



The Corporation of The Town of Amherstburg

271 SANDWICH ST. SOUTH
AMHERSTBURG, ONTARIO
N9V 2A5

PLANNING SERVICES DEPARTMENT
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June 9, 2022

Re: File **A/19/22**
Decision Made on Application for Minor Variance of
Kirsten DeJonge & Eric Werbiski, c/o Wendy DeJonge, Agent
491 Dalhousie Street (Roll No. 3729-040-000-01100)

In compliance with Subsection 10 of Section 45 of The Planning Act, R.S.O. 1990, Chapter P.13, I enclose herewith a certified copy of the decision of the Committee of Adjustment with regard to the above noted file.

Please be advised that the last day for filing an appeal is **June 27, 2022**.

Subsection (12) of Section 45 of The Planning Act states that "the applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal."

The letter of appeal and other documents from the application file will be forwarded to the Ontario Land Tribunal. The Ontario Land Tribunal may hold a hearing of which notice will be given to such public bodies or persons and in such manner as the Tribunal may determine.

When the final date for appeal has passed and no notice of appeal is given, the decision of the Committee of Adjustment is final and binding and the applicant will be so notified and a certified copy of the decision will be filed with the Clerk of the Municipality.

Yours truly,

Janine Mastronardi, Acting Secretary-Treasurer

**COMMITTEE OF ADJUSTMENT
DECISION OF COMMITTEE WITH REASONS
RE APPLICATION FOR MINOR VARIANCE**

The Planning Act, R.S.O. 1990, Chapter P.13, Subsection 45(8), As Amended

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) Kirsten DeJonge & Eric Werbiski, c/o Wendy DeJonge, Agent
- (c) Brief description LOCATION OF PROPERTY (c) 491 Dalhousie Street (Roll No. 3729-040-000-01100)
- (d) As set out in application PURPOSE OF APPLICATION: The applicant is proposing the construction of a 28 ft x 38 ft, 1064 sq ft, accessory structure with a height of 6.4 m (21 ft) to the peak of the roof and a setback of 20 m from the primary dwelling on the subject property. The proposed structure will have a garage on the main floor and a secondary dwelling unit (SDU) on the second floor. The 6.4 m (21 ft) building height is required to allow for standing room on the second floor.

The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(1)(c) which permits a maximum accessory structure height of 5.5 m (18 ft) measured to the peak of the roof in a Residential Zone.

Therefore, the amount of relief granted is 0.914 m (3 ft) in height for an accessory structure.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 7th day of June, 2022

DECISION: **APPROVED**
- (f) State conditions to be satisfied before granting of Minor Variance CONDITIONS - This decision has been made subject to the following conditions: (f)
 - (i) That a topographical plan of the existing grading of the site be prepared and submitted to the municipality.
 - (ii) That a grading plan be prepared, approved and implemented to the satisfaction of the municipality.
 - (iii) That the existing accessory structure be demolished prior to the issuance of a building permit for the new accessory structure.
- (g) State reasons for decision REASONS FOR DECISION: (g) The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

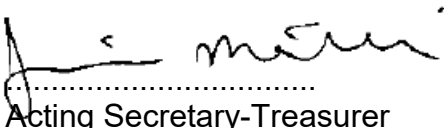
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David Cozens	Terris Buchanan	Anthony Campigotto

.....	ORIGINAL DOCUMENT SIGNED
Josh Mailloux	Don Shaw	

CERTIFICATION

The Planning Act, R.S.O. 1990, Chapter P.13, Subsection 45(10), As Amended

- (h) Name of approval authority I, **Janine Mastronardi, Acting Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.
- (i) Name & address of approval authority Dated the 9th day of June, 2022


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Acting Secretary-Treasurer
Town of Amherstburg Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8