



The Corporation of The Town of Amherstburg

271 SANDWICH ST. SOUTH
AMHERSTBURG, ONTARIO
N9V 2A5

PLANNING SERVICES DEPARTMENT
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September 4, 2024

Re: File **A/35/24**
Decision Made on Application for Minor Variance of
Andrew Deslippe and Judy Carney
347 Texas Rd. (Roll No. 3729-420-000-02846)

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 **September 24, 2024.**

Subsection (12) of Section 45 of The Planning Act states that the applicant, the Minister, a specified person or any public body may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Clerk of the municipality a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Minister 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, 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) Andrew Deslippe and Judy Carney
- (c) Brief description LOCATION OF PROPERTY (c) **347 Texas Rd.
(Roll No. 3729-420-000-02846)**
- (d) As set out in application PURPOSE OF APPLICATION: (d) The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(1)(b) which permits a maximum accessory structure lot coverage of 10% of the lot area to a maximum of 185 sq m (1991 sq ft) in a Residential Type 1A (R1A) Zone with the total floor area of the accessory building not exceeding the gross floor area of the main building and Section 3(23)(1)(i) which permits access from an improved street by mean of an unobstructed driveway a maximum width of 50% of the lot frontage to a maximum of 9 m for a driveway accessory to a single dwelling measured parallel to the said street, at any point on the lot closer to the said street than the street setback required.
- The applicant is proposing the construction of a 2240 sq ft accessory with an enclosed lean to at the rear and covered porch area along the north and east sides of the structure on a 15,000 sq ft parcel. The proposed accessory structure is 1500 sq ft with a 224 sq ft attached lean to and a 480 sq ft wrap around covered porch area. There is an existing 100 sq ft gazebo on the property. The dwelling has a total footprint of 2000 sq ft. Therefore, the total accessory structure lot coverage is 15.6% resulting in a total lot coverage proposed is 29.8% (4468 sq ft).
- The applicant is also proposing to widen the driveway within the parcel (not on the ROW) to provide a paved access to the rear yard. The widening will mirror the property to the west to a maximum width of 5 m by 7.5 m depth.
- Therefore, the amount of relief requested is 5.6% (68.75 sq m/740 sq ft) in accessory structure lot coverage, permission for the accessory structure to be 22.3 sq m (240 sq ft) larger than the dwelling and relief of 5 m in driveway width within the required front yard to gradually widen the driveway to allow for vehicle access to the side and rear yard.
- 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.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 4th day of September, 2024
- DECISION: APPROVED**
- (f) State conditions to be satisfied before granting of Minor Variance CONDITIONS - This decision has been made subject to the following condition: (f)
1. That the applicant prepare and implement a lot grading design for the subject property, to the satisfaction of the municipality.
 2. That the applicant install eavestroughs on the west side of the proposed accessory structure.
 3. That all new driveway entrances or modifications to current driveway entrances will require a Right-of-way Permit from the Town of Amherstburg and be constructed in compliance with the current Driveway Alteration or Installation Policy.
 4. That the design of the accessory structure be in substantial conformity with the plans submitted as part of application A/35/24.

(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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Terris Buchanan Anthony Campigotto Debbie Rollier

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

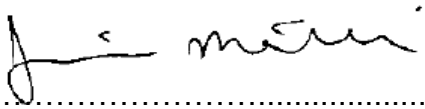
CERTIFICATION

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

(h) Name of approval authority I, **Janine Mastronardi, 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 4th day of September, 2024


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