



# 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)

March 5, 2025

Re: File **B/02/25**  
Decision Made on Application for Consent of  
**George Dragicevic**  
**6801 Concession 6N (Roll No. 3729-480-000-03900)**

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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 **March 25, 2025.**

Subsection 19 of Section 53 of The Planning Act states that the applicant, the Minister, a specified person or any 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.

Only the applicant, the Minister, a specified person or any public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an individual/neighbour.

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.

Take notice that an appeal to the Ontario Land Tribunal in respect to the provisional consent may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Town of Amherstburg as the Approval Authority or by mail, 271 Sandwich Street South, Amherstburg, ON N9V2A5, no later than 4:30 p.m. on March 25, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [planning@amherstburg.ca](mailto:planning@amherstburg.ca).

Janine Mastronardi, Secretary-Treasurer

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

(a) Name of approval authority	<b>TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT</b>
(b) Name of Applicant	RE AN APPLICATION BY (b) <b>George Dragicevic</b>
(c) Brief Description	LOCATION OF PROPERTY (c) <b>6801 Concession 6 N (Roll No. 3729-480-000-03900)</b>
(d) As set out in application	<p>PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 41.5 m ± frontage by an irregular depth with an area of 0.36 ha ± which includes a single detached dwelling and two accessory structures which are surplus to the needs of the farming operation together with a 6.1 m by 16 m easement for shared access over the retained farm parcel. The remaining parcel being 798.5 m ± frontage by 2206 m depth with an area of 19.64 ha ± is vacant agricultural land.</p> <p>The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.</p>
(e) Date of decision	CONCUR in the following decision and reasons for decision made on the (e) 5 <sup>th</sup> day of March, 2025.
	<b>DECISION: APPROVED</b>
(f) State conditions to be satisfied before granting of consent	<ol style="list-style-type: none"><li>1. That a Reference Plan of the severed parcel and of the proposed easement lands over the retained parcel be prepared, satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.</li><li>2. The applicant to submit to the municipality the deed for the severed parcel subject to an easement over the retained farm parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.</li><li>3. The applicant to submit to the municipality the deed for the retained parcel together with an easement for access in favour of the severed parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.</li><li>4. That all property taxes be paid in full.</li><li>5. 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.</li><li>6. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.</li><li>7. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that the operation will not be affected by the severance, to the satisfaction of the municipality.</li><li>8. The applicant/owners are required to enter into a reapportionment of the drainage assessment for the subject lands in accordance with Section 65(2) of the Ontario Drainage Act, R.S.O. 1990 as amended and provide the Town of Amherstburg, a signed agreement and that any associated cost of same be borne solely by the applicant. The reapportionment for any affected Municipal Drains is required and is to be assessed against the affected lands in accordance with any past, current or future drainage bylaws, until such time as otherwise determined under the provisions of the Drainage Act. The severance shall not be granted until a Council resolution is passed to execute the reapportionment agreement.</li></ol>

9. That the applicant determine if there are any existing farm drainage tiles/systems extending through the parcel that is to be severed and, if existing farm drainage tiles/systems are found, that the applicant redirect the tiles/systems around the parcel to be severed to the satisfaction of the municipality.
10. That a grade design demonstrating that the severed parcel will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.
11. That the following covenant be included on the title of the severed and retained parcels:
- “The Purchaser(s)/Transferee(s) hereby acknowledge(s) that an active, licensed quarry is located near this property. Notwithstanding that the quarry must operate within provincial guidelines and the conditions of its license, it is possible that these operations may generate noticeable noise, vibration, dust and traffic and/or other potential impacts.”*
12. 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.

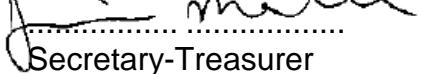
(g) State REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of reasons for Amherstburg's Official Plan and is consistent with the Provincial Planning Statement. decision

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.

..... Terris Buchanan	..... Anthony Campigotto	..... Debbie Rollier
..... Donald Shaw	..... Josh Mailloux	ORIGINAL DOCUMENT SIGNED

**CERTIFICATION**  
*The Planning Act, R.S.O. 1990*

(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 this 5 <sup>th</sup> day of March, 2025	 ..... Secretary-Treasurer Town of Amherstburg Committee of Adjustment 3295 Meloche Rd, Amherstburg, ON N9V 2Y8
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AMHERSTBURG, ONTARIO  
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Website: [www.amherstburg.ca](http://www.amherstburg.ca)

March 5, 2025

Re: File **A/02/25**  
Decision Made on Application for Minor Variance of  
**George Dragicevic**  
**6801 Concession 6 N (Roll No. 3729-480-000-03900)**

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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 **March 25, 2025.**

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.

Take notice that an appeal to the Ontario Land Tribunal in respect to the provisional minor variance may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Town of Amherstburg as the Approval Authority or by mail, 271 Sandwich Street South, Amherstburg, ON N9V2A5, no later than 4:30 p.m. on March 25, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [planning@amherstburg.ca](mailto:planning@amherstburg.ca).

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) **George Dragicevic**
- (c) Brief description

LOCATION OF PROPERTY (c) **6801 Concession 6 N  
(Roll No. 3729-480-000-03900)**
- (d) As set out in application

PURPOSE OF APPLICATION: (d) The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone. Subsequent to a severance of a 0.36 ha ± surplus dwelling from an existing 20 ha hectare parcel the retained farm parcel will have an area of 19.64 hectares ±. Therefore, the amount of relief requested is 20.36 hectares.

The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.
- (e) Date of decision

CONCUR in the following decision and reasons for decision made on the (e) 5<sup>th</sup> day of March, 2025

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)
- (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.

.....

Terris Buchanan

.....

Anthony Campigotto

.....

Debbie Rollier

.....

Josh Mailloux

.....

Don Shaw

ORIGINAL DOCUMENT SIGNED


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 5<sup>th</sup> day of March, 2025

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