



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 **consent (severance)** 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, August 6, 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, August 4, 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, August 4, 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 a specified person or any public body that files an appeal of a decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed consent does not make written submission to the Town of Amherstburg Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

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.

Location of Property: **North of Marrows Lane**
 (Roll No.: 3729-350-000-00620)

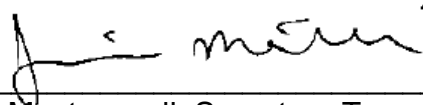
Purpose of Application B/29/25: The applicant is proposing to sever a parcel of land being an irregular shape identified as Part 1 on the attached draft reference plan with an area of 8636.6 sq m for the purpose of a lot addition to merge with 3729 350 000 00640, the abutting parcel to the north for a future residential development together with an easement for access over Part 3 on the attached draft reference plan in favour of the severed lands.

The retained parcel 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 contains a communication tower and an access road.

The subject property is designated Medium Density Residential in the Town's Official Plan and zoned Future Development (FD) Zone in the Town's Zoning By-law.

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.

Dated: July 23, 2025



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



TOWN OF AMHERSTBURG
Application for
CONSENT/LAND SEVERANCE

OFFICE USE ONLY

Application No: B/29/25
 Date of Pre-consultation Meeting: N/A
 Date Application Received: June 12, 2025
 Date Application Deemed Complete: July 20, 2025
 Staff Person Present: J. Mastrorillo
 Municipal Fee Received: PAID
 ERCA Fee Received: PAID

1. CONTACT INFORMATION

Applicant/Owner Information

Municipal Freedom of Information and Protection of Privacy Act – Personal Information on this form is collected under authority of the Planning Act and will be used to process this application.

Name of Registered Owner: Bell Mobility Inc. (Att: Karine Pinto, Senior Advisor, Real Estate)

Mailing Address: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Agent Authorized by Owner to file the Application (if applicable):

Name of Registered Owner: HRK Realty Services Ltd.

Mailing Address: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Which of the above is the Primary Contact? ☒ Applicant ☒ Agent

If known, if there are any holders of any mortgages, charges or other encumbrances on the subject land, please provide details as follows:

Name: [REDACTED]

Address: [REDACTED]

2. LOCATION AND DESCRIPTION OF SUBJECT LANDS

Assessment Roll No.: 3729 350 000 00620.0000

Municipal Address: Not Assigned (Morrows Lane)

Concession: 1

Lot: Part of Lot 4

Registered Plan No.: [REDACTED]

Lot(s): [REDACTED]

Reference Plan No.: Plan 12R-11014

Part(s): Part 3

3. CURRENT OFFICIAL PLAN DESIGNATION AND ZONING OF SUBJECT LANDS:

Official Plan Designation: Medium Density Residential
 Zoning: Future Development FD

4. CURRENT SIZE OF SUBJECT PARCEL:

Frontage: 9.15 m
 Depth: 182.46 m
 Area: 10,403.9 sm

5. ARE THERE ANY EASEMENTS OR RESTRICTIVE COVENANTS AFFECTING THE SUBJECT LAND?

☒ Yes ☐ No

If yes, please provide a description of each easement or covenant and its effect.

Easement in favour of 190 Duff over Parts 2+3 on 12R 10858.

6. TYPE AND PURPOSE OF TRANSACTION (please check all applicable)

Conveyance

Agricultural Area: ☐ farm split ☐ surplus dwelling ☐ lot addition
☐ technical severance
 Other Areas: ☐ creation of new lot ☐ technical severance
☒ lot addition
 Other: ☐ mortgage or charge ☒ easement/rig-of-way
☐ partial discharge of mortgage ☐ correction of title
☐ other (specify) _____

7. DESCRIPTION AND USE OF LAND INTENDED TO BE SEVERED: Part 1 on Draft Ref. Plan.

Frontage: 9.16 m (via easement to be registered on Part 3 on Draft Ref. Plan)
 Depth: 182.46 m
 Area: 8,636.6 sm
 Existing Use: Vacant Land
 Proposed Use: Storm Water Management Pond for Subdivision
 Number and use of buildings and structures on the land intended to be severed
 Existing Use: No buildings or structures
 Proposed Use: Storm Water Management Pond

Is there an existing access bridge on this parcel? ☐ Yes ☒ No
 Is there a water service connection on this parcel? ☐ Yes ☒ No
 Is there a sanitary sewer connection on this parcel? ☐ Yes ☒ No

Access to proposed severed lot ☒ Municipal Road ☐ County Road
☐ Provincial Highway ☐ Private ☐ Water

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

8. NUMBER OF NEW LOTS PROPOSED (NOT INCLUDING RETAINED LOT): 0

9. DESCRIPTION AND USE OF LAND INTENDED TO BE RETAINED:

Frontage: 9.16 m (Parts 2 & 3 on Draft Ref. Plan, Part 3 to be subject to easement)

Depth: 176.05 m

Area: 1,767.3 sm

Existing Use: Communications Tower and access road.

