

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 minor variance by:

Gerald Goodchild

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, November 6, 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.

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, November 4, 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 applications. If you are aware of any person interested in or affected by these applications who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on these applications, 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 consent or minor variance does not make written submission to the Town of Amherstburg Committee of Adjustment before it gives or refuses to give a provisional consent or a provisional minor variance, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decisions 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: 86 Willow Beach Road

(Roll Nos.: 3729-550-000-03700, 03800 and 03900)

<u>Purpose of Application B/22/24:</u> The applicant is proposing to sever a parcel of land being 18.9 m ± frontage by 45.72 m ± depth with an area of 864 sq m ± to <u>create a new residential building lot for a single detached dwelling.</u>

The remaining parcel being 17.7 m \pm frontage by 45.72 m depth with a total area of 808.25 sq m \pm contains a single detached dwelling and one accessory structure.

<u>Purpose of Application A/38/24:</u> The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 6(3)(a) which requires a minimum lot area of 900 sq m and from Section 6(3)(b) which requires a minimum lot frontage of 20 m both for parcels created in a Residential Type 1A (R1A) Zone. Subsequent to B/22/24; the severed parcel will have a lot area of 864 sq m \pm and a lot frontage of 18.9 m \pm , the retained parcel will have a lot area of 808.25 sq m \pm and a lot frontage of 17.7 m \pm . The applicant is also seeking permission for the existing accessory structure to remain as existing subject to confirmation of the location of the structure being wholly within the subject property.

Therefore, the amount of relief requested is 36 sq m in lot area and 1.1 m in lot frontage for the severed parcel and 91.75 sq m in lot area and 2.3 m in lot frontage for the retained parcel.

The subject property is designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1A (R1A) Zone in the Town's Zoning By-law.

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: October 25, 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.: 8/22/24	
Date of Pre-consultation Meeting:	+ 2024
Date Application Received:	
Data Application Deams of Completes	.1.2024
Staff Person Present: J. Mastone	irdi
Municipal Fee Received: PAID	
ERCA Fee Received:	
1. CONTACT INFORMATION	
Municipal Freedom of Information and Pro on this form is collected under author	vner Information otection of Privacy Act – Personal Information ority of the Planning Act and will be used to this application.
Name of Registered Owner:	Goodchild
Mailing Address:	
Postal Code:	Phone:
Cell:	Email:
Agent Authorized by Owner to file the App	dication (if applicable):
Name:	
Mailing Address:	
Postal Code:	Phone:
Cell:	Email:
Which of the above is the Primary Contact?	□ Applicant □ Agent
If known, if there are any holders of any mo subject land, please provide details as follows	ortgages, charges or other encumbrances on the
Name:	
Address:	

2. LOCATION AND DESCRIPTION OF SU	BJECT LA	INDS
Assessment Roll No.: 3729-556 - 66	0 0 03700	103800,03900
Municipal Address: 86 Willow Beat	ich Rd	
Concession:	Lot:	
Registered Plan No.: No3	Lot(s):	49,50,51
Reference Plan No.:	Part(s):	
3. CURRENT OFFICIAL PLAN DESIGNAT	ION AND	ZONING OF SUBJECT LANDS:
Official Plan Designation: Low Density	Zoning:	
Residential		
4. CURRENT SIZE OF SUBJECT PARCEL	-:	
Frontage: 120 ft (34.6m)		
Depth: 150 F+ (45.72 m)		
Area: 18,000 \$ (1472	.25 m²	
5. ARE THERE ANY EASEMENTS OR SUBJECT LAND?	RESTRIC	TIVE COVENANTS AFFECTING THE
Yes	of .	No
If yes, please provide a description of each	easement o	or covenant and its effect.

