



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

May 1, 2025

Re: File **B/17/25**
Decision Made on Application for Consent of
Peter & Marilyn Tiefenbach, c/o James Rousseau, Agent
3591 Concession 3 N (Roll No. 3729-450-000-02200)

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 **May 21, 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. If the e-file portal is down, you can submit your appeal to planning@amherstburg.ca.

Janine Mastronardi, 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) Peter & Marilyn Tiefenbach, c/o James Rousseau, Agent
(c) Brief Description	LOCATION OF PROPERTY (c) 3591 Concession 3 N (Roll No. 3729-450-000-02200)
(d) As set out in application	<p>PURPOSE OF APPLICATION (d) The applicant is proposing to sever an L-shaped parcel of land being 4.572 m ± frontage by 70.104 m ± depth with an area of 802.68 sq m ± to merge with the abutting rural residential parcel at 3595 Concession 3 N for purposes of a lot addition.</p> <p>The retained parcel being 147.428 m ± of frontage by an irregular depth with an area of 12.08 ha ± contains a single detached dwelling, three accessory structures and farmland.</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	<p>CONCUR in the following decision and reasons for decision made on the (e) 30th day of April, 2025.</p> <p>DECISION: APPROVED</p>
(f) State conditions to be satisfied before granting of consent	<ol style="list-style-type: none">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 to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.3. That all property taxes be paid in full.4. 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.5. That prior to the stamping of deeds the owner is to provide satisfactory evidence that the adjacent parcel is under consolidation relative to the parcels which are the subject of the consent.6. That a grade design demonstrating that the severed (resulting consolidated parcel) will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.7. Surface water and subsurface drainage tiles and water shall be redirected around the severed parcel to the satisfaction of the municipality.8. The applicant shall submit a tiling plan of the entire parcel satisfactory to the municipality.9. The applicant/owners are required to enter into a reapportionment of the drainage assessment for the subject lands in accordance with Section 65 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 be required and are 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.

10. 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 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 Planning Statement.

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.

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Terris Buchanan

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Anthony Campigotto

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Debbie Rollier

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Donald Shaw

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Josh Mailloux

ORIGINAL DOCUMENT SIGNED

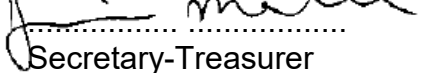
CERTIFICATION

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 1st day of May, 2025


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