



CORPORATION OF THE TOWN OF AMHERSTBURG
271 SANDWICH ST S, AMHERSTBURG, ONTARIO N9V 2A5

NOTICE OF PUBLIC HEARING

In the matter of the *Planning Act*, R.S.O. 1990, as amended, and, in the matter of an application for consent by:

Bell Mobility Inc., c/o HRK Realty Services Ltd., Agent

TAKE NOTICE THAT application for **minor variance** under the above-noted file will be heard by the TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT on the date, time and place shown below:

**Amherstburg Council Chambers, 271 Sandwich St. S., Amherstburg, ON
Wednesday, October 1, 2025 at 8:00 A.M. (morning)**

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.

If you wish to participate in the Committee of Adjustment meeting electronically, please email the Secretary Treasurer at jmastronardi@amherstburg.ca to request the meeting invitation by 4:00 p.m. two nights before the hearing (Monday, September 29, 2025).

Public Comment Submission:

If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer either by mail or in person to:

Janine Mastronardi, Secretary-Treasurer
3295 Meloche Road
Amherstburg, ON
N9V 2Y8

Comments can also be submitted by email by 4:00 p.m. two nights before the hearing (Monday, September 29, 2025) to the Planning Department, planning@amherstburg.ca. All public comments received prior to the meeting by the above noted due date, will be read aloud at the beginning of the relevant application.

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer at the address shown above.


If you do not attend and are not represented at this hearing, the Committee may proceed in your absence (including possible amendments to the original request). Except as otherwise provided for in the *Planning Act*, you will not be entitled to any further notice of the proceedings.

If you wish to be notified of the decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed consent, you must make a written request to Town of Amherstburg Committee of Adjustment.

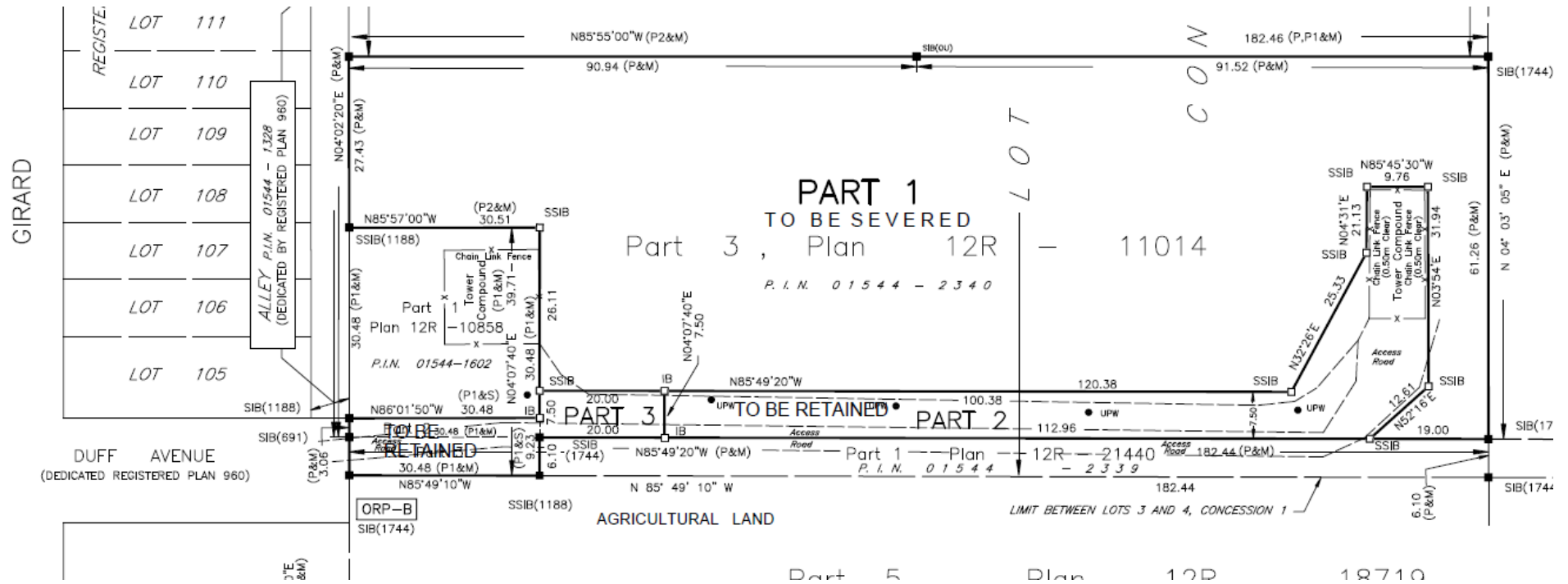
Purpose of Application A/24/25: The applicant is requesting relief from the provision of the Zoning By-law 1999-52, as amended, Section 25(3)(a), and (b) which states “No person shall, within any FD Zone, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

- The subject property is the retained parcel resulting from provisional consent B/29/25, being 9.16 m frontage by 176.05 m depth with a total area of 1767.3 sq m identified as Parts 2 and 3 on the attached draft reference plan and contains a communication tower and an access road.**

Additional Information relating to the proposed application is available by contacting the Town of Amherstburg Planning Offices by phone or email, during normal office hours, 8:30 a.m. to 4:30 p.m. or at the Town website www.amherstburg.ca.