6. TYPE	AND PURPOSE OF TRANSAC	TION (p	lease check all applicable)	
Convey	ance			
Agricultu	ıral Area			
	farm split	0	lot addition	
	surplus dwelling	П	technical severance	
Other Ar	reas			
the state of the s	creation of new lot		lot addition	
	technical severance			
Other				
	mortgage or charge		partial discharge of mortgage	
0	easement/right-of-way		correction of title	
0	other (specify)			

7. DESCR	IPTION AND USE C	F LAN	ID INTEND	ED TO	BE SE	VERED:
Frontage:	62F4 (18	3.9 ~	()			
Depth:	158 ft (45.	72m)			
Area:	9800 soft	Mary I		1)		
Existing U	se: Vacand	resid	uent al			
Proposed	Use: smgl+	deta	ched d	wellm	5	
Number a	nd use of buildings a	nd stru	ctures on t	the land	intende	ed to be severed
Existing:	Vacant					
Proposed:	single detre	hed a	d welling	by	new	owner
Is there ar	existing access brid	lge on	this parcel	? cess		
	Yes (locate on si	ketch)		4	No	
Is there a	water service connec	ction or	n this parce	el?		
♥/	Yes (locate on sl	ketch)		0	No	
Is there a	sanitary sewer conne	ection o	on this par	cel?		
•	Yes (locate on sl	ketch)		0	No	
Access to	proposed severed lo	t				
4	Municipal Road	0	County F	Road		Provincial Highway
	Private		Water			
If access to	to the subject land is the approximate dista	s by wa	ater only, i etween the	ndicate se facili	the par ties and	king and docking facilities to be the hearest public road.

8. NUMBE	R OF NEW LOTS PR	КОРО	SED (NO	T INCL	UDING	RETAINE	D LOT):	1
9. DESCRI	IPTION AND USE O	F LAN	D INTEN	IDED T	O BE RE	TAINED:		
Frontage:	58 CH (17.7 m	>	Depth:	158ft	(45.72	Area:	8700 szf	(808.25m
Existing Us	se: residential							
Proposed l	Use: resident	ial						
Number an	nd use of buildings an	ıd stru	ctures or	the lar	nd intend	ed to be re	etained	
Existing:	Single detac	hedi	delling	4	me	96175600	y structu	ve
Proposed:	ho change							
Is there an	existing access bridg	ge/on t	his parce	el?				
•	Yes (locate on s	ketch)		0	No			
Is there a v	vater service connect	ion on	this par	cel?				
0	Yes (locate on s	ketch)			No			
Is there a s	anitary sewer connec	ction o	n this pa	rcel?				-
d	Yes (locate on sl	ketch)			No			
Access to p	proposed retained lot							
0	Municipal Road		Count	ty Road		Provincia	al Highway	
	Private	0	Water					
	the subject land is b proximate distance be							to be used

	OF WATER SUPPLY AND SANITARY SEWAGE DIScable)	SPOSAL (plea	ise check all
Туре		Severed	Retained
	Municipally owned and operated piped water supply		œ
Water	Well		
	Other (specify)		
	Municipally owned and operated sanitary sewers		e/
Sanitary	Septic tank		
	Other(specify)		
When wil	l water supply and sewage disposal services be availab	ole?	
11. PROPI	ERTY HISTORY		
Have there	been any previous severances of land from this holding	ng?	
	Yes (locate on sketch)		
•	ase indicate previous severances on the required slater for each lot severed:	etch and sup	ply the following
Grantee's ı	name		
Relationsh	ip (if any) to the owner:		
Use of pard	cel:		
Date parce	I created:		

	cel ever been the subject of an application for approval of a plan of subdivision under or a consent under Section 53 of the Act, as amended, or its predecessors?
п	Yes (locate on sketch) 🗹 No
If yes, pleas	se indicate the file number and the decision:
12. CURRE	ENT APPLICATIONS
Please indi	cate whether the property is the subject of an application for one of the following:
0	Official plan or official plan amendment approval
	Zoning by-law amendment
п	Minister's zoning order amendment
ď	Minor variance
	Consent or approval of a plan of subdivision
If known, in	dicate the file number and status of the foregoing application(s)
	r, solicitor or agent applying for additional consents on this holding simultaneously olication, or considering applying for additional consents in the future?
ā	Yes (locate on sketch) No
enlarge und	r, solicitor or agent applying for any minor variance or permission to extend or ler Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land ubject of this application?
0	Yes (locate on sketch) Mo

