



# 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](http://www.amherstburg.ca)

FRANK GARARDO, MCIP, RPP  
MANAGER OF PLANNING SERVICES  
Email: [fgarardo@amherstburg.ca](mailto:fgarardo@amherstburg.ca)

September 30, 2020

Re: File **B/27/20**  
Decision Made on Application for Consent of  
**1830011 Ontario Ltd., c/o Chad Mailloux, Agent**  
**V/L Howard Avenue**

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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) **1830011 Ontario Ltd.,  
c/o Chad Mailloux, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **V/L Howard Avenue  
(Roll No. 3729-390-000-10100)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever an L-shaped parcel of vacant land with 9.14 m (30 ft) frontage by 74.68 m (245 ft) depth and an area of 0.134 hectares (0.33 acres) for the purpose of a lot addition to merge with 7134 Howard Ave. The proposed retained parcel being 264.23 m (866.89 ft) frontage by 1347.83 m (4422 ft) depth has an area of 39.91 hectares (98.62 acres), and is designated and zoned Agricultural in both the Town’s Official Plan and Zoning By-law.
- (e) Date of decision **CONCUR** in the following decision and reasons for decision made on the (e) 29<sup>th</sup> 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; an electronic and paper 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. Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcels of land being the subject of the consent (severed and retained parcels).
  4. That prior to the stamping of deeds the owner is to provide satisfactory evidence that the adjacent parcel is under merger and common ownership relative to the parcels which are the subject of the consent.
  5. That all property taxes be paid in full.
  6. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
  7. That an assessment apportionment for any and all drains affected by the severance be completed in accordance with the provisions of the Drainage Act and that all costs associated with said apportionment be paid by the applicant.
  8. 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 Sections 6.1.2 and 6.1.2(6) of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement. The proposed lot addition does not remove agricultural land from production.

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

.....  
Donald Shaw

.....  
Josh Mailloux

**ORIGINAL DOCUMENT SIGNED**

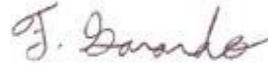
**CERTIFICATION**

*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 30<sup>th</sup> day of September, 2020



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



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September 30, 2020

Re: File **A/18/20**  
Decision Made on Application for Minor Variance of  
1830011 Ontario Ltd., c/o Chad Mailloux, Agent  
**V/L Howard Avenue**

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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 **October 20, 2020**.

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 twenty days of the making of the decision, appeal to the Local Planning Appeal 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 prescribed by the Tribunal under the Local Planning Appeal Tribunal Act, 2017 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 Local Planning Appeal Tribunal. The Local Planning Appeal 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,

Frank Garardo, Secretary-Treasurer

