



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

FRANK GARARDO, MCIP, RPP
MANAGER OF PLANNING SERVICES
Email: fgarardo@amherstburg.ca

September 30, 2020

Re: File **B/26/20**
Decision Made on Application for Consent of
John & Donna Curtis, c/o Drew Coulson, Agent
117-119 Park Street

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 **October 20, 2020.**

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 committee or appeal both the decision and any condition to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act, 2017*.

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 LPAT 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 Local Planning Appeal 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.

Frank Garardo, 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) **John & Donna Curtis,
c/o Drew Coulson, Agent**

(c) Brief description LOCATION OF PROPERTY (c) **117-119 Park Street
(Roll No. 3729-100-000-02200)**

(d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 12.8 m (42 ft) frontage by a depth of 30.47 m (99.96 ft) with an area of 394.19 sq m (4243 sq ft) for the purpose of creating a new residential lot for an existing semi-detached dwelling. The proposed retained parcel being 12.8 m (42 ft) frontage by a depth of 31.16 m (102.24 ft) with an area of 396.05 sq m (4263 sq ft) is a residential lot for an existing semi-detached dwelling. The subject property is zoned Residential Heritage (RH) and designated Heritage Residential in the Official Plan.

(e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 29th day of September, 2020.

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; a copy to be provided to the municipality.
 2. The applicant submit to the municipality the deed, in triplicate, acceptable for registration in order that consent may be attached to the original and duplicate and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That a covenant be registered on the title of both the severed and retained parcels acknowledging that the overhead hydro wire to the semi-detached dwelling is shared and that the wording of such covenant be to the satisfaction of Essex Powerlines Corporation.
 5. That a covenant be registered on the title of the retained parcel acknowledging that the hydro meter for the retained parcel is on the severed parcel and that the wording of such covenant be to the satisfaction of Essex Powerlines Corporation.
 6. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$300 for each newly created lot.
 7. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within one year 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. A semi-detached dwelling is a permitted use on the subject property.

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.

.....
David Cozens Terris Buchanan

..... ORIGINAL DOCUMENT SIGNED
Donald Shaw Josh Mailloux

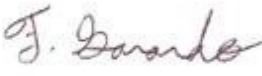
CERTIFICATION

The Planning Act, R.S.O. 1990

(h) Name of approval authority I, **Frank Garardo, 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 30th day of September, 2020


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