12. CURRENT A	PPLICATIONS CONTINUED		
•	application consistent with policy s ? (ie. 2020 Provincial Policy Staten		ents issued under subsection 3(1) of
d	Yes (locate on sketch)		No
Comments:			
Is the subject lan	d within an area of land designated	d unde	r any provincial plan or plans?
	Yes (locate on sketch)	ø/	No
If yes, does the replans?	equested application conform to or	does i	not conflict with the provincial plan or
	iated with any natural environment s a Wetland or Natural Environmer		or adjacent to or abutting lands that
	Yes (locate on sketch)	¥	No
Region Conserva Guidelines for Er additional require	ation Authority, to be completed nvironmental Impact Assessments	in acc or wh nes in a	for approval by the Town and Essex ordance with the County of Essex en Council considers it appropriate, accordance with more detailed locally assessment.
Does the propose	ed project include the addition of pe	ermane	ent above ground fuel storage?
	Yes (locate on sketch)	ø	No

Is the land	within 600 m of property	that is designated :	as Extractive Industr	rial?
0	Yes	ø.	No	
	er Section 3.3.3 of the O		and vibration study is	s required for
13. CONSE	ENT OF OWNER			
The owner	must also complete the	following or a simila	r authorization attac	hed to the application.
In accordant Planning Sesupporting of In submit	nce with the provisions o ervices Department to p documentation. ting this developme	Allow Site Visits to of the Planning Act, is provide the public actent application a	be Conducted it is the policy of the ccess to all develope and supporting of	Town of Amherstburg ment applications and
acknowledg provisions information	ge the above-noted poor of the <i>Municipal Freed</i> on this application and a and solicitors, will be pa	olicy and provide needed	my/out consent, in and Protection of umentation provided	accordance with the Privacy Act, that the by myself, my agents,
Scot. le	, 2024	Merald	Hoodill	Signature
Date				Signature

14. AFFIDAVIT (This affidavit must	be signed in the presence of	a Commissioner)
I/We, Germa Goodchi	44	of the
Town	of Amherstonry	in the
information and the statements conf		
declaration conscientiously believing	j it to be true, and knowing tha	at it is of the same torce and eπect
as if made under oath and by virtue DECLARED before me at the	Town of 1	Amherstburg
in the County	of Essex	thisth
day ofSeptember	, 2024	
Sept. 6.2024 Date	Herald Hoo Signature of Own	er or Authorized Agent
Sept. 6.2024	S. French.	
Date	Sarah Elizabeth French	Ontario, for the Town of Amhers

15. AUTHORIZATIO	V	
	the owner(s) of the land that is sub g or a similar authorization attache	oject of this application, the owner(s) must ed to the consent application.
To: Town of Amherst	ourg	
Description and Loca	tion of Subject Lands:	
I/We, the undersigned	ed, being the registered owner(s	s) of the above lands hereby authorize
#Age************************************	of	· · · · · · · · · · · · · · · · · · ·
	to :	
Amherstburg; (2) appear on my (3) provide any inf (4) submit this appart and Protection	behalf at any hearings(s) of the ap formation or material required by th blication on my/our behalf and, for th	ne Committee relevant to the application. ne purposes of the Freedom of Information f my/our personal information that will be
DATED at the	of	
in the	of	this
day of	, 20	
Witness		Signature of Owner
Witness		Signature of Owner
Witness	The second secon	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

	RISSIAN Brach Rd
Application Number(s):	0/22/29
I understand that each sign must and be replaced if necessary, until	be posted at least 14 days before the Hearing, and will remain posted
and be replaced if flecessary, unti-	The day following the Decision.
	Treasurer has confirmed these requirements with me.

