



The Corporation of The Town of Amherstburg

271 SANDWICH ST. SOUTH
AMHERSTBURG, ONTARIO
N9V 2A5

PLANNING SERVICES DEPARTMENT
BUS (519) 736-5408
FAX (519) 736-9859
Website: www.amherstburg.ca

June 9, 2022

Re: File **B/18/22**
Decision Made on Application for Consent of
Mathew Simone
104 Pointe West Drive

In compliance with Subsection 17 of Section 53 of The Planning Act, I enclose herewith a certified copy of the decision of the Committee with regard to the above-noted file.

Please be advised that the last day for filing an appeal is **June 29, 2022.**

Subsection 19 of Section 53 of The Planning Act states that any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Tribunal by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged by the Tribunal.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Disclaimer: Due to the COVID-19 pandemic, all appeals filed must be submitted to the Town in accordance to Planning Act Regulations. Any appeals received by the Town will be held until OLT resumes appeal hearings in accordance with the Emergency Order and O. Reg. 149/20.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

On an application that has been granted by the Committee, before final certification can be issued, proof in writing must be submitted to the Secretary-Treasurer showing that all conditions imposed by the Committee have been dealt with in a manner satisfactory to the appropriate authority.

Janine Mastronardi, Acting Secretary-Treasurer

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Mathew Simone**
- (c) Brief description LOCATION OF PROPERTY (c) 104 Pointe West Drive
(Roll No. 3729-420-000-60200)
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 29.57 m (97 ft) frontage by 30.48 m (100 ft) depth with an area of 901.16 sq m (9700 sq ft) for purpose of creating a new residential building lot. The remaining parcel being 30.48 m (100 ft) frontage by 34.09 m (111.86 ft) depth with an area of 1039.2 sq m (11,186 sq ft) contains one single detached dwelling. The subject lands are designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1A (R1A) Zone in the Zoning By-law 1999-52.
- (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 consent
 1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; an electronic and paper 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. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$1000 for the severed lot.
 5. That the applicant must install a curb cut and driveway access to the retained parcel to the satisfaction of the Infrastructure Services department prior to the stamping of deeds.
 6. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way. All permitting costs will be borne entirely by the applicant.
 7. That the applicant install separate water services and sanitary and storm sewer connections to the severed lot in accordance with and under the supervision of the municipality at the applicant's expense, prior to the stamping of deeds.
 8. That the applicant submit to the municipality lot grading plans and drainage design for the severed and retained lots to the satisfaction of the municipality.
 9. 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.
- (g) State reasons for decision **REASONS FOR DECISION:** (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

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David Cozens

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Terris Buchanan

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Anthony Campigotto

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Donald Shaw

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Josh Mailloux

ORIGINAL DOCUMENT SIGNED

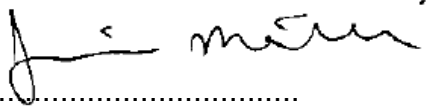
CERTIFICATION

The Planning Act, R.S.O. 1990

(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 this 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