Janine Mastronardi, Secretary-Treasurer
Town of Amherstburg Committee of Adjustment
3295 Meloche Road, Amherstburg, ON N9V2Y8

A/24/25- Minor Variance for Lot Area and Lot Frontage of Retained Parcel resulting from consent file B/29/25, being Parts 2 and 3 on the draft reference plan below.



Municipal Fee Received:	<input checked="" type="checkbox"/>
ERCA Fee Received:	<input checked="" type="checkbox"/>

Application No. A/24/25

PLANNING ACT
APPLICATION FOR MINOR VARIANCE ☒
APPLICATION FOR PERMISSION ☐
TOWN OF AMHERSTBURG

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality September 2, 2025
3. Date application deemed complete by municipality September 3, 2025
4. Name of registered owner Bell Mobility Inc.

Telephone number _____

Address & Postal Code _____

Email _____

Name of registered owner's solicitor or authorized agent (if any) HRK Realty Services Ltd. (Agent)

Telephone number _____

Address & Postal Code _____

Email _____

Please specify to whom all communications should be sent:

☐ registered owner ☐ solicitor ☒ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

None

6. Location and description of subject land:

Concession No. 1 Lot(s) No. Part Lot 4

Registered Plan No. _____ Lot(s) No. _____

Reference Plan No. _____ Part(s) No. _____

Street Address Not Assigned Assessment Roll No. 3729 350 000 00620

7. Size of subject parcel:

Frontage 9.16m Depth 173.44m+/- Area 1,767.3m²

8. Access to subject parcel:

☒ Municipal Road ☐ County Road ☐ Provincial Highway
☐ Private ☐ Water

If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

9. Current Official Plan Land Use designation of subject land _____
Medium Density Residential

10. Current Zoning of subject land Future Development FD

11. Nature and extent of relief from the Zoning By-law requested _____

Requested relief from subsection 25(3)(a) to reduce the Lot Area (Minimum) from 2,000m² to 1,767.3m².

Requested relief from subsection 25(3)(b) to reduce the Lot Frontage (Minimum) from 30m to 9m.

12. Reasons why minor variance is necessary _____
The remaining land holding after severance causes certain regulatory deficiencies.

13. Current use of subject land Communications tower.

14. Length of time current use of subject land has continued _____
Since February 26, 1991 when Bell acquired the property.

15. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

Communications tower and associated structures within a fenced enclosure.

16. Date of construction of existing buildings and structures on the subject land:
Circa 1991

17. Date subject land acquired by current registered owner February 26, 1991

18. Proposed use of subject land Continued communications tower.

19. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:

No new buildings or structures are proposed.

20. Type of water supply:

- ☐ municipally owned and operated piped water supply
☐ well
☒ Other (specify) no water connection

21. Type of sanitary sewage disposal:

- ☐ municipally owned and operated sanitary sewers
☐ septic system
☒ Other (specify) no sanitary sewage connection.

22. Type of storm drainage:

☐

sewers

☐

ditches

☐

swales

☒

Other (specify)

Natural overland drainage.

23. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

☒

consent to sever

☐

approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

B/29/25 as well as former 1991 Rogers Cantel Inc. tower severance.

24. If known, indicate if the subject land has ever been the subject of an application for minor variance under Section 45 of the Planning Act.

unknown

25. The proposed project includes the addition of permanent above ground fuel storage:

☐

Yes

☒

No

26. Is the land within 600m of property that is designated as Extraction Industry?

☐

Yes

☒

No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

A minor variance application fee of \$1214.00, along with an ERCA development review fee of \$200.00 (total of \$1414.00 payable to the Town of Amherstburg), must accompany your completed application.

Dated at the City of Windsor
PRINT NAME OF TOWN OR CITY

this 28th day of August, 2025.
DAY MONTH YEAR


SIGNATURE APPLICANT, SOLICITOR OR AUTHORIZED AGENT

I, Harold R. Kersey of the City of Windsor in the
NAME PRINT NAME OF TOWN OF CITY

County/District/Regional Municipality of Essex solemnly declare that all the
statements contained in this application are true, and I make this solemn declaration
conscientiously believing it to be true, and knowing that it is of the same force and effect as if
made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City of Windsor
PRINT NAME OF TOWN OR CITY

In the County of Essex
PRINT COUNTY/REGION/DISTRICT

this 28th day of August, 2025.
DAY MONTH YEAR


APPLICANT, SOLICITOR OR AUTHORIZED AGENT


A COMMISSIONER, ETC.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
- c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
- d) the current uses on land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

AUTHORIZATION

(Please see note below)

To: Secretary-Treasurer
Committee of Adjustment
Town of Amherstburg

Description and Location of Subject Land:

Part of Lot 4, Concession 1

Lands east of the east terminus of Duff Avenue.

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

Harold R. Kersey of the City of Windsor to:
PRINT NAME PRINT TOWN OR CITY

- (1) make an application on my/our behalf to the Committee of Adjustment for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town's Committee of Adjustment relevant to the application.

Dated at the City of Mississauga
PRINT TOWN OR CITY

in the of
PRINT COUNTY/REGION/DISTRICT

this 2nd day of September, 20 25.
DAY MONTH YEAR

DocuSigned by:
Karine Pinto
SIGNATURE OF WITNESS

DocuSigned by:
Armando Porco
SIGNATURE OF OWNER

SIGNATURE OF WITNESS

SIGNATURE OF OWNER

SIGNATURE OF WITNESS

SIGNATURE OF OWNER

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.