2 m from the proposed new property line.
8. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the retained parcel does not cross the

property lines, that the systems are in working order and that its operation will not be affected by the severance, to the satisfaction of the municipality.

9. That a grade design demonstrating that the severed (resulting consolidated parcel) will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.
10. Surface water and subsurface drainage tiles and water shall be redirected around the severed parcel to the satisfaction of the municipality.
11. The applicant shall submit a tiling plan of the entire parcel satisfactory to the municipality.
12. The applicant/owners shall enter into a 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.
13. 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.

The Chair put the motion.

**Motion Carried**

**Moved By** T. Buchanan

**Seconded By** D. Rollier

**That application A-14-24 be approved.**

The Chair moved the motion.

**Motion Carried**

**6.3 B/13/24 & A/15/24, 6081 County Road 18, Brian Renaud, c/o Alexander Sharma, Agent**

**Moved By** J. Mailloux

**Seconded By** T. Buchanan

**That application B-13-24 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 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 a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
7. That a grade design demonstrating that the severed (resulting consolidated parcel) will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.
8. Surface water and subsurface drainage tiles and water shall be redirected around the severed parcel to the satisfaction of the municipality.
9. The applicant shall submit a tiling plan of the entire parcel satisfactory to the municipality.
10. The applicant/owners shall enter into a 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.
11. 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.

The Chair put the motion.

**Motion Carried**

**Moved By** T. Buchanan

**Seconded By** J. Mailloux

**That application A-15-24 be approved.**

The Chair put the motion.

**Motion Carried**

**6.4 A/17/24, 207 Brock Street, Richmond Praedium Inc.**

**Moved By** T. Buchanan

**Seconded By** J. Mailloux

**That application A-17-24 be approved.**

The Chair put the motion.

**Motion Carried**

**6.5 A/18/24, 247 Brock Street, Jones Group Inc.**

**Moved By** T. Buchanan

**Seconded By** J. Mailloux

**That application A-18-24 be approved.**

The Chair put the motion.

**Motion Carried**

**7. ADJOURNMENT**

**Moved By** J. Mailloux

**Seconded By** T. Buchanan

That the Committee of Adjustment **RISE and ADJOURN** at 9:00 a.m.

The Chair put the motion.

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Anthony Campigotto – Chair

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Janine Mastronardi - Secretary-Treasurer