Proposed Use: Communications Tower and access road.

Number and use of buildings and structures on the land intended to be ~~severed~~ retained

Existing Use: communications tower + access road

Proposed Use: no change proposed

Is there an existing access bridge on this parcel? ☐ Yes ☒ No

Is there a water service connection on this parcel? ☐ Yes ☒ No

Is there a sanitary sewer connection on this parcel? ☐ Yes ☒ No

Access to proposed severed lot ☒ Municipal Road ☐ County Road
☐ Provincial Highway ☐ Private ☐ Water

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

10. TYPE OF WATER SUPPLY AND SANITARY SEWAGE DISPOSAL (please check all applicable)

Type Water

Municipally owned and operated piped water supply ☐ Severed ☐ Retained

Well ☐ Severed ☐ Retained

Other (specify) No water supply and sanitary sewage disposal anticipated.

Type Sanitary

Municipally owned and operated sanitary sewers ☐ Severed ☐ Retained

Septic tank ☐ Severed ☐ Retained

Other (specify) No sanitary sewers are required.

When will water supply and sewage disposal service be available? N/A

11. PROPERTY HISTORY

Have there been any previous severances of land from this holding?

☒ Yes ☐ No

If yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name: Rogers Cantel Inc.

Relationship (if any) to the owner: none

Use of parcel: communications tower

Date parcel created: January 1991

Has the parcel ever been the subject of an application for approval of a plan of subdivision under Section 51 or a consent under Section 53 of the Act, as amended, or its predecessors?

☐ Yes ☒ No

If yes, please indicate the file number and the decision: _____

12. CURRENT APPLICATIONS

Please indicate whether the property is the subject of an application for one of the following:

- ☐ Official plan or official plan amendment approval
- ☒ Zoning by-law amendment
- ☐ Minister's zoning order amendment
- ☐ Minor variance
- ☒ Consent or approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application(s) _____

Applications are forthcoming in the near future. for severed parcel with consolidated lands.

Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

☐ Yes ☒ No

Is the owner, solicitor or agent applying for any minor variance or permission to extend or enlarge under Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land that is the subject of this application?

☐ Yes ☒ No

Is the requested application consistent with policy statements issued under subsection 3(1) of the Planning Act? (ie: 2024 Provincial Planning Statement)

☒ Yes ☐ No

Is the subject land within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested application conform to or does not conflict with the provincial plan or plans? _____

Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

☐ Yes ☒ No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

Does the proposed project include the addition of permanent above ground fuel storage?

☐ Yes ☒ No

Is the land within 600 m of property that is designated as Extractive Industrial?

☐ 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

13. CONSENT OF OWNER

The owner must also complete the following or a similar authorization attached to the application.

Consent of Owner(s) to the Use and Disclosure of Personal Information and to Allow Site Visits to be Conducted

In accordance with the provisions of the Planning Act, it is the policy of the Town of Amherstburg Planning Services Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation,

I/we Armando Porco

PRINT NAME(S)

the owner(s)/authorized applicant, hereby acknowledge the above-noted policy and provide my/out consent, in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

12 June 2025

DATE

DocuSigned by:

Armando Porco

SIGNATURE

DATE

SIGNATURE

14. AFFIDAVIT (This affidavit must be signed in the presence of a Commissioner)

I/We, HAROLD R KERSEY of the CITY OF WINDSOR
PRINT NAME(S) PRINT TOWN OR CITY NAME

in the COUNTY OF ESSEX solemnly declare that all of the
COUNTY/REGION/DISTRICT NAME

information and the statements contained in this application are true, and I/we, 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 TOWN OR CITY NAME

in the COUNTY OF ESSEX this 12th day of JUNE, 20 25.
COUNTY NAME DAY MONTH YEAR

JUNE 12, 2025
DATE

SIGNATURE OF OWNER OR AUTHORIZATION AGENT

JUNE 12, 2025
DATE

SIGNATURE OF COMMISSIONER

15. AUTHORIZATION

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization attached to the consent application.