Municipal Fee Received	Dayo
ERCA Fee Received:	THIP

Application No. A/38/24

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

Date application received by municipality	1
Name of registered owner Gerald Good shild	1,2024
Telephone number	
AddressPostal Code_	
Email	
Name of registered owner's solicitor or authorized agent (if any)	
Telephone number	
AddressPostal Code	
Email	
Please specify to whom all communications should be sent:	
□ registered owner □ solicitor □ age	nt
Location and description of subject land: Concession NoLot(s) No	
Registered Plan NoLot(s) No49.	
Reference Plan NoPart(s) No	
Street Address 86 Willow Beach Kd Assessment Roll No. 312	9 - 556 - 638
Size of subject parcel:	
Frontage <u>120 A</u> Depth <u>So F+</u> Area <u>/8</u>	000 sqft
Access to subject parcel:	
Municipal Road ☐ County Road ☐ Provincial Highwa ☐ Private ☐ Water	ау

9.	Current Official Plan Land Use designation of subject land Low Donsity Residential
10.	Current Zoning of subject land
11.	Nature and extent of relief from the Zoning By-law requested Section (3)
	Section 6(3) (b) requires a zom lot frantage for parcels created in RIA.
	B/22/24 proposes Severed parcel 18.9 m frontage + 864 m2 area
	+ proposes retained parcel 17.7m frontage + 808.3 m2 are q - Permission for existing accessory structure to remain with non-complying setbales
12.	Reasons why minor variance is necessary
	- allow reduced lot frontage y area + to acknowledge the cristing accessory structure setbacks.
13.	Current use of subject land
14.	Length of time current use of subject land has continued
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:
	-retorned parcel - stryle detached dwelling +
	accessory structure
	- severed parcel - vacant
16.	Date of construction of existing buildings and structures on the subject land:
	garage-prior to 2004 (as per aerials)
17.	Date subject land acquired by current registered owner
18.	Proposed use of subject land
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:
	- Fetained parcel - remain the same - no change
	-severed parcel - proposed single detached

	Type of water supply:			
	municipally owned and operated piped water supply			
	□ well			
	Other (specify)			
	Type of sanitary sewage disposal:			
	municipally owned and operated sanitary sewers			
	□ sentic system			
	Other (specify)			
	Type of storm drainage:			
	sewers			
	□ ditches			
	□ swales			
	Other (specify)			
	If known, indicate whether the subject land is the subject of an application under the Planning Act for:			
	□			
	If known, indicate the file number and status of the foregoing application:			
	8/22/24			
	B/22/24 Concarrent			
	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.			
	The proposed project includes the addition of permanent above ground fuel storage:			
	□ Yes ☑ No			
	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 preconsultation 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 theormurstbur	this 6 day of 30pt., 2029.
Genald Ho	- le held
(signature of app	olicant, solicitor or authorized agent)
1, Gerald Goodhild of the Town of	- Amherstoney in the
County/District/Regional Municipality ofEssey	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 th	nat it is of the same force and effect as if
made under oath and by virtue of the Canada Evide	ence Act.
Declared before me at the of of	herstburg in the County
of this day o	f September, 20 24
Merald Hoodshill	S. French
Applicant, Solicitor or Authorized Agent	A Commissioner, etc.
	arah Elizabeth French, a Commissioner Province of Ontario, for the
	Corporation of the Town of Amherston

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;

Data d at the

- 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;
- 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)

Secretary-Treasurer Committee of Adjustment Town of Amherstburg

To:

Description and Location of Subject Land:					
I/We	orize		vner(s) of the above land	-	
		of the	of	to:	
(1)	make an application of Town of Amherstburg		he Committee of Adjustm	ent for the	
(2)	appear on my behalf	at any hearing(s) o	f the application; and		
(3)	provide any information or material required by Town's Committee of Adjustment relevant to the application.			nmittee of	
Date	ed at the	of		in the	
	of	, this _	day of	, 20	
Signature of Witness			Signature of Owner		
Signature of Witness			Signature of Owner		
Sigr	nature 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:	86 Willow Beach Rd	
APPLICATION NUMBER(S):	A/38/24	

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)

Date

pt. 6.2024



Town of Amherstburg