To: Town of Amherstburg

Description and Location of Subject Lands: Part of Lot 4, Concession 1

Being within Part 3 on Plan 12R-11014

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize
HRK Realty Services Ltd. (Att: Harold Kersey)

PRINT NAME

of **The City of Windsor**

PRINT TOWN OR CITY NAME

To:

- (1) make an application on my/our behalf to the Committee of Adjustment of the Town of Amherstburg;
- (2) appear on my behalf at any hearings(s) of the application; and
- (3) provide any information or material required by the Committee relevant to the application.
- (4) submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the process of the application

DATED at the City of Mississauga
PRINT TOWN OR CITY NAME

in the _____ this 12th day of June, 20 25.
COUNTY NAME DAY MONTH YEAR

Witness

DocuSigned by:

Armando Porco

18D35E47E8C0420...

Signature of Owner

Witness

Signature of Owner

Witness

Signature of Owner

16. POSTING COMMITTEE OF ADJUSTMENT ADVISORY SIGN

This will confirm the requirements of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application(s). You are directed to post the sign in a prominent location that will enable the public to observe the sign.

The location of the sign will depend on the lot and location of structures on it. The sign should be placed so as to be legible from the roadway in order that the public see the sign and make note of the telephone number should they wish to make inquiries. The Zoning By-law prohibits the signs from being located in any corner lot sightlines. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

Each sign must remain posted beginning 14 days prior to the Hearing, until the day following the decision of the Committee of Adjustment. Please complete the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign as required will result in deferral of the application.

Chris Aspila, MCIP RPP
Manager of Planning Services

Property Address: Morriss Lane - 3129 350 000 00620

Application Number(s): B/29/25

I understand that each sign must be posted at least 14 days before the Hearing, and will remain posted and be replaced if necessary, until the day following the Decision.

I acknowledge that the Secretary-Treasurer has confirmed these requirements with me.

DocuSigned by:
Armando Porco
Signature (Owner/Authorized Agent)

12 June 2025
Date



Town of Amherstburg
B/29/25 - Marrow Lane



189

183

179

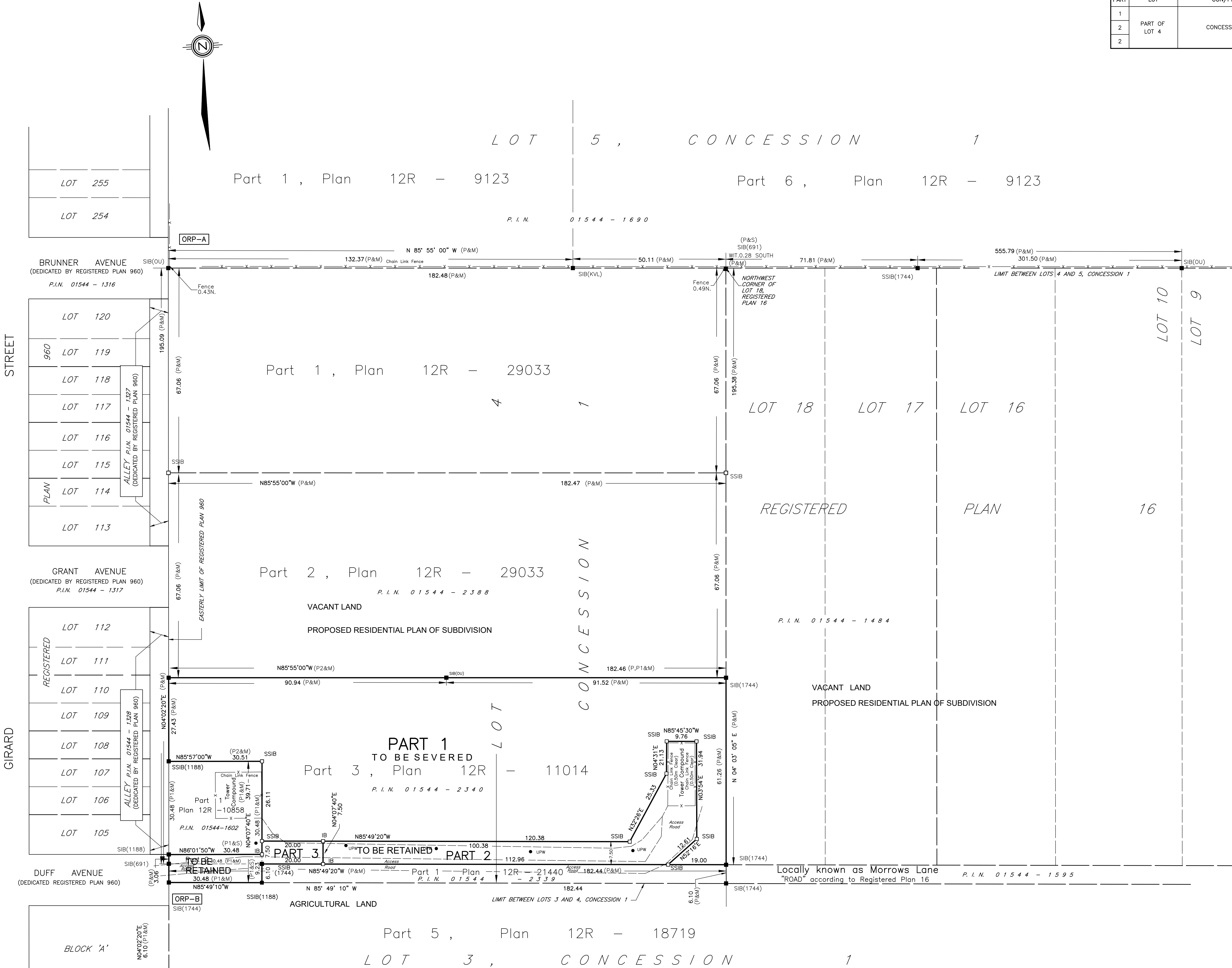
175

169

190

159

PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA (m ²)
1	PART OF LOT 4	CONCESSION 1	ALL OF 01544-2340	8636.6
2				1336.9
2				430.4



PLAN OF SURVEY
OF
PART OF LOT 4,
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF ANDERDON
NOW IN THE
TOWN OF AMHERSTBURG
COUNTY OF ESSEX, ONTARIO
VERHAEGEN LAND SURVEYOR

SCALE = 1:600

0 6.00 12.00 24.00 36.00 60.00 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT
WHEN PLOTTED AT A SCALE OF 1:600

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048

- LEGEND AND NOTES**
- BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS) (2010.0).
- DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999950
- | | | | |
|------|----------------------------------|----|------------------------|
| ■ | DENOTES SURVEY MONUMENT FOUND | M | DENOTES MEASURED |
| □ | DENOTES SURVEY MONUMENT SET | S | DENOTES SET |
| SIB | DENOTES STANDARD IRON BAR | L | DENOTES PERPENDICULAR |
| SSIB | DENOTES SHORT STANDARD IRON BAR | D | DENOTES DEED |
| IB | DENOTES IRON BAR | OU | DENOTES ORIGIN UNKNOWN |
| PB | DENOTES PLASTIC BAR | | |
| WT | DENOTES WITNESS | | |
| ORP | DENOTES OBSERVED REFERENCE POINT | | |
- ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.R.S. 529/91.
- (S/P) DENOTES SET PROPORTIONALLY
- (P) DENOTES PLAN 12R-29033 (P1) DENOTES PLAN 12R-10858
- (P2) DENOTES PLAN 12R-11014
- (JDB) DENOTES J.D. BARNES LIMITED
- (1744) DENOTES VERHAEGEN LAND SURVEYORS
- (KVL) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.
- (1188) DENOTES C.A. SEXTON, O.L.S.
- (691) DENOTES HOWARD B. HEAD, O.L.S.

INTEGRATION DATA		
COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).		
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.R.G. 216/10		
POINT ID	NORTHING	EASTING
ORP-A	N4665045.330	E325967.058
ORP-B	N4664850.737	E325953.346
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

SURVEYOR'S CERTIFICATE

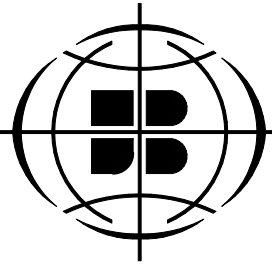
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE DAY OF

DATE MARCH 11, 2025

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-XXXXXX.



VERHAEGEN
LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY:	CHECKED BY:	REFERENCE NO.:
A.S.M.	A.S.M.	25-47-061-00
FILE: 25-47-061-00.dwg	E-ANDERDON-1-4	CAD Date: March 11, 2025 10:11 AM CAD File: 25-47-061-00.